

# Public Document Pack

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Head of Legal and Democratic Services  
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: Cllr Richard Jones (Chairman)

CS/NG

Councillors: Haydn Bateman, Marion Bateman,  
Clive Carver, Peter Curtis, Ian Dunbar,  
Ron Hampson, Patrick Heesom, Trefor Howorth,  
Richard Lloyd, Mike Lowe, Paul Shotton,  
Ian Smith, Nigel Steele-Mortimer and  
Arnold Woolley

13 November 2012

Tracy Waters 01352 702331  
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Dear Sir / Madam

A meeting of the **CORPORATE RESOURCES OVERVIEW & SCRUTINY COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **MONDAY, 19TH NOVEMBER, 2012** at **10.00 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

## **A G E N D A**

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **MINUTES** (Pages 1 - 10)

To confirm as a correct record the minutes of the meeting held on 11<sup>th</sup> October 2012.

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The Council welcomes correspondence in Welsh or English  
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

- 4 **REVENUE BUDGET MONITORING 2012/13 (MONTH 5)** (Pages 11 - 46)  
Report of Head of Finance
- 5 **CORPORATE DEBT POLICY** (Pages 47 - 90)  
Report of Head of Finance
- 6 **PEOPLE STRATEGY** (Pages 91 - 124)  
Report of Head of Human Resources and Organisational Development
- 7 **FORWARD WORK PROGRAMME** (Pages 125 - 128)  
Report of Member Engagement Manager

## **CORPORATE RESOURCES OVERVIEW AND SCRUTINY COMMITTEE** **11 OCTOBER 2012**

Minutes of the meeting of the Corporate Resources Overview and Scrutiny Committee of the Flintshire County Council held at County Hall, Mold on Thursday 11 October 2012

### **PRESENT: Councillor C. S. Carver (Vice chairman in the chair)**

Councillors: G.H. Bateman, M. Bateman, P.J. Curtis, I. Dunbar, R.G. Hampson, M. Lowe, P. Shotton, I. R. Smith and A. Woolley

### **SUBSTITUTION:**

Councillor C.A. Thomas for Councillor P.G. Heesom

### **ALSO PRESENT:**

Councillors J.B. Attridge and K. Jones attended as observers.

### **APOLOGIES:**

Chief Executive, Head of Finance, Councillors: R.B. Jones, T. Howorth and R. Lloyd

### **CONTRIBUTORS:**

Leader of the Council and Cabinet Member for Finance, Cabinet Member for Corporate Management, Director of Environment, Head of Human Resources and Organisational Development, Head of ICT and Customer Services and Corporate Finance Manager

### **IN ATTENDANCE:**

Member Engagement Manager and Committee Officer

## **30. DECLARATIONS OF INTEREST**

No declarations of interest were made.

## **31. MINUTES**

The minutes of the meeting of the Committee held on 13 September 2012 had been circulated to Members with the agenda.

### **Matters Arising**

Councillor P.J. Curtis referred to page 7 of the minutes, and asked why the slide in the pool at Holywell Leisure Centre had been allowed to fall into a state of disrepair and asked if all leisure centres were closed on Bank Holidays. The Member Engagement Manager agreed to seek a written response for Councillor Curtis. The Leader of the Council said that whilst Flintshire Leisure Centres were currently closed on Bank Holidays, this was currently under review.

**RESOLVED:**

- (a) That the minutes be approved as a correct record and signed by the Chairman; and
- (b) That the Member Engagement Manager seek a written response for Councillor P. Curtis regarding the Holywell Leisure Centre.

**32. REVENUE BUDGET MONITORING 2012/13 (Month 4) and CAPITAL PROGRAMME 2012/13 (QUARTER 1)**

The Corporate Finance Manager introduced a report on the Revenue Budget Monitoring 2012/13 position for Council Fund and Housing Revenue Account (at Month 4) which was to be presented to Cabinet on 16 October 2012. He reported a projected overspend on the Council Fund of £1.028m and a projected underspend of £0.052m on the Housing Revenue Account. He highlighted the individual position of the directorates on page 14.

The Corporate Finance Manager highlighted that it was Management's intention to contain the Council Fund projected overspend within the overall approved budget. He also highlighted the risks and assumptions associated with the projection at point 3.05.

An allocation of £0.707m for Non standard inflation has been set aside in the budget to cover Energy, Fuel and Food and current projections indicated that these amounts would be required in full.

Based on the current projection the level of contingency reserve at the end of the financial year would be £0.397m, however as stated previously it was Management's intention to bring expenditure back in line with budget by the end of 2012/13. The HRA position was reported as a projected under spend of £0.052m which would result in a closing balance for 2012/13 of £1.6 m, which at 6% of total expenditure satisfied the target of ensuring a minimum level of 3%. The Corporate Finance Manager reported an additional allocation of £0.250m from balances to fund additional CERA contribution towards funding of the HRA Capital Programme.

Councillor G.H. Bateman asked for more detail about the efficiencies that would be explored in the Medium Term Financial Plan on point 3.04 on page 14. The Leader of the Council in response, said that the Head of ICT and Customer Services would address this in his Flintshire Futures report. The Leader of the Council advised that the Council faced a number of challenges, such as the Leisure Services overspend, Welfare Reform and the cost of out of county places. The Leader urged members to attend the Welfare Reform workshop arranged for 12 November 2012 as it would impact heavily on the Council budget.

Councillor G.H. Bateman asked for more detail about the possible impact of Single Status on the Housing Revenue Account. The Corporate

Finance Manager in response said that any change in the cost base would need to be built into the Housing Revenue Account.

Councillor C.A. Thomas asked if the increase in admission charges to leisure centres had contributed to a drop in admissions. The Leader of the Council in response said that the Lifelong learning action plan would address the impact on the budget. Councillor Thomas asked why the school music service had overspent by £102,000 despite the introduction of charges. The Leader of the Council said that an officer working group would look at the in-year overspend. The Corporate Finance Manager said that he would send details of the membership of the working group and details of the budget to Councillor Thomas. Councillor C. Thomas asked if measures had been taken to reduce postage charges and if lower quality paper could be used to print documents. The Head of ICT and Customer Services said that lower grade paper had been used previously by the Council, but had not been well received, as it had a tendency to cause jams in printers and photocopiers. He said that he would look at the option of a single paper contract for the whole of the council. The Head of ICT and Customer Services said greater use of IT could help reduce the amount of documents posted out and that he was reviewing the postage services and investigating alternative providers.

Councillor G.H. Bateman asked for more information about the £0.035m movement on the Council's share of the Clwyd Pension fund deficit. The Corporate Finance Manager explained that this relates to a current projected shortfall in superannuation contributions compared to the agreed payments to the Clwyd Pension Fund. Councillor Bateman asked for more information about the £0.039m deficit at the indoor market in Mold. The Corporate Finance Manager said that he would forward information about Mold Market to Councillor Bateman after the meeting.

Councillor R.G. Hampson asked if money had been set aside to cushion the impact of Welfare Reform. The Leader replied that a Welfare Reform Board had been set up which included all political group leaders. He said that early discussions had centred on how to identify affected tenants and ways to mitigate benefit cuts.

Councillor M. Bateman asked if the Council could consider sharing a Chief Executive with a neighbouring authority. The Leader of the Council said that the Chief Executive was a valuable asset to the Council. He said that the Welsh Government had advised that shared senior posts could be considered by local authorities as and when posts became vacant.

The Chair asked if the Council would request funds from central government to assist with an increase freeze on council tax. The Leader of the Council said he would issue a response to the Local Government Draft Settlement, due 16 October 2012 and would try to get the best settlement possible.

Councillor G.H. Bateman asked if a breakdown of recycling income could be produced. The Director of Environment said that recycling income

was used to offset the costs of the service and that he would prepare a report for the Environment Overview and Scrutiny Committee.

Councillor P.J. Curtis asked if waste collections from shops could be carried out after 9 am when the shops were open. The Chair said that this should be directed to Environment Overview and Scrutiny Committee.

### **CAPITAL PROGRAMME 2012/13 QUARTER 1**

The Corporate Finance Manager introduced a report on the Capital Programme 2012/13 for Quarter 1. He reported that the original programme total of £33.223 million had now increased to £40.770 million, being £29.882m for the Council Fund and £10.888m for the Housing Revenue Account. The Corporate Finance Manager reported that recorded capital expenditure to date stood at £3.3 million at Quarter 1, which represented 8% of the projected level of expenditure at this stage.

The table on page 41 also showed a comparison of spend against profiled budget (the amount expected to have spent at this stage of the financial year) and as detailed in 3.05.2 80.96% of the profiled budget has currently been spent. Appendix C provided information on the reasons for some of the variances that are occurring and the actions being taken to address them. The cumulative position by directorate was also displayed in chart form on page 42.

Section 3.06 provided an update on how all of the revised programme will be financed by way of general and specific funding.

### **RESOLVED:**

- (a) That the report be noted;
- (b) That a request be prepared for the Environment Overview and Scrutiny Committee on the income received from recycling; and
- (c) That the Member Engagement Manager provide members with the additional information identified in the body of the minutes.

