

WIRRAL COUNCIL

COUNCIL EXCELLENCE OVERVIEW AND SCRUTINY COMMITTEE

4 JULY 2012

SUBJECT:	BENEFITS SERVICE ANNUAL REPORT
WARD/S AFFECTED:	ALL
REPORT OF:	ACTING CHIEF FINANCE OFFICER
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR PHIL DAVIES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report updates Members on the work and developments within the Benefits Service 20/11/12. It details the programme of current changes to Local Housing Allowance / Housing Benefit and the Welfare Reform programme which will have significant impact and introduce widespread change for the Council, its staff, the service users and stakeholders.
- 1.2 The report also notes the expanded breadth of the service during 2011/12 as it took over responsibility for the assessment and collection of Personal Domiciliary and Residential Care Charges from the Director of Adult Social Services as well as the direct responsibility for the administration of Education Welfare Benefits.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Last year I highlighted the ongoing increase in the Housing Benefits and Council Tax Benefits caseload. This trend continues and appears to have direct correlation with the wider economic position. The caseload at May 2012 totalled 43,068, compared to 41,244 in May 2011. The ratio of claims in respect of those under 60 years of age to those who are 60 years or over, whilst fluctuating in year, remains relatively consistent at approximately 40% under 60 and 60% over 60.
- 2.2 The cost of the service in terms of the payment of benefits and administration has increased. Payments made in respect of 2010/11 totalled £155,719,065 and in 2011/12 was £162,415,058, against an original estimate of £162,509,131. For 2012/13 the basis of the final payment estimate submitted to the Department for Work and Pensions reflects the increased spend associated with the Local Housing Allowance changes and corresponding Transitional Protection cost. Therefore the initial 2012/13 estimate is £165,658,780, an increase of 2% over the 2011/12 actual

2.3 The year on year reduction in the Department for Work and Pensions administration grant is negated by additional grant released through 'recession funding'. For 2011/2012 the authority received £2,973,093 by way of administration grant funding with an additional £290,636 in respect of the continued economic down turn impacts. The DWP has confirmed that additional payment will again be made in respect of 2012/13. For 2012/2013 Wirral will receive £2,785,666 administration grant funding with an additional £275,724, in respect of the economic downturn. This is an overall reduction year on year of 6%. Funding beyond 2012/13 will be linked to the administration position of HB/CTB services and Universal Credit.

2.4 The cost of service administration and the increasing caseload is consistent with increasing work volumes during 2011/12 as measured by increased correspondence and customer contact this is detailed below :

New claims received and determined	23,270
Changes of circumstances reported and actioned	168,712
Postal receipts totalled	265,809

The Benefits service direct take-on of Education Welfare Benefits in June 2011 has seen a fairly consistent live claim base of approximately 9,600, of which approximately 5,600 also have live HB/CTB claims.

The transfer of the Personal Finance Unit brought with it a live caseload of 4,262 and significant associated active debt profile. The latter will be the subject of a separate report to a future meeting of this Committee.

2.5 The administrative operation of the Benefits Service requires close liaison with other Departments, as follows. Adult Social Services: assessment of domiciliary and care charges; Corporate Services (Housing Options and Homelessness teams; Legal Services; the Information Manager; Department for Children and Young People (Education Welfare Benefits). Third sector partner organisations, Government Agencies, including the DWP, Pension Service and Police, together with private and social sector landlords all routinely form part of service delivery negotiations. The number of groups and organisations with which officers work will probably increase given the wider implications of welfare reform.

2.6 The service maintains and develops strong and effective working relationships with other local authorities. The Merseyside Benefits Forum continues to inform and assist, and recently we have worked closely with. This is expected to develop over coming months, to mutual benefit as managers mirror the long established practices of the Merseyside group. The group is increasingly focussing on welfare reform and the issues faced by each LA, in respect of scheme design, together with close examination of the government's proposals and draft legislation. This level of benchmarking and collaboration is invaluable to managers to support clarity of understanding as strategies are developed.