### **33. FLINTSHIRE FUTURES MID YEAR REVIEW**

The Head of ICT and Customer Services introduced a mid year progress report on Flintshire Futures, the corporate programme for modernisation and change. He said that there was a Flintshire Futures Programme Board with Member representation which included the Leader, Deputy Leader, Cabinet Member for Corporate Management and the Chair of Corporate Resources Overview and Scrutiny Committee. The primary focus of the Programme was to deliver efficiencies through Corporate Change, Service Change, Regional Collaboration and Local County Collaboration.

The Head of ICT and Customer Services said that the recent work had focussed mainly on Corporate Change projects in 5 workstreams, customer, procurement, assets, work force and finance and that there was a lead officer for each area. He went on to explain that lead officers would attend subsequent meetings to report on the individual work programmes. The “customer” projects involved the Flintshire Connects service, the first of which was due to open at the end of October in Holywell. He added that a report would be considered by Cabinet shortly on plans for future centres across Flintshire. The Head of ICT and Customer Services said that the Streetscene contact centre service had been very popular and that he hoped it would be developed to cover other service areas. The other priority was promotion of customer self service on the web. He cited the success of the “doggy do app” which had around 1000 downloads and that there were plans to extend the facility to cover other council services. The Head of ICT and Customer Services then spoke about the £1 billion assets owned by the council, with office accommodation costing £1.75 million per annum to run. He said that rationalisation was needed and that office space could be potentially reduced by 50% if we radically changed the way we worked.

With regard to procurement about £150 million was spent on goods and services each year and that currently there were 44,000 suppliers. There was a need to negotiate more effectively, on a regional and national level. The electronic procurement system P2P would be in use by all departments by the end of March 2013.

The Head of ICT and Customer Service then spoke about maximisation of income and management of debt and modernisation of internal processes. He said that some work would be linked to fees and charges and some linked to the budget process. Progress on the workforce work stream had already delivered an excess of £4 million in savings from senior management restructure and service reviews. The programme would now look at reduction of management costs and organisational layers to reinvest into front line services as well as preparing staff for change. The I-Trent system had allowed staff to manage their own personal details and expenses electronically. The use of interim staff and consultants is currently under review.

The Leader of the Council thanked the Head of ICT and Customer Services and all the other officers involved in Flintshire Futures. He said that the Programme was a first line in defence to the forthcoming cuts and that the Programme needed to be developed further. The Leader welcomed the inclusion of Councillor R.B. Jones on the board as he considered member input to be important. He went on to explain that any new civic centre premises would have to deliver considerable savings. There would be benefits from national procurement, but there was a need to ensure a balance of local suppliers. The Leader of the Council concluded that many local authorities were conducting programmes similar to Flintshire Futures and that some employed consultants to do the work. He added that it was very positive to see this work done in-house.

Councillor C.A. Thomas said that this was a very big project and recognised that it was important that it was communicated to people why savings were necessary. Councillor Thomas said that she had been unaware of the relocation of the Leisure Services to Deeside and had approached the Director for information. She added that departments needed to work smarter and gave the example of invoice delays in a department which now invoiced customers and the amount of time spent on Job Evaluation Questionnaires. The Leader said that full council support was needed for change and an understanding of the consequences if they did not support change. The relocation of Leisure services had not been communicated well and it was hoped that regular updates from the board will avoid any reoccurrences. Councillor Thomas said that she hoped the changes were about value for money and not just efficiency. The Head of Human Resources and Organisational Development said that there had been moves to improve the Job Evaluation process by the use of a lighter touch with less resources but still equality proof and evidence based.

Councillor R.G. Hampson asked how quickly assets, such as Canton Depot, could be sold to raise capital. The Head of ICT and Corporate Strategy said that the market conditions had to be considered and that there was an asset disposal plan in place.

Councillor I. Dunbar said that the Flintshire Connects office was a welcome addition to Holywell town centre. He said that similar offices needed to be set up in towns in deprived areas, such as Deeside as soon as possible. The Head of ICT and Customer Services said that local area need was taken into consideration and that an options appraisal on sites in Deeside would be undertaken shortly, with further information available in the next few months.

Councillor P.J. Curtis said that good communication was key to success. Councillor Curtis said that he was due to visit the Flintshire Connects office in Holywell the following day and would find out if the Town Council would consider moving into the premises. Councillor Curtis said that the issue of car parking charges needed to be resolved. The Leader of the Council said that the issue needed further discussion in the budget.

Councillor P. Shotton said that the roll out of the apps had been a success. The Head of ICT and Customer Services said that the Council were looking to extend the app service to report faults and had already seen a few providers who could offer such a service. The Head of ICT and Customer Services said that sufficient levels of staff in the back office would be needed to deal with the likely increase in enquiries.

The Chair said that if people used apps to report faults, such as street lighting, it would save residents contacting the council by telephone or face to face with the resulting saving in staff time.

The Leader of the Council said that office space needed to be rationalised, but the market conditions were not favourable. He said that he had been surprised to learn that the Council had such a large number of



suppliers and asked about progress in the reduction of the use of consultants. The Head of ICT and Corporate Services in response said that suppliers should not be on the system if they did not have a corporate contract, and that they were being challenged. He said that control mechanisms had now been put in place to minimise the use of consultants which involved business cases, clear objectives and director sign off. The Head of Human Resources and Organisational Development explained that the Consultants and Interims project, under the Workforce Workstream of Flintshire Futures, had established a joint project team comprising HR, Audit, Procurement and Senior Management. The first priority was to scrutinise existing consultancy expenditure and agree where immediate savings might be made, including how rates were to be negotiated in the future.

**RESOLVED:**

- (a) That the report be noted; and
- (b) That the five work streams (Assets, Customers, Finance, Procurement and Workforce) become the subject of separate reports to future meetings of the Committee.

**34. WORKFORCE INFORMATION QUARTER 1**

The Head of Human Resources and Organisational Development introduced a work force report for the first quarter of 2012/13.

The Head of Human Resources and Organisational Development highlighted trends and commented on exceptions. She reported that there had been a significant reduction in the use of agency workers due to the recruitment of staff in street scene and that there had been a reduction of agency workers in Community Services. There had been a reduction in the use of agency staff for 12 weeks or more during the last quarter. In all, there had been a 34% reduction in the use of agency staff when compared with the same quarter last year.

The Head of Human Resources and Organisational Development reported that there had been 21 early retirements from January to June all due to redundancy which had cost £844,000. She reported that the first quarter's absence levels had increased in comparison with the same period the previous year and that the target of 2.30 days per FTE for quarter one had not been achieved, with the actual figure at 2.64 days. Delays in paper work being received from managers to notify HR of employees returning to work was a contributory factor to the target not being met. This would be reflected by a decrease in sickness absence for this quarter when the workforce information reports were generated for quarter 3 as this occurs every quarter. With regards to 100% attendance, during the first quarter of 2012, 75% or 6300 employees had achieved this. The Head of Human Resources and Organisational Development said that attendance was a priority for the council and performance was not at the expected level. She said that specific service areas had higher levels absence and that trends and themes would need to

be investigated. The Head of Human Resources and Organisational Development reported that absence rates for Adult Social Services had risen, and it was likely that there were many absences which were as a result of musculoskeletal issues. A pilot physiotherapy scheme for Streetscene staff had been set up in conjunction with Occupational Health and extending the pilot to employees in Adult Social Services was being considered. She stressed that potential recipients had to undertake a thorough medical assessment by Occupational Health in order to access the service. A report would be submitted to committee after the first six months of operation in order to evaluate its effectiveness. Performance had improved in Lifelong Learning and noted that 25% of absences were in Catering, Cleaning and Facilities Services. She reported that overall performance in schools was good. The Head of Human Resources and Organisational Development concluded her report by saying that Flintshire sickness absence levels over recent years have been at or below the average for all Welsh local authorities and that she wanted to see performance improve in this area.

Councillor P.J. Curtis said that improving performance was difficult given the wide range of jobs within the council. Councillor Curtis said that even the highest performing directorate in terms of 100 % attendance by 81% of staff for quarter 1 was not good enough. He said that the slow return of paper work should be addressed. The Head of Human Resources and Organisational Development said that she shared his concerns and would like to see improvement. She said that the forthcoming introduction of I-Trent manager self service project would allow managers to complete absence administration electronically and that the system would quickly highlight managers that did not complete records on time.

Councillor P. Shotton said that it was a good report and was pleased that the pilot physiotherapy project had been rolled out, whilst Councillor I Dunbar asked about authorisation for the physiotherapy service. The Head of Human Resources and Organisational Development said that the service was managed by the Occupational Health team and referrals were carefully assessed by Occupational Health practitioners.

Councillor M. Bateman asked if there were any incentives for attendance improvement, if sickness was reported from day one and if there were any trends with types of sickness. The Head of Human Resources and Organisational Development said that it would be inappropriate to offer any incentives (in terms of financial incentives) but that renewed focus on improving health and well-being of employees was being considered as a proactive measure. The Head of Human Resources and Organisational Development confirmed that absence was measured from Day 1 and that absences over 20 days became long term absence. She said that she would look at offering additional information on long term and short term absence in the next report. The Head of ICT and Customer Services said that managers had an integral role to play in attendance management.