PERFORMANCE

2.7 The service is supported by customer service staff through the Council's network of One Stop Shops and the Call Centre. Service development and design, for example the move of the Personal Finance Unit to the use of a document management system is facilitated through the Customer Service Development Team. This will prove invaluable as Welfare Reform and associated pressure on resources increases. The support and work of the Operational Support Unit is also fundamental to service delivery and development given the heavy reliance on IT systems.

2.8 The average volumes of 'work on the shelf' remain high and the average number of days to process new claims and change in circumstances (the key BVPI indicators) have increased over the previous year.

2.9 The automatic transfer of data from HMRC and DWP directly into LA core benefit systems impacted on work volumes and resources available for processing. This is consistent with the experience of virtually all administering LA's.

2.10 Notwithstanding this, Wirral's performance when benchmarked against the national average remained pleasing. Whilst slightly longer than the year before, overall did not attract a noticeable increase in levels of complaint or otherwise experience a negative customer, partner / stakeholder response. In general terms it is realistic to report that a combination of efficiency measures, data transfer together with increasing workloads has impacted nationally on performance in this area. Effective and intense management of the workload, together with ongoing reviews of practice and outcomes has served to mitigate the factors challenging service delivery. This included the introduction of 'Leaner' processes together with close working with front of house services, particularly the One Stop Shops in terms of their support of the new claims process.

2.11 During 2011/12 key out turn, in terms of number of days to process, being :-

- New Claims 22 days (*nationally – 23 days*)
- Change in Circumstances 7 days (*nationally – 11 days*)

During 2011/12 the DWP revised the key performance measure for HB/CTB, reverting to separate measures for new claims and change in circumstances.

2.12 The key activity areas for the service continue to be claims processing and administration. It is clear that Welfare Reform will have a significant impact. As this gathers momentum, more resources are dedicated to planning, forecasting and effecting solutions to ensure continued support to the claimant groups. I shall report further on the impact of Welfare Reform on the benefits Service in due course.

2.13 Appeals administration includes the responsibility for the recovery of overpaid Benefit and the prevention, detection and investigation of Fraud. Increasingly important is the work to optimise benefit take-up, to maximise benefits for those already claiming, and the support of anti-poverty work.

2.14 There is no longer the need to report annually on numerous national best value performance indicators which served to inform the Comprehensive Performance Assessment. However the annual audit of the grant claim resulted in only nominal levels of loss attributed to error. The in-house Quality Assurance checking regime has demonstrated its value in supporting accuracy of processing, and the annual average of 97.01% at 31 March 2012 compared favourably to the previous year's level of 96 %. This is an excellent achievement.

2.15 The grant loss for the 2010/2011 claim is estimated to be 0.06% of the claim total, equivalent to £103,000. This is based on two low value claim errors out of a total claim value of £159,162,554. As such Officers are hopeful that it may be further reduced.

2.16 Internal Audit inspections continue to assist managers and act in capacity of 'critical friend'. Audit findings and associated ratings are good, with the areas included in inspection for 2011/2012 being: -

- Post Office Payout Service (used to enable rent allowance payments to those who are unable to open bank accounts)
- Counter Fraud work of the Benefits Investigation Team
- Administration of claims in respect of Supported Accommodation
- Administration of Discretionary Housing Payments

2.17 To ensure compliance with Government strategy and the need to reduce loss through fraud and error in the benefits system it is crucial that Wirral continues to apply sufficient skilled resources to this area. The team of dedicated Fraud Investigators is well established and the Officers share a wealth of experience and are all professionally accredited. The introduction of a Single Fraud Investigation Service from April 2013 will mean the Council's Officers, together with those from HMRC move to working to DWP legislation and practice I shall report further as details become available. The trend in terms of the type of cases under investigation by Wirral's team is that of high value overpayments, longer term fraud and cases which can be prosecuted. The team continues to work closely

with the Police, the DWP Fraud counterparts, Registered providers and other LA's. The data below gives an indication of the team's work during 2011/2012:-

- Received 1,615 fraud referrals
- Undertook 681 Investigations (102 jointly with the DWP)
- Administered a total of 101 Sanctions (including 39 Prosecutions)
- Resolved fraudulent cases with overpayments of HB/CTB totalling £656,264

2.18 The work of the team has in recent months expanded to include the investigation of 'tenancy fraud'. This work helps registered providers free up tenancies that are not bonafide and make accommodation available to those who are in need of and are entitled to it. The Council will continue to develop and expand the scope of the team in the investigation of such areas. The team also actively deliver anti-fraud messages and fraud awareness training to a wide cross section of LA staff and other partner organisations and manage the Fraud Hotline to ensure that fraud can be reported anonymously via a variety of channels.

2.19 Other key service areas include the Appeals and dedicated Supported Accommodation Team, the Revenues & Benefits Training and Development Team, the Quality Assurance Team and Income (Subsidy/Grant) Maximisation Team. A Landlord Liaison Team has been established for several years offering a dedicated service to both private sector and social sector landlords and has helped develop excellent relationships with landlords. Landlords routinely cite the Wirral Benefits Service as the best on Merseyside, the level of engagement with officers. The Council will continue to develop these areas.

2.20 Take-up and benefit maximisation work continues, and is supplemented by the Discretionary Housing Payment Fund. This work continues to support the wider Financial Inclusion programme and complements the work of other Departments, particularly the Housing Options Team in Regeneration's and partner Agencies offering financial respite.

2.21 The need for customer and stakeholder awareness of the service, the Welfare Reform programme and the immediate and important changes affecting claimants continued to be widely publicised during 2011/2012, through all channels. In support of this, officers attended a range of stakeholder events such as the Private Landlord Forum, the annual Merseyside Landlord Expo and Homelessness Forums. HB / CTB are increasingly of significant interest at such events.

2.22 Data Sharing plays a key role across the service. The Benefits Fraud Investigation Team processes all such requests for the Division. Requests from Merseyside Police and the Border Agency are increasing. Such engagement requires diligence and strict control together with a clear understanding of data sharing protocol. In recognition of this, as part of the wider Welfare Reform programme, the DWP are revising the legislation prescribing the sharing of data and final regulation is expected imminently.

2.23 During 2011/12 the Overpayment Debt Recovery function and its staffing transferred to the Revenues section to join a newly established centralised debt collection unit.

2.24 The Personal Finance Unit was transferred to the Benefits Service in July 2011 and comprises of 12.1 FTE posts. Their role involves the assessment of charges for domiciliary and domestic care together with consequential billing and collection. To mitigate reducing resources and to improve efficiency document management processes, in use elsewhere in benefits for many years have been introduced.. This will significantly improve the Unit's ability to manage work loads, ultimately ensure improved recovery of charges and outstanding debt and help to inform longer term resource needs and service design. At the point of transferring to this service area the Unit was managing a variable caseload, high level details of which are as follows :-

- 2009/2010 - 4,177
- 2010/2011 - 4,488
- 2011/2012 - 4,262
- April 2012 – June 2012 - 3,742

I shall report subsequently further developments in this area.

2.25 The remit of the Benefits Service area is set to expand further with the transfer in to Finance of the Corporate Welfare Rights Unit from the Department of Adult Social Services. This small team will join the Benefits service and managers are in ongoing discussion with their DASS colleagues to facilitate this. This transfer sits well with the Benefits maximisation and take-up work already undertaken by the service. A primary task for managers will be to review and address resources as the team has been significantly affected through the EVR / Severance process which is set alongside the increasing demand for advocacy and advice services as the Reform Programme progresses. A full business process review will be undertaken once the transfer is formalised and complete.

2.26 The mid / longer term scope of the team can be aligned to the need to invest more resources into advocacy and support as the welfare reforms increasingly impact, the links to financial inclusion, anti poverty work and the potential of increasing income into the Borough through supporting those who are entitled to claim the appropriate benefits. There is then scope of linking the unit with the existing Benefits PR and Take-up teams and also compliments the development of ' triage' welfare rights advice at the One Stop Shops and provide the likely basis of a holistic 'welfare support service' to Wirral residents.