The Chair asked if there were any members of staff with underlying, ongoing conditions or disabilities who were absent due to regular medical

treatments. The Head of Human Resources and Organisational Development said that reasonable adjustments were made for persons with specific conditions to help them remain in the work place. One such adjustment was time off to attend appointments which would not be classed as an absence.

Councillor A. Woolley asked if there had been any major changes in head count and asked for the total number of F.T.E. staff. The Head of Human Resources and Organisational Development said that she would provide him a written response on current head count. Councillor Woolley asked about the number of equal pay claims against the council. The Head of Human Resources and Organisational Development said that there were currently 500 claims for equal pay which would be dealt with by Single Status and the settlement strategy.

Councillor R.G. Hampson asked about the procedure for reporting absence. The Head of Human Resources and Organisational Development said that a member of staff must ring their manager themselves on the first day of absence and on their day of return, they would have a return to work interview with their manager which could highlight any underlying issues.

The Chair asked if any managers had poor attendance records. The Head of Human Resources and Organisational Development said that there could possibly be such managers and hoped they were a very small minority. She added that attendance management trends would be picked up at every level.

Councillor G. H. Bateman asked if applicants could be given a medical as part of the application process and if temporary staff had to be used to cover absences. The Head of Human Resources and Organisational Development said that every employee had to undergo medical clearance and if there were any issues further checks would be made. The Head of Human Resources and Organisational Development said that most of the time the work of an absent colleague was absorbed by their team, but in some areas this was not manageable, and temporary workers could be employed.

**RESOLVED:**

- (a) That the report be noted; and
- (b) That a report be submitted to the committee after the physiotherapy pilot has been running for six months to ascertain its effectiveness.

**35. FORWARD WORK PROGRAMME**

The Member Engagement Manager introduced the report to advise on the Forward Work Programme for the Committee.

The Member Engagement Manager advised the Committee that there was an addition to the Work Programme, a work shop on 12 November 2012 on Welfare Reform in the Clwyd Room and that a date had not yet been set

for the Capital Programme briefing, although it was envisaged it would be held in late November.

During earlier discussions it had been agreed that that the Work Programme be amended to include reports on the following be submitted to future Committee meetings:-

1. The Five Flintshire Futures themes
2. The cost benefits of agile working.

It was agreed by the Committee that members of the Environment Overview and Scrutiny Committee be invited to participate in the meeting when the Assets work stream was considered.

**RESOLVED:**

- (a) That the Forward Work Programme be amended to include items relating to the Five Flintshire Futures themes and an item on the cost benefits of agile working; and
- (b) That members of the Environment Overview and Scrutiny Committee be invited to participate in the meeting when the Assets work stream is considered.

**36. DURATION OF MEETING**

The meeting commenced at 10.00 a.m. and ended at 12.35 p.m.

**37. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There were two members of the public or press in attendance.

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**Chairman**

## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** CORPORATE RESOURCES OVERVIEW & SCRUTINY COMMITTEE

**DATE:** MONDAY, 19<sup>TH</sup> NOVEMBER 2012

**REPORT BY:** HEAD OF FINANCE

**SUBJECT:** REVENUE BUDGET MONITORING 2012/13  
(MONTH 5)

### **1.00 PURPOSE OF REPORT**

1.01 To provide Members with the Revenue Budget Monitoring 2012/13 (Month 5) report.

### **2.00 BACKGROUND**

2.01 The Revenue Budget Monitoring 2012/13 (Month 5) report will be presented to Cabinet on 20<sup>th</sup> November 2012. A copy of the report is attached as Appendix A to this report.

### **3.00 RECOMMENDATIONS**

3.01 Members are asked to note the report.

### **4.00 FINANCIAL IMPLICATIONS**

4.01 As set out in the report.

### **5.00 ANTI POVERTY IMPACT**

5.01 None.

### **6.00 ENVIRONMENTAL IMPACT**

6.01 None.

### **7.00 EQUALITIES IMPACT**

7.01 None.

### **8.00 PERSONNEL IMPLICATIONS**

8.01 None.

**9.00 CONSULTATION REQUIRED**

9.01 None.

**10.00 CONSULTATION UNDERTAKEN**

10.01 None.

**11.00 APPENDICES**

11.01 (A) Revenue Budget Monitoring 2012/13 (Month 5).

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **CABINET**

**DATE:** **TUESDAY 20 NOVEMBER 2012**

**REPORT BY:** **HEAD OF FINANCE**

**SUBJECT:** **REVENUE BUDGET MONITORING 2012/13**  
**(MONTH 5)**

### **1.00 PURPOSE OF REPORT**

1.01 To provide members with the most up to date revenue budget monitoring information (Month 5) for the Council Fund and the Housing Revenue Account in 2012/13.

### **1.02 INDEX OF CONTENTS**

Section 2	Executive Summary
Paragraph 3.01	Council Fund Summary Table
Paragraph 3.06	Risks and Assumptions
Section 4	Non Standard Inflation / Central Contingencies
Section 5	Unearmarked Reserves
Section 6	Housing Revenue Account
Appendix 1	Council Fund - Movement in Variances from Month 4
Appendix 2	Community Services -Variances Summary
Appendix 3	Environment -Variances Summary
Appendix 4	Lifelong Learning -Variances Summary
Appendix 5	Corporate Services -Variances Summary
Appendix 6	Central & Corporate Finance -Variances Summary
Appendix 7	Council Fund Unearmarked Reserves Summary
Appendix 8	Housing Revenue Account -Variances Summary

### **2.00 EXECUTIVE SUMMARY**

2.01 Members are requested to note the projected year end position as estimated at Month 5 which is :

- Council Fund - Net overspend of £0.983m
- Housing Revenue Account - Net underspend of £0.258m

### 3.00 CONSIDERATIONS

#### COUNCIL FUND

3.01 The table below shows a projected in-year overspend of £0.983m.

TOTAL EXPENDITURE AND INCOME	Original Budget	Revised Budget	In-Year Over / (Under) spend		Non Ring-fenced		Ring-fenced	
			Month 4	Month 5	Month 4	Month 5	Month 4	Month 5
	£m	£m	£m	£m	£m	£m	£m	£m
<b>Directorates</b>								
Community Services	58.437	58.422	(0.210)	(0.300)	(0.169)	(0.142)	(0.041)	(0.158)
Environment	31.794	31.981	(0.129)	(0.097)	(0.129)	(0.097)	-	-
Lifelong Learning	109.219	109.707	1.318	0.997	1.299	1.082	0.019	(0.085)
Corporate Services	17.469	17.480	0.090	0.397	0.090	0.397		
<b>Total Directorates</b>	<b>216.919</b>	<b>217.590</b>	<b>1.069</b>	<b>0.997</b>	<b>1.091</b>	<b>1.240</b>	<b>(0.022)</b>	<b>(0.243)</b>
Central and Corporate Finance	25.759	25.088	(0.041)	(0.014)	(0.041)	(0.014)		
<b>Total</b>	<b>242.678</b>	<b>242.678</b>	<b>1.028</b>	<b>0.983</b>	<b>1.050</b>	<b>1.226</b>	<b>(0.022)</b>	<b>(0.243)</b>

3.02 The Original Budget column reflects the budget approved by Council on the 1<sup>st</sup> March 2012. The Revised Budget column reflects in-year virements which have been approved in compliance with Financial Procedure Rules.

3.03 The significant in-year projected variances to date are detailed in Appendices 2 - 6 (Council Fund) and Appendix 8 (HRA), and in addition to giving the reasons for the variances, the actions required to address each variance is provided. The significant changes for the Council Fund from Month 4 are detailed in Appendix 1.

3.04 Corporate Services is now projecting an overspend of £0.397m, which is a movement of £0.307m from Month 4. The majority of this movement is within Finance. As highlighted in the risks section of the Month 4 report, Welfare Reform preparation is starting to impact on the projected outturn for 2012/13. The Department for Work and Pensions' preparation for change has resulted in a significant temporary increase (30%) in workload. A temporary increase in resources to respond to this has ensured that the Council and Claimants are able to prepare for the change and the Council's financial position has been protected as far as possible from loss of benefit subsidy. It is currently anticipated that the Council will need to meet the cost of changes to its IT System to support the new Council Tax Support Scheme from April 2013.

Full details of the financial projection can be seen in Appendix 1 and 5.

3.05 It is the intention of Management to contain the currently projected variation within the overall agreed Council budget for the year. As part of the ongoing work to develop the MTFP, opportunities to generate efficiencies are being explored including those that may have a positive impact on the 2012/13 projected outturn.



## **RISKS / ASSUMPTIONS**

3.06 The in-year over / (under) spends shown in the table at paragraph 3.01 reflect the following risks and assumptions :-

### 1. Community Services

- Social Services for Adults
  - Occupational Therapy service - increased demand
- Social Services for Children
  - Out of county placements - demand led with volatility influenced by numbers and high values of individual placements
  - Family Placement - increases in foster care places / court orders for Residence and Specific Guardianship
- Housing Services
  - Homelessness - projected high demand influenced by current economic climate and recent welfare reform

### 2. Environment

- Planning
  - A number of planning decisions are the subject of ongoing appeals which may have the potential for costs to be awarded against the Council

### 3. Lifelong Learning

- Facilities
  - Catering - overspend projected but possible mitigation from project plans following APSE review
- Development & Resources
  - Free school meals and remissions - influenced by economic factors
- Ringfenced budgets
  - Out of county placements - demand led with volatility influenced by numbers and high values of individual placements
- Leisure Income
  - Income levels for the new leisure facilities are being monitored carefully on a weekly basis. Any variation, either positive or negative, could have a material effect on the projected outturn.