2.27 During 2011/12 the service continued work in several areas to optimise use of resources and service delivery:-

- Collaborative Working – continued and managers from both Wirral and Knowsley Councils met to consider how this may, in future be expanded to other service areas, potentially Revenues areas. Plans are currently underway to train more officers in each other's Core Benefit system and working practice to ensure sustainability of the initiative which offers the benefit of resilience and mutual support.
- Post Office Payout –this enables those who do not have a bank account to receive their benefit safely and securely, and may be a secure and cost effective payment mechanism for the Social Fund which will become the responsibility of the Council from April 2013.
- The 'Lean' review of the Benefits Service undertaken in collaboration with the DWP has led to:
- These developments have enabled savings of £2.4m as part of the Council's Strategic Change Programme
- Education Welfare Benefits – The first year in directly administering the Free School Meals service has been extremely busy and challenging. Developments have been able to develop processes and practice which supports those claiming or who are entitled to claim, assists Schools, optimises take-up, maximising associated grant income to schools and has introduced improvements such as telephone claims, dedicated contact points for school administrative services, an effective and secure way to share data with schools, prompt advice of changes to pupil entitlement to schools. The annual census process proved to be extremely busy with Benefits visiting staff providing invaluable support. The system is no longer a manual one with the service being administered through the core benefits system.

- The work of the Supported Accommodation team continued in earnest as the officers focusing on this particularly challenging area of benefits administration progressed the review of all schemes. Issues previously reported remain consistent with the difficulties currently faced. Significantly, these difficulties routinely include exceptionally high levels of rent and potential financial impact on the Authority through consequential loss of grant subsidy. This has to be balanced against the duty of Officers to ensure that those who are the most vulnerable in terms of claimant group are not disadvantaged and are supported appropriately through the HB / LHA scheme. As such, proactive and close liaison with colleagues in Adult Social Services, Legal Services and Regeneration / Housing is paramount if the scheme is to be administered, for this client group, on a fair and equitable basis and to bring each case to an acceptable conclusion.
- For the first time since 2008/2009 the service has recently embarked on a programme to recruit benefit assessment officers. This has been necessary to ensure service reliance over the coming months as the work load continues to escalate as do the many wide ranging demands on the service. The ultimate reduction in the service as a result of the longer term and final move to Universal Credit has been factored into the number of posts recruited to.
- Freedom of Information requests concerning the Benefits service area are increasing, particularly around policy and application of legislation / good practice guidance by the LA.

WELFARE REFORM

2.28 As I reported on 12 July 2011 (minute 16), the future of the HB/CTB service will be affected by the National Reform of Welfare Assistance and the move to a Universal Credit. I shall report separately as details are available.

2.29 Changes associated with Welfare Reform, essentially preparing for it, started to affect HB/CTB claimants from April 2011. An initial area of impact is Local Housing Allowance in regard the amount of rent that can be awarded as a maximum for a claim. Those existing recipients at the point of the change, had the reduction in their entitlement deferred through a Transitional Protection Scheme for a maximum period of nine months. All payments of Transitional Protection will come to an end by 31 December 2012 and in the interim claimants are seeing their benefit reduced to the new lower levels. To date:-

- A total of 5,580 cases have been 'transitionally protected'
- The average weekly 'top-up' being £7.51
- Anticipated total spend is £1,771,880

2.30 Additionally the restriction of rent to single claimants under 35 years old has resulted in severe cuts to levels of support with rent. This has been able to be deferred by officer decisions to offer some level of support through the use of a 'top up' via Discretionary Housing Payment. The move to restrict benefit payments to tenants of Registered Social landlords who are deemed to be overaccommodated, together with introduction of the national benefits 'cap' will impact from April 2013.

2.31 As time progresses so does the work associated with the widely debated changes that will impact from April 2013. This work requires significant time of senior managers, some of whom will be working with the Corporate Welfare Reform Working Group and is presenting the service area with a number of major project strands that will underpin service design and delivery. The headline projects are:-

Localised Support for Council Tax

2.32 Council Tax Benefit will be abolished and by January 2013 the LA is required to have agreed and consulted upon a replacement scheme of support for Council Tax. The timescales for this development are severely challenging with legislation not finalised and no IT solutions in place. Key issues include;

- DCLG's directive to protect Pensioners from any reduction in assistance, together with other vulnerable groups.
- The need to secure a 10% saving on spend in this field or find compensatory savings to replace it as the grant to each LA will be cut against the current year by this sum.
- Any increase in caseload will not be covered by grant and this cut is currently assessed as £3.15m.

2.33. To help address this a dedicated project group has been established and will be reporting to Members on options, cost, and impacts.

Social Fund Reform – Local Welfare Assistance Scheme

2.34 Effectively Community Care Grants and Crisis Loans will be transferred to LA's by April 2013. The LA is required to design a scheme and will be advised of (reduced) grant funding. Key issues include;

- Scheme design for the local area
- Funding levels potentially being less than current spend
- On the ground administration of applications and applicants now handled by the local authority

2.35 The scheme will be operated by the Revenues and Benefits service and a dedicated project group, recently established will work alongside colleagues from key Departmental areas to agree the design of the scheme. I will report separately to Members concerning this aspect of Welfare Reform.

Single Fraud Investigation Service

2.36 A 'Single Fraud Investigation Service' will be introduced from April 2013 with LA, HMRC and DWP Fraud investigation officers forming a single service. Wirral's Fraud Investigation Officers will investigate HB/HMRC and DWP Fraud, using DWP legislation and procedures. Our officers will remain in situ and in the employment of the LA at least for year one. A further report will follow to a future Committee as soon as I am able to advise in depth on this particular change.

Discretionary Housing Payment

2.37. Discretionary Housing Payment, (DHP) whilst not part of the Welfare Reform programme in itself is worthy of detail as much reliance is being placed upon it as a means of mitigating the impact of the interim reforms in the lead up to Universal Credit. There is an increased Government grant for 2012/2013 and an increase in the maximum permitted spend that authorities can use. Both nationally and locally reliance on the fund is increasing with claims in payment escalating at a rate which exceeds that of previous years. It is necessary to scrutinise 2012/2013 payments as it is likely the 'Government Contribution' will be used up with a potential to spend further at the authority's own expense. The practice and procedure of DHP claims assessment is routinely scrutinised and done in conjunction with other service areas such as those working to prevent homelessness. Wirral's practice and management of the fund was inspected as a part of the recent Homelessness Review with a number of positive findings:-

Wirral Housing Benefits team clearly provides a good service – something recognised by agencies in our agency survey. New claims processing times are quick – around 22 or 23 days on average – and accurate. We found that there are good working relationships between Housing Options and Housing Benefits and that these have really developed in the past few months as it became clear that DHP could be used to pay deposits, and safeguarding rents has been expanded. HB has put a lot of work into understanding the impact of welfare reforms on private tenants and has contacted those at risk of having reduced HB because of eligibility changes. As yet, the full impact of reduced LHA rates has not yet emerged as transitional protection is still working through the existing claims. The Council has received adverse publicity for spending less than half of its allocation of DHP in 2010/11 and we spoke to a range of stakeholders about this. It is clear that when LHA was introduced, the eligible rates increased locally in Wirral and, as landlords were therefore able to charge more for properties, many were happy to keep within LHA. The policy and procedures were reviewed at that time but claims for DHP still dropped and there have never been issues of unmet need. An informal review

process checks that any refusal is justified and that the applicant shouldn't be at risk of homelessness.

2.38. The 2012/2013 position is detailed below along with a breakdown for 2011/12:

Date	Number of awards	current awards	committed awards up to 31/03/2013	% spent (committed) of Govt cont	Annual Total Cont. Inc £58363 cf	Cont remaining	Annual permitted DHP for year	Permitted balance still to spend
05/2012	359	£29,293	£31,536	6%	£522,238	£490,701	£1,159,688	£1,128,151
06/2012	447	£64,954	£68,050	13%	£522,238	£422,650	£1,159,688	£1,091,637

					Government Contribution		Maximum Permitted DHP spend	
Date	Number of awards	current awards	committed awards up to 31/03/2012	% spent (committed) of Govt cont	Annual Total Cont.	Cont remaining	Annual permitted DHP for year	Permitted balance still to spend
02/05/2011	56	£6,863	£8,373	3%	£282,981	£274,607	£707,452	£699,078
02/03/2012	713	£167,957	£176,846	62%	£282,981	£106,134	£707,452	£530,605
Final	948		£222,563	79%	£282,981	£60,417	£707,452	£484,888

2.39. The DWP have allocated each LA a supplementary Transitional Fund to further support work undertaken to mitigate the impact of the changes for 2012/13. Wirral has been awarded £107,233 and options are being considered that will ensure the best use of this additional support. It is not known if a further supporting grant will be allocated in respect of 2012/13 for the same reasons.