### 4. Corporate Services

- Welfare Reform
  - Welfare Reform preparation is starting to impact on the projected outturn for 2012/13 (see Appendix 1 and 5 for details). Although a number of pressures are already included in the projections the full impacts are continuously being assessed and will be reported to Cabinet as soon as any variations are identified.

## 5. Housing Revenue Account

- Single Status
  - Possible impact of Single Status agreement - any impact will need to be funded within HRA as it is a ringfenced account

### **4.00 NON STANDARD INFLATION**

4.01 Included in the budget are amounts of £0.078m in respect of Energy for Street Lighting, £0.300m in respect of Energy, £0.196m in respect of Fuel and £0.133m in respect of Food. These budgets are being monitored closely and the funds will be released when a full assessment of the need has been completed. The current projected outturn assumes that these amounts will be required in full.

### **5.00 UNEARMARKED RESERVES**

5.01 The 2011/12 final outturn reported to Cabinet on 10<sup>th</sup> July showed unearmarked reserves at 31<sup>st</sup> March 2012 (above the base level of £5.476m) of £0.992m, after taking into account commitments in 2012/13 :

- Use of £0.973m to meet one-off / time limited costs
- Ringfencing of £1.500m to support Organisational Change costs

5.02 Appendix 7 details the movements to date on unearmarked reserves and the level of contingency sum available. As a result of the movements the current projected level of the contingency reserve at the end of March 2013 is an overdrawn amount of £0.352m. However, as noted in section 3.05 it is the intention of Management to contain the currently projected variation within the overall agreed Council budget for the year which will also have a positive effect on the contingency reserve.

### **6.00 HOUSING REVENUE ACCOUNT**

6.01 On 21<sup>st</sup> February 2012, the Council approved a Housing Revenue Account (HRA) budget for 2012/13 of £26.671m. The budget provided for a closing balance of £0.867m, which at 3.25 % of total expenditure satisfies the prudent approach of ensuring a minimum level of 3 %.

6.02 The 2011/12 final outturn reported to Cabinet on 10<sup>th</sup> July 2012 showed a closing balance at the end of 2011/12 of £1.857m (subject to audit) which was £0.753m more than when the 2012/13 budget was set. This had the effect of increasing the closing balance for 2011/12 by the same amount.

6.03 There is an overall projected underspend of £0.258m and a projected closing balance at Month 5 of £1.327m, which at 4.8 % of total expenditure satisfies the prudent approach of ensuring a minimum level of 3%.

6.04 The projected outturn reflects a second additional allocation of £0.250m from balances to fund additional CERA contribution towards funding of the HRA Capital Programme. An initial additional allocation of £0.250m was reported in the Month 4 budget monitoring report to Cabinet on 16<sup>th</sup> October 2012, therefore a total of £0.500m has now been provided for additional CERA contribution in the year to date. The Head of Housing has consulted on this action with the Cabinet member for Housing in accordance with the recommendation within the Month 3 Budget Monitoring report approved by Cabinet on 18<sup>th</sup> September 2012.

6.05 Appendix 8 details the reasons for significant variances occurring to date and the actions planned to deal with them.

## **7.00 RECOMMENDATIONS**

7.01 Members are recommended to :-

- a) Note the overall report and the management actions being taken to address the projected overspend
- b) Note the Council Fund contingency sum (overdrawn balance) as at 31<sup>st</sup> March 2013 (paragraph 5.02)
- c) Note the projected final level of balances on the Housing Revenue Account (paragraph 6.03)

## **8.00 FINANCIAL IMPLICATIONS**

8.01 The financial implications are as set out in Sections 3.00 - 6.00 of the report.

## **9.00 ANTI POVERTY IMPACT**

9.01 None.

## **10.00 ENVIRONMENTAL IMPACT**

10.01 None.

## **11.00 EQUALITIES IMPACT**

11.01 None.

## **12.00 PERSONNEL IMPLICATIONS**

12.01 None.

## **13.00 CONSULTATION REQUIRED**

13.01 None.

**14.00 CONSULTATION UNDERTAKEN**

14.01 None.

**15.00 APPENDICES**

15.01 Council Fund - Movement in Variances from Month 4 - Appendix 1  
Council Fund Variances - Appendices 2 - 6  
Council Fund - Movements on unearmarked reserves - Appendix 7  
Housing Revenue Account Variances - Appendix 8

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985**  
**BACKGROUND DOCUMENTS**

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**COUNCIL FUND - REVENUE BUDGET 2012/13**  
**FLINTSHIRE COUNTY COUNCIL**

**Budget Monitoring (Month 5)**  
**Summary of Movement from Month 4**

	£m	£m
<b>Month 4</b>		
Out of County Ringfenced Budget	(0.079)	
Service Directorates	1.148	
Central and Corporate Finance	(0.041)	
<b>Variance as per Executive Report</b>		<b>1.028</b>
<b>Month 5</b>		
Out of County Ringfenced Budget	(0.235)	
Service Directorates	1.232	
Central and Corporate Finance	(0.014)	
<b>Variance as per Directorate Returns</b>		<b>0.983</b>
<b>Change Requiring Explanation</b>		<b>(0.045)</b>
<b><u>Community Services</u></b>		
<ul style="list-style-type: none"> <li>• Resources &amp; Regulated Services (Intake and Reablement) - the movement from month 4 is mostly due to additional staff replacement costs within the In-house Residential Service (£0.030m) and a reduction in pay and travelling costs (£0.082m) within the In-house Domiciliary Support Service. (0.059)</li> <li>• Transition &amp; Disability Service (Disability Services) - the movement from month 4 is mostly (£0.024m) due to changes in pay projections, the balance is made up of various small movements within the service. (0.031)</li> <li>• Locality Teams (Localities) - the movement from month 4 comprises a number of increases mostly across purchased care. These are Older People purchased home care (£0.028m) and residential care (£0.052m) together with PDSI purchased home care (£0.016m) and residential care (£0.040m). Additionally increased demand for minor adaptations has seen the projected overspend increase £0.017m). 0.152</li> <li>• Ring-Fenced Budgets (Adult Services) - the movement since month 4 (£0.057m) reflects reduced purchased residential care costs for Learning Disability service users. (0.057)</li> <li>• Renovation Grants (Customer &amp; Housing) - the movement from month 4 results from the delayed filling of a vacant post (£0.010m), reduced projections of staff travelling costs (£0.008m) and capitalisation of pay (£0.005m). (0.028)</li> <li>• Out of County Pooled Budget (Ringfenced Budgets) - the movement since month 4 is mostly due to the ending of one placement (£0.130m) offset by four new placements (£0.084m). (0.052)</li> <li>• Good Health (Development &amp; Resources) - movement since month 4 due to projected changes in staff costs following the finalisation of the restructure within this area. 0.078</li> <li>• Management &amp; Support (Development &amp; Resources) - This movement mostly relates to a reduced projection for support costs (£0.020m) along with other smaller movements. (0.029)</li> <li>• Public Information &amp; Planning (Development &amp; Resources) - movement since month 4 due to projected changes in staff costs following the finalisation of the restructure within this area. (0.027)</li> <li>• Other minor changes of less than £0.025m (0.037)</li> </ul>		<b>(0.090)</b>

**Environment**

- Fleet Services - over recovery of budgeted income from internal recharges to Fleet services clients (0.067)
- Markets - previously anticipated income shortfalls have now been mitigated by vacant units being filled from August 2012 (0.050)
- Minor changes of less than £25k 0.149

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**0.032**

### **Lifelong Learning**

- School Improvement Service - An improvement of £0.130m resulting from a freeze on uncommitted expenditure to assist in reducing the Directorate overspend position (0.130)
- Libraries, Culture & Heritage - In year adjustment to book fund to address Directorate budget overspend. (0.041)
- Out of County placements (ringfenced) - Further reductions to the number and cost of placements. (0.104)
- Facilities Services - in year efficiencies as a result of the improved management of food purchasing/usage in primary and secondary schools and reduction in buildings cleaning costs at County Hall, plus other minor changes. (0.029)
- Minor changes of less than £25k (0.017)

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**(0.321)**

### **Corporate Services**

- Finance - the movement since month 4 comprises of a number of changes: 0.285
  - > A pressure of £0.042m has been identified relating to additional audit days required to maintain the audit plan as recommended by Audit Committee.
  - > Workforce costs within Revenues and Benefits have increased by £0.221m due to additional work required in preparation for, and in response to, Welfare Reform and the new Council Tax Support Scheme. Additional costs will be reduced where possible by increasing the number of employees working in an agile way.
  - > A benefits software upgrade will also lead to additional costs of £0.065m to enable administration of the new Council Tax Support Scheme.
  - > These pressures have been partly offset by increased vacancy savings relating to the Finance Function Review (-£0.043m).
- Minor changes of less than £25k 0.022