2.40. Given all that the service faces the staffing establishment requirements and design will be continually monitored to ensure that the service is best placed to appropriately respond adequately and maintain optimum service delivery standards during what is and will increasingly become the most challenging period in its history. It is therefore appropriate to note that whilst the service will no longer be subject to corporate level inspection such as the former CPA or more recent KLOE, the DWP have stated an intention to monitor the performance of LA HB / CTB service areas in the remaining period leading to full roll-out of Universal Credit, where LA's fail to deliver satisfactory levels of service then the DWP may intervene and this intervention may include early adoption of Universal Credit.

3.0 RELEVANT RISKS

3.1 Should the Benefits Service fail to deliver the required standard of service then the impact will be on those reliant on Housing, Council Tax and Education Welfare Benefits as well as impacting on the private and registered social landlord sector in the Borough. The service is statutory and year on year the position in terms of risk as such remains consistent. It is important to highlight, in view of the present and imminent Welfare Reform changes which precede the eventual transition to Universal Credit, the massive onus this places on the service area in terms of response to the significant and increasing impact on service users, the corresponding impact on other Departments / service areas. Overarching all of this is balancing the need to ensure excellent and ongoing service delivery in a rapidly changing market, which will ultimately mean delivery of a diminishing service as Universal Credit replaces Housing Benefit.

4.0 OTHER OPTIONS CONSIDERED

4.1 None within the context of this report as the service is mandatory through statute

5.0 CONSULTATION

5.1. Consultation at service level is a well established: senior benefit officers and managers regularly engage with key stakeholders such as landlords both from the private and social sector, voluntary, community groups, local employers and partner service areas, authorities. This work the Council's Customer Access Strategy. Consultation will form a significant element of the Reform work. For example, the Council is obliged to consult on the design of the Council Tax Benefit replacement scheme. Equally the design and delivery of the Local Welfare Assistance scheme will involve close working with partner Departments and key stakeholders.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 Consultation will be ongoing with these sectors as part of the Welfare Reform programme and those organisations which involve advocacy and advice roles will see an increase in the support they need to offer.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 There are none arising specifically out of this report other than the work the service area is faced with in the design and delivery of the Welfare Reform strands will significantly impact on managerial and senior officer resource as the time of key officers is diverted to project responsibilities including project boards, project management and keeping abreast with the Welfare Reform programme as it evolves and starts to directly impact on the service and its users. Immediate reforms are already impacting on resources as officers plan the best way to support and respond to those affected by cuts in Benefit levels. For this reason,

the Benefits service has recently concluded a recruitment exercise which will increase processing resource and capacity. The longer term impact of Universal Credit on all resources will be the subject of subsequent reports.

8.0 LEGAL IMPLICATIONS

8.1 There are none arising directly out of this report

9.0 EQUALITIES IMPLICATIONS

9.1 Whilst there is no requirement to review the service area for equality impacts in terms of routine delivery it should be noted that each of the proposed deliverables for the various Reform strands will require a separate Equality Impact Assessment, which will be included in separate and subsequent reports.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 None

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 None

12.0 RECOMMENDATION

12.1 That the report be noted.

13.0 REASON FOR RECOMMENDATION

13.1 That Members are aware of the work being undertaken within the Housing and Council Tax Benefits service area including the present and future issues and implications faced by the service area as a result of the national Welfare Reform Programme.

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APPENDICES

None

REFERENCE MATERIAL

Acts of Parliament and Government guidance on Welfare Reform available publicly

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council Excellence	12 July 2011
Council Excellence	8 July 2010
Council Excellence	26 March 2012