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**0.307**

### **Central and Corporate**

- Corporate (Other) - An increase of £0.026m in the overspend (total now £0.059m) against the phased funding strategy to address the Council's share of the Clwyd Pension Fund deficit following the 2010 actuarial valuation. 0.026
- Minor changes of less than £25k 0.001

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**0.027**

### **Total changes**

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**(0.045)**

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Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Resources and Regulated Services (Intake and Reablement)	6.175	5.767	(0.408)	(0.349)	Extra Care projected in year underspend on new scheme of £0.100m due to timeframe for completion. In-house Domiciliary Care underspend (£0.220m) due to reduced pay costs from changes to service delivery and greater use of reablement and independent sector care providers; this underspend has increased (£0.050m) from month 4 due to further reductions in projected pay costs. Of the additional variance £0.139m relates to work which is yet to be undertaken to realign the budgets following the transport review and £0.052m to vacancies within Day Services. This is offset by an overspend within Professional Support (£0.134m) which will be addressed as part of TSSA realignment.	Keep under review pending completion of Transforming Social Services for Adults (TSSA) programme and realign budgets as appropriate.
Reablement Service (Intake and Reablement)	0.330	0.211	(0.119)	(0.119)	Pay costs being suppressed due to the use of Homecare staff, vacant post and part year appointments (£0.107m) together with additional Health income (£0.020m) offset by various small overspends.	Keep under review pending completion of Transforming Social Services for Adults (TSSA) programme.

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Locality Teams (Localities)	16.498	16.752	0.254	0.100	The significant variances lie within Physical Disability Services Independent Sector Homecare with a projected overspend (£0.171m) due to the net impact of various care packages. This has increased from month 4 (£0.016m) to reflect current position. This is partially offset by a projected underspend in independent sector residential care (£0.258m) which reflects current clients and is a reduction of £0.040m on month 4. Within Older People Service changes to the service delivery have resulted in purchased day care underspending (£0.075m) and the Reablement Service overspending (£0.053m); the overspends in purchased home (£0.173m) and residential (£0.110m) care have both increased from month 4 (£0.028m and £0.052m respectively) reflecting current care packages. Minor Adaptations are projected to overspend by £0.082m reflecting the continuing demand within the service.	This is a complex case and will be kept under review. Keep under review pending completion of Transforming Social Services for Adults (TSSA) programme.



Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Transition and Disability Services (Disability Services)	0.592	0.660	0.068	0.099	The variance reflects the cost of the newly formed transition team. The movement from month 4 is due to further analysis of expenditure within this area.	Identify budgets and realign.
Vulnerable Adults and Disability Services (Disability Services)	2.156	2.095	(0.061)	(0.065)	This mainly relates to vacant posts, staff travelling, and supplies and services which are currently projected to underspend.	Keep under review.
Support Services (Mental Health & Substance Misuse Service)	1.932	1.832	(0.100)	(0.080)	This reflects a reduction in the cost of residential care packages due to movements of clients in and out of the service, a reduced cost projection for direct payments both offset by an increase in staff costs required to provide maternity cover. The movement since month 4 reflects changes to pay costs due to a secondment and maternity leave (£0.013m) and a reduction in projected fleet costs (£0.009m).	Keep under review.

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Ringfenced Budgets (Mental Health)	0.301	0.181	(0.120)	(0.120)	Reflects current client packages for 2012/13.	Keep under review - potential volatility due to changes in client numbers and demands at short notice from prison or courts. Reduced budget in 12/13.
Ringfenced Budgets (Learning Disability)	0.466	0.620	0.154	0.211	This reflects the full year impact of a new service user that commenced during December 2011 together with some other changes to care packages. The movement since month 4 is due to reduced residential care costs.	Keep under review and consider a budget realignment from the Ringfenced Budgets (Learning Disability) to reflect current clients within the service.
Commissioning (Development & Resources)	0.902	0.856	(0.046)	(0.041)	This variance relates to vacancies not yet filled.	Unlikely to be recurring.
Good Health (Development & Resources)	0.981	1.110	0.129	0.051	The majority of the overspend (£0.104m) is mainly due to one-off costs falling on the service following a restructure. Around half of this cost fell in month 4 and the balance in month 5 which explains the movement between the two months.	Not recurring.
Vacancy Management (Development & Resources)	(0.100)	0.000	0.100	0.100	This will be allocated against vacant posts.	Monitor in year vacancy savings to apply.

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Family Placement (Children's Services)	1.833	2.159	0.326	0.327	The overspend is mainly as a result of an increase in the number of foster care places within the service. It is also due to the increasing number of court orders for Residence and Special Guardianship orders which invariably attract an ongoing allowance for the carers.	A review of the Family Placement Team has commenced the outcome of which will inform future planning and possible efficiencies.
Family Support (Children's Services)	0.341	0.275	(0.066)	(0.071)	The underspend in this service is mostly due to a reduction in the use of sessional staff following an embargo and a review of thresholds. The use of sessional staff can fluctuate monthly depending on caseloads, especially for child protection and court ordered supervised contact.	Continue to keep under review.
Grants (Children's Services)	0.117	0.067	(0.050)	(0.051)	Awaiting finalisation of initiatives coming on stream this financial year.	Continue to keep under review.
Other Residential (Children Services)	0.526	0.472	(0.054)	(0.054)	The projected underspend relates to the opening of Arosfa being later than anticipated.	Keep under review due to the potential for additional costs relating to transport charges.

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Professional Support (Children's Services)	5.436	5.528	0.092	0.091	This is a complex part of Children Services and there are a number of areas overspending which are offset by areas underspending. However the main reason for the overspend is the transfer of responsibility for two service users from the Out of County ringfenced budget (£0.150m).	Keep under review. The Head of Service (Children) has instigated a review into the specifics around these two service users.
Out of County Pooled Budget (Children's Services)	3.711	3.561	(0.150)	(0.098)	Costs reflect existing placements up until March 2013. This reflects known reductions in payments to providers following re-negotiation of contracts. The movement since month 4 is mainly due to the ending of one placement (£0.130m) offset by four new placements (£0.084m).	The focus of high cost placements is now a North Wales project and will continued to be reviewed. The in house project requires sign off by the two directors at the next meeting.
Homelessness (Housing Services)	0.488	0.442	(0.046)	(0.037)	This reflects current demand for the service	Keep under review
Ring-fenced Budget (Housing Services)	0.377	0.335	(0.042)	(0.034)	This reflects current demand for the service	Keep under review
Resident Wardens (Housing Services)	1.236	1.155	(0.081)	(0.075)	Budget based on restructure. Variance relates to vacancies within the new structure yet to be implemented.	Restructure approval required.

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Other variances (aggregate)	14.124	14.044	(0.080)	0.005	Various minor variances.	Continue to review but not expected to be recurrent.
<b>Total :</b>	<b>58.422</b>	<b>58.122</b>	<b>(0.300)</b>	<b>(0.210)</b>		

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Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Industrial Units	(1.482)	(1.423)	0.059	0.049	Shortfall of Industrial Unit Rental Income, due in the main to Gaz de France decommissioning the Shotton Power Station site. Income shortfalls are partly mitigated by savings in vacant posts at Deeside Enterprise Centre. NNDR costs based on actuals to date	Keep Unit rental income closely monitored throughout the year
Property Holdings	0.088	0.053	(0.035)	(0.023)	Ty'r Binwydden has budget provision for £21k but is no longer an active site. However, there is the potential for additional expenditure on vacant schools in Connah's Quay which could offset this underspend. NNDR projections are currently based on actuals to date.	Review of site budgets necessary in line with asset management programme
Agricultural Estates	(0.157)	(0.191)	(0.034)	(0.022)	Land Agent Vacancy	
Corporate Property & Design	1.922	1.894	(0.028)	(0.030)	Net Vacancy Savings	
Property Asset & Development	0.530	0.486	(0.044)	(0.041)	Net Vacancy Savings	
Car Parks	0.025	0.056	0.031	0.035	Car Park income shortfall at Holywell and Mold partially offset by a reduced maintenance programme	
Highways Policy and Development Control	0.413	0.369	(0.044)	(0.008)	Recharge of Highways Policy staffing costs to the Rural Development Programme (RDP)	

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Transportation	1.646	1.659	0.013	(0.030)	Net Vacancy Savings of £30k have been offset by a larger than anticipated recharge from Denbighshire CC for cross boundary transport in 2011/12 which was very late in being received.	
Business & Strategy	1.405	1.461	0.056	0.060	Additional costs associated with pay protection following the Streetscene Service Review	
Highways Maintenance	2.136	2.156	0.020	(0.027)	The figures now include the cost associated with attending flooding events following substantial rainfall in July and August.	
Waste Disposal & Waste Collection	9.201	9.424	0.223	0.142	Cost of overtime payments to operatives (pre part 3 agreement) totalling £300k plus additional vehicle requirements as a result of the phased roll out of the full Saturday collection service of £140k. This is partly mitigated by £300k due to the increased recycling levels from the implementation of Managed Weekly Collections which not only reduces landfill and tipping charges but increases the level of recycling income. Additional costs for Waste Agency staff have been determined at Period 5 as a result of the investigation within the service.	Keep tonnage levels closely monitored to establish if further savings can be achieved to fully mitigate the costs. Business Case for additional Streetscene Operatives to be submitted to minimise use of agency and overtime on an ongoing basis.



Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Fleet Services	(0.026)	(0.096)	(0.070)	(0.003)	Outturn based on actual recharges to date projected to financial year end with these charges also refelected in all Environment client budgets.	
Planning Control	0.367	0.432	0.065	0.078	Planning fee income has improved slightly against projections due to the receipt of Northern Gateway related fees. However, it is still anticipated to be short of target at year end.	Partially offset by salary savings within the Planning service
Service Development & Support	0.236	0.222	(0.014)	(0.021)	Part time salary savings	
Management Support & Performance	1.147	0.997	(0.150)	(0.150)	Vacancy Savings totalling £147k ( 5 posts 2 x Sc4, Sc6, SO1 & M6) ahead of Service Review implementation. The variance reflects the Modern Apprentice intake from September 2012.	
Public Protection	3.513	3.348	(0.165)	(0.167)	Vacancy Savings totalling £204k (3 x EHO 2 x EO 1 x Admin) ahead of the Service Review being implemented, offset by income shortfalls in Pollution Control	
Markets	(0.101)	(0.113)	(0.012)	0.038	Anticipated income shortfalls from Mold Indoor Market have now been mitigated by the two vacant units being filled from August 2012.	

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Other variances (aggregate)	11.118	11.150	0.032	(0.009)	A number of variances of no more than £0.012m individually.	
<b>Total :</b>	<b>31.981</b>	<b>31.884</b>	<b>(0.097)</b>	<b>(0.129)</b>		

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Out of County	2.659	2.574	(0.085)	0.019	Following the Summer Term there have been 3 new placements (£75k) and a further 4 placements have ended (£34k). One high cost placement has been heavily reduced (£140k) following the continued involvement of Commercial and Clinical Solutions.	We have had a reduction in service from Commercial and Clinical Solutions (£5k). It was also agreed at the last Out of County Management Board there will be a reduction in their chargeable rate with effect from September.
Libraries, Culture and Heritage	2.994	2.953	(0.041)	0.000	In year adjustment to book fund to address Directorate budget overspend.	
Leisure Services	4.093	4.518	0.425	0.418	<p>There are a number of historic budget issues which also adversely effected the Leisure outturn position in 11/12.</p> <p>In line with the national picture, income from ice skating at Deeside Leisure Centre has reduced by £173k over the last 4 years, this is despite inflationary increases in admission prices and promotions.</p> <p>Three posts within Leisure Services are unbudgeted for due to timing delays caused between the Leisure Services Restructure and the JEQ results, this amounts to £120k including on-costs.</p>	<p>A tariff review is being undertaken across the whole of Leisure Services.</p> <p>Work is being conducted to review operational efficiency and performance at all facilities.</p> <p>Following receipt of JEQ results: Analysis of affordability of proposed new staffing structures. Revisit organisational design principles.</p>

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
					<p><b>The following pressures have been identified during the first 3 months of 2012/13:</b></p> <p>1) The relocation of Leisure Services Staff to Deeside has assisted in making a significant saving from relocation (vacating Connah's Quay offices). However, this has increased occupancy costs for Leisure Services for cleaning, maintenance, mileage, telephones etc by £25k which is unfunded.</p> <p>2) A review of music licensing has identified additional liabilities resulting in a cost increase of £37k.</p> <p>The income figures were £20k less than expected during July, this is thought to be due to the effect of customers staying away from facilities to watch the Olympics.</p>	
						The in year recharges for these services are to be revisited and recharged accordingly.
						A budget pressure bid for this has been submitted for 2013/14.
Early Years	1.123	1.066	(0.057)	(0.040)	Efficiencies have been secured to assist the overall in year position including photocopying, travel and catering. The realignment of sustainability funding has resulted in fewer requests for emergency funding from nurseries and playgroups.	
School Improvement	1.403	1.341	(0.062)	0.068	A new pressure has been identified relating to software and licence costs of £70k. These costs are required to underpin the Regional School Effectiveness and Improvement Service.	A budget pressure bid for this has been put forward for 2013/14.
					Spending freeze on uncommitted expenditure to assist in reducing Directorate overspend.	

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Schools Related	(1.711)	(1.366)	0.345	0.345	<p>Changes within Service Level Agreements (SLA's) with schools of £243k have been included. A budget pressure bid is currently lodged for this which may be mitigated if all parties can take corrective action by April 2013.</p> <p>Music Services are forecasting an overspend of £72k based on current levels of income and expenditure. A project group has been established to review the music service.</p>	<p>Budget holders are to take decisions where required to reduce expenditure accordingly, and to begin charging schools which haven't signed up for SLAs with a particular agreement for any services they subsequently require.</p> <p>The Music Services project group has recently been established with a key aim of minimising the in-year overspend and developing a sustainable financial and operational model for the service moving forward into 2013/14.</p>
Service Units	1.650	1.895	0.245	0.241	A budget pressure bid of £0.144k has been submitted for the current overspend within free school meals as the claims for this continue to increase in the same trend as the previous financial year. A similar pattern exists for School remissions (£0.085k) where a pressure bid has also been submitted.	Both of these elements of the budget are being carefully monitored and the pressure bids can be altered accordingly as the year proceeds in order to keep pace with changes within the wider economic climate.

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Facilities Services	1.292	1.526	0.234	0.263	The Catering Service (£217k) is developing radical proposals in order to modernise via projects such as on-line payments for parents, rebranding, targeting increased take-up strategies, improved/themed menu's, cost reduction/procurement. The draft APSE review has been used to form the basis of this strategy. Any efficiencies generated from this aren't likely to be realised until the next financial year.	Service needs to continue to implement the agreed strategy for efficiencies.
					The Cleaning Service (£0.057) is unable to recover the surplus generated from the Law Courts contract and some other smaller sites. A large income target still exists which is unattainable with a lower level of cleaning activity taking place.	This is the subject of management action and service redesign and a budget pressure bid for 2013/14.
					£10k was approved to be spent in year on cleaning equipment in order to release efficiencies which may reach £25k per annum	
					£25k of in year efficiencies as a result of the improved management of food purchasing/usage in primary and secondary schools. Reduction in buildings cleaning costs at County Hall.	Continued monthly monitoring of food costs and rollout of alternate daily cleaning at County Hall.
Other variances (aggregate)	96.204	96.197	(0.007)	0.004	Multiple variances under £0.050m.	
<b>Total :</b>	<b>109.707</b>	<b>110.704</b>	<b>0.997</b>	<b>1.318</b>		

## CORPORATE SERVICES

## APPENDIX 5

## Budget Monitoring 2012/13 (Month 5)

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Chief Executive	2.262	2.256	(0.006)	(0.010)	-£0.019m vacancy savings. £0.014m pressure relating to a voluntary sector contribution towards Dangerpoint. -£0.001m other minor variances.	
Finance	4.365	4.706	0.341	0.056	£0.028m pressure relating to the Royal Mail price increases of 39% in April 2012. £0.304m pressure relating to workforce costs in Revenues & Benefits because of additional work in preparation for Welfare Reform and the new Council Tax Support Scheme. £0.065m pressure relating to a benefits system software upgrade. £0.042m pressure relating to additional audit days. -£0.084m vacancy savings relating to the Corporate Finance Review. -£0.014m other minor variances.	Finance to investigate alternatives to Royal Mail. The additional workforce costs relating to welfare reform are one-off and will be reduced where possible.

## CORPORATE SERVICES

## APPENDIX 5

## Budget Monitoring 2012/13 (Month 5)

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Legal & Democratic Services	3.397	3.409	0.012	(0.002)	£0.010m pressure translation of Constitution. £0.002m other minor variances.	
Human Resources & Organisational Development	2.228	2.287	0.059	0.062	£0.054m pressure CRB checks £0.005m other minor variances	A budget pressure for CRB checks has been submitted as part of the 2013/14 budget process.
ICT & Customer Services	5.228	5.219	(0.009)	(0.016)	£0.006m pressure relating to the final Design & Print costs. -£0.030m vacancy savings relating to ongoing service reviews. £0.026m pressure relating to internal admin support recharges. -£0.011 other minor variances.	
<b>Total :</b>	<b>17.480</b>	<b>17.877</b>	<b>0.397</b>	<b>0.090</b>		



Budget Monitoring 2012/13 (Month 5)

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Financing & Funding (insurance, banking etc.)	2.365	2.154	(0.211)	(0.212)	There is additional windfall income of £0.081m, which takes account of the recent settlement by Welsh Government of the Council's claim for additional costs for staff time incurred on the Housing stock transfer consultation/ballot project. Windfall income levels will be monitored closely and reported on in future monitoring reports.	Levels of unbudgeted income will continue to be monitored closely and reported on in future monitoring reports.
					A saving of £0.061m has been identified due to a budget provision within an insurance fund (relating to a potential liability for historic asbestos issues) which is now not required	
					Additional windfall income of £0.090m is anticipated in respect of settlement of an outstanding claim re. overpayment of VAT due to the impact of legal challenges to custom and practice elsewhere.	A number of outstanding VAT claims which may result in "windfall" income will be kept under review pending legal determinations and possible appeals.
					An overspend on additional superannuation costs of £0.044m in respect of added years granted to former employees early retirements prior to the 1996 Local Government reorganisation.	All significant overspends will be monitored monthly. Opportunities for budget realignment within the Central & Corporate Finance budgets will be explored and actioned where possible.
					A decrease in other miscellaneous Expenditure of £0.023m.	

## Budget Monitoring 2012/13 (Month 5)

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Corporate - other	3.622	3.762	0.140	0.114	An overspend of £0.079m against the regional transformation fund following external audit requirements of the lead authority (Conwy CBC) on accounting treatment of balances.	This is a one-off budget pressure in 12/13. Notification by Conwy of the change in treatment was not received until after the 12/13 budget was approved.
					An overspend of £0.059m against the phased funding strategy to address the Council's share of the Clwyd Pension Fund deficit following the 2010 actuarial valuation.	All significant overspends will be monitored monthly. Opportunities for budget realignment within the Central & Corporate Finance budgets will be explored and actioned where possible.
					Other minor variances amounting to a net overspend of £0.002m.	
Central Loans & Investment Account	14.200	14.066	(0.134)	(0.134)	Increased interest received on temporary investments £0.060m, increased internal interest received on prudential borrowing £0.025m. Reduction in interest payable on variable rate market loans and internal interest payable £0.036m, reduction in Minimum Revenue provision (MRP) £0.013m.	
Central Service Recharges	(1.968)	(1.776)	0.192	0.192	Shortfall of internal income recovered from trading accounts and the HRA.	Support Service basis and allocations are currently being reviewed as part of the Finance Workstream of Flintshire Futures.
Other variances - aggregate	6.869	6.868	(0.001)	(0.001)		

## Budget Monitoring 2012/13 (Month 5)

Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Total :	25.088	25.074	(0.014)	(0.041)		

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## APPENDIX 7

### Movements on Council Fund Unearmarked Reserves

	£m	£m
Total Reserves as at 1 April 2012	9.029	
Less - Base Level (inclusive of increase of £0.088m agreed as part of the 2012/13 budget)	<u>(5.564)</u>	
Total Reserves above base level		3.465
Less amount approved in 2011/12 as being ringfenced for Investment in Change	(1.500)	
Less allocation from contingency reserve to meet one-off / time limited costs in 2012/13 (approved in 2012/13 budget and allowed for in calculation of 2011/12 final outturn on contingency reserve)	(0.973)	
Less allocation from contingency reserve as a one-off investment to support the new Leisure facilities in their first year of operation (approved in Month 3 report)	<u>(0.361)</u>	
Amount available for delegation to Cabinet		0.631
Less Projected overspend as at 31 <sup>st</sup> March 2013	<u>(0.983)</u>	
<b>Projected Level of Total Contingency Reserve as at 31<sup>st</sup> March 2013 (Overdrawn)</b>		<b>(0.352)</b>

Note :-

See paragraph 3.05 of the report which sets out Management's intention to contain the projected variation within the overall agreed budget.

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Service	Revised Budget (£m)	Projected Outturn (£m)	Variance (£m)	Variance Last Month (£m)	Cause of Variance	Action Required
Rent Income	-25,560	-25,588	-28	-63	More properties than anticipated still on rent debit due to delays to demolitions of maisonettes	
Finance and Support	2,506	2,283	-223	-219	Support recharges revised downwards to reflect 2011/12 costs. £50k transferred from reserve to cover Redundancy costs	Work is ongoing to progress accuracy and timeliness of the HRA support recharges.
Capital Financing	2,349	2,281	-68	-68	Reduction in costs of temporary loans	Monitor monthly for any variances.
CERA	4,437	4,437	0	250	An additional £0.250m is required for CERA works in accordance with the approval of a recommendation by Cabinet 18th September (within the Month 3 budget monitoring report) for delegated powers to be given to the Head of Housing in consultation with the Cabinet Member for Housing to allocate surplus funds within the HRA balances to fund additional CERA contributions to financing of the HRA capital programme.	Additional £500k transferred from balances being the initial £250k request and a further £250k for additional works.
Other variances (aggregate)	17,055	17,116	61	48		
<b>Total :</b>	<b>787</b>	<b>529</b>	<b>-258</b>	<b>-52</b>		

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** CORPORATE RESOURCES OVERVIEW & SCRUTINY  
COMMITTEE  
**DATE:** MONDAY, 19 NOVEMBER 2012  
**REPORT BY:** HEAD OF FINANCE  
**SUBJECT:** CORPORATE DEBT POLICY

### **1.00 PURPOSE OF REPORT**

- 1.01 To provide Overview & Scrutiny members with details of a report on the introduction of a Corporate Debt Policy that will be considered by cabinet in December 2012.

### **2.00 BACKGROUND**

- 2.01 Inevitably, from time to time, the Council is required to pursue recovery from individuals and commercial organisations owing money to the Council but who have not met their payment obligations. An agreed and transparent policy of how the Council manages and collects debts is considered a key element in ensuring consistency, sensitivity and best practice.
- 2.02 Although working procedures are well established in most areas, the Council does not currently have a formal policy in place that details the approach to raising of debt, the collection procedures carried out and the action taken to recovery unpaid debts.
- 2.03 The Policy, as set out in the Appendix, has primarily been developed to adopt best practise specifically in the area of Sundry Debt collection, ensuring that all monies due to the Council are collected quickly. At the same time, it also provides an opportunity to formalise, into a single policy, other well established procedures and regulations for the collection of Council Tax, Business Rates and Housing Benefit overpayments.
- 2.04 The policy aims to specifically address Sundry Debt collection by focusing on the need for improved collective responsibility for Sundry Debt across the organisation, taking more responsive action to recover unpaid debts and minimising bad debts.

2.05 The following areas have been incorporated into the Policy in the context of the need for improvements in Sundry Debt collection:

- Improved standards for issuing invoices
- More efficient recovery processes to collect unpaid charges
- Improved standards for resolving invoice disputes
- Clearly defined recovery routes for low and high value debts
- The introduction of sound processes to support bankruptcy in isolated cases should the need ever arise
- Protocols to support write off of bad debt

### **3.00 CONSIDERATIONS**

3.01 The policy has been developed to introduce a clear set of standards in the context of Sundry Debt collection, where, going forward, the Council can bring about improvements in collection and implement many of the ideas that were identified by an internal LEAN review.

3.02 The following key features are incorporated into the policy :-

- **A cultural shift so payment is made up front**– *services will be asked to avoid raising invoices where possible and promote payment up front where it is practical to do so*
- **Billing quickly and accurately** – *services will be required to raise invoices within 10 working days of a service being delivered or charge falling due, not invoice for small amounts less than £40, ensure that invoices are accurate and always contain sufficient levels of detail for the customer to make prompt payment.*
- **Reducing the time taken to collect debts** – *the number of repeated reminders issued to customers who fail to pay will be reduced to aid prompt recovery. Recognising that the Council already offers 30 day payment terms, one reminder will be send out 7 days after payment becomes overdue (i.e. day 37). If a customer fails to respond, one final notice will be issued 14 days later (i.e. day 51) to outline the recovery options available to the Council if payment is not made.*
- **Introducing sound recovery procedures** – *14 days after final notices have been issued (i.e. day 65), by default, consideration will be given to refer debts under £500 to debt collection agencies, on a 'no win no fee' basis. Debts over £500 will be considered for litigation at County Court, on a case by case basis, in conjunction with guidance and support from Legal services.*
- **Resolving invoice disputes** – *All disputes to be resolved by issuing services within 28 days of the invoice being disputed. If no action is taken to resolve the dispute within this timescale a credit note will be raised by the Corporate Debt team to remove the debt from the corporate debt system and reverse the income from the relevant service.*

- **Retaining accurate records to aid recovery of debt** – *Recognising that supporting information and evidence is required to aid successful and early prosecutions, services will be required to support ongoing recovery by retaining accurate records. . Where supporting information to progress recovery is not available or not provided, a credit note will be raised by the Corporate Debt team to remove the debt from the corporate debt system and reverse the income from the relevant service.*
- **Sound procedures for write offs** – *write offs will be carried out in accordance with the Councils Financial Procedure Rules where the invoice has been raised correctly and is still owing but there is a justified reason why the debt should not longer be pursued and is deemed to be irrecoverable.*

3.03 Approval of the Policy will, going forward, provide services with a clear set of standards that must be met when recovering Sundry Debt income.

3.04 Although the Council does not normally undertake bankruptcy against individuals, the Public Service Ombudsman issued guidance in 2011 on the growing use of bankruptcy across local government. A key message within the guidance is the importance of having a formal policy in place if decisions are ever taken to pursue bankruptcy against individuals. The inclusion of bankruptcy protocols in the policy will ensure the Council has adequate safeguards in place in the event of bankruptcy proceedings being initiated against an individual.

#### **4.00 RECOMMENDATIONS**

That Corporate Resources Overview & Scrutiny members consider the recommendations made to cabinet to introduce the Corporate Debt Policy as set out in the Appendix.

#### **5.00 FINANCIAL IMPLICATIONS**

5.01 Taking a more pro-active approach to the collection of Sundry Debt will ensure that income is maximised and bad debt is minimised.

5.02 Although write off provision of bad debt is already covered within the Financial Procedure Rules, in the interests of transparency, protocols to support the write off of bad debt have been included in the Policy to ensure that when debts are deemed to be irrecoverable, bad debts are written off promptly so that resources are concentrated where they can be most productive.

#### **6.00 ANTI POVERTY IMPACT**

6.01 The policy will ensure that recovery action will be taken against deliberate non-payers or those who delay payment without genuine

reason while always working to identify and assist those who genuinely can't pay. Where people have fallen or are likely to fall into arrears, the policy will provide a commitment to work with them, and their representatives, to set reasonable and realistic payment levels that they can maintain, ensuring that payment arrangements reflect the ability to pay as well as the level of debt owed.

**7.00 ENVIRONMENTAL IMPACT**

7.01 None

**8.00 EQUALITIES IMPACT**

8.01 The Policy is supported by guiding principles to ensure that in the wider public interest recovery action is proportionate, consistent and transparent.

8.02 The Policy aims to allow for a balance to be struck between the potential loss of income due to the Council and the costs of compliance, against the need to maximise income. When recovery is taken the Policy will ensure that a consistent approach is adopted, recognising the need to treat everyone as individuals but with very differing circumstances. Transparency is vital in maintaining public confidence in the Council and the Policy will provide members of the public with better awareness of expected of them in relation to their payment obligations.

**9.00 PERSONNEL IMPLICATIONS**

9.01 None

**10.00 CONSULTATION REQUIRED**

10.01 None

**11.00 CONSULTATION UNDERTAKEN**

11.01 Officers have sought to introduce best practice into the Policy, especially in the collection of Sundry Debt by implementing many of the findings of a recent LEAN review.

11.02 Several consultation sessions have been undertaken across the Council via the Team Talk forum, Corporate Finance Managers Group and other officers involved in the administration of Sundry Debt. Corporate Management Team has also endorsed the introduction of the Policy.

## **12.00 APPENDICES**

- 12.01 The Corporate Debt Policy, recommended for approval, is contained in the Appendix.

### **LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS**

Financial Procedure Rules

Local Government Ombudsman Publication – “Can’t Pay? Won’t Pay?”  
- Using Bankruptcy to recover debts

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# Corporate Debt Recovery Policy

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## **1.0 Introduction**

- 1.1 This document details the Council's policies on the billing, collection and recovery of monies due to the Council.
- 1.2 It is essential that all monies due are collected effectively by the Council and that debts owed to the Council is kept to a minimum. This is because the Council has both a legal duty and a responsibility to its citizens to ensure that income due is paid promptly.
- 1.3 The Policy also recognises that collection of debt should be fair to everyone, especially those on limited incomes who struggle to pay or those who have not paid because of an oversight. It is also recognised that some people deliberately avoid their payment obligations by delaying their payments or choosing not make payments and proportionate measures will be deployed to develop a culture of payment while encouraging those in need of help to get in touch with the Council at an early stage.
- 1.4 Where a person or organisation makes contact to discuss payment difficulties their circumstances will be considered fairly and objectively with a view to agreeing a reasonable payment arrangement, minimising recovery action and avoiding potential additional costs. Where people or organisation fail to make contact or maintain their payment obligations, recovery action will continue in the wider public interest.
- 1.5 This Policy also sets out the general principles to be applied in relation to management of debt across all services provided by the Council. The Council collects income from many streams; some of this activity is governed by legislation and statutory rules while others by sound principles of financial managements and good practise.
- 1.6 Underpinning this policy are effective income management processes, critical to the delivery of overall Council objectives as every pound of income that is not collected or takes extra effort to collect ultimately leads to additional financial pressures on the Councils budget.

## **2.0 Scope of the Policy**

2.1 This policy applies to the collection of :

- Council Tax and Business Rates (Appendix 1)
- Housing Benefit and Council Tax Benefit Overpayments (Appendix 2)
- Sundry Debt (Appendix 3)
- Housing Rents (Appendix 4)

2.2 There are specific rules and regulations which govern the recovery and collection of these debt types – these are set out in the respective appendices.

## **3.0 Guiding Principles of the Policy**

3.1 The Council will ensure

- Any recovery action taken will be proportionate

Proportionality allows for a balance to be struck between the potential loss of income due to the Council and the costs of compliance.

- The approach taken will be consistent

Consistency means taking a similar approach in similar circumstances to achieve similar objectives. The Council aims to achieve this in the advice given, the use of its powers and the recovery procedures used. At the same time, the Council recognises the need to treat everyone as individuals and therefore we will aim to take account of many variables such as the social circumstances of the person, the persons payment history and their ability to pay.

- The actions taken will be transparent

Transparency is important in maintaining public confidence in the Council. It means that helping people to understand what is expected of them in relation to their payment obligations and what they should expect from the Council. It also means explaining clearly the reasons for taking any recovery action and the next steps that the Council may take if payment is not made.

3.2 The Council will also work with the voluntary sector and advice agencies, including the Citizens Advice Bureau where we collectively:

- Acknowledge that there is a distinction between can't and won't pay

The policy will ensure fairness in that every debtor has an obligation to repay their debt owed so that future services do not suffer. Those who pay promptly should not subsidise those who are not prepared to pay what they owe.

- Recognise that advice and early intervention is a key element from the perspective of all partners

The policy will ensure that the Council and its partner organisations will treat all debtors fairly and, where possible they will promote free debt advice services available. Where appropriate, payment agreements will be put in place to assist debtors in adverse financial circumstances. The decision to agree a repayment timetable will be influenced by the willingness of the debtor to take advantage of the debt advice at an early stage.

- Acknowledge that financial capability and literacy are sometimes underlying issues around non payment.

The policy will seek to promote financial inclusion and early intervention by recognising that debtors may have underlying problems with money management or may not be receiving all the financial assistance to which they are entitled.

## **4.0 Policy Aims and Objectives**

### **4.1 The key policy aims are to :**

- Ensure that the Council provides bills promptly and remind people quickly if they do not pay
- Offer efficient and flexible payment methods
- Encourage people to make early contact to avoid the build up of debt
- Inform people of their entitlement to benefits, discounts and exemptions to ensure maximum take-up and that net bills/liabilities are issued
- Inform people of the general availability of income related benefits such as Job Seekers Allowance, Pension Credits, Housing and Council Tax Benefits
- Take positive action to prevent arrears from occurring in the first place, maximising income and entitlements at an early stage
- Take recovery action against deliberate non-payers or those who delay payment without genuine reason while always working to identify and assist those who genuinely can't pay or are finding it difficult to pay.
- Where people have fallen or are likely to fall into arrears, a commitment to work with them and their representatives to set reasonable and realistic payment levels that they can maintain, ensuring that payment arrangements reflect the ability to pay as well as the level of debt owed
- Work towards a co-ordinated approach with regard to multiple debts owed to the Council. Priority will be given to debts where non payment could lead directly to the loss of a person's home or loss of their liberty by imprisonment for non payment. Other debts owed to the Council may, depending on the circumstances, be treated to as a lower priority until payment of the priority debt owed to the Council is made
- Work in partnership with recognised advice agencies to advise people who need help and guidance to repay debts where they can get independent advice from to assist with wider financial problems

## **APPENDIX 1 - Council Tax and Business Rates Recovery Policy**

### **1.0 Introduction**

- 1.1 This document explains the Revenues and Benefits Service policy and approach to administering the billing, collection and recovery of Council Tax as laid down by the Local Government Finance Act 1992 and supporting legislation. The document details information about the billing and recovery processes. The intention is to explain the processes clearly to show the transparent nature of the work, rather than give a detailed analysis of the legislation involved.

### **2.0 The Billing Process**

- 2.1 The Council recognises that providing a correct bill in an efficient way maximises the likelihood of helping customers pay on time, and it strives to issue accurate bills to customers as promptly as possible, and to offer helpful advice face-to-face, in writing, over the phone and through advice on the website.
- 2.2 All available discounts, exemptions, valuation band changes, and Council Tax benefit will be granted in appropriate cases at the earliest possible time to ensure the amount owed is correct. Customers will be given the maximum number of instalments that are available so that payment can be spread over the longest period within the year.
- 2.3 Discounts, exemptions and reliefs will be reviewed periodically engaging external contractors and utilising third party data where appropriate and lawful, however it remains a customer responsibility to inform the Council within 21 days of any changes in their circumstances that may affect their entitlement to any reduction in their charges.
- 2.4 Clear information regarding reductions, reliefs, including benefit, is widely available through leaflets that are provided with annual bills and through the website. Officers are trained to advise customers about the range of benefits, discounts and exemptions available and how to make claims.
- 2.5 Where there is a joint occupation or ownership, for example joint tenants or owners, or partnerships like husband and wife, both are expected to pay the charge. All bills and other correspondence will be addressed to all the liable persons for the charge. The law says that each person will be liable both for their own share of the charge and for the whole charge (called "jointly and severally liable"), so if necessary action for recovery of the debt will be taken against any or all of the liable persons.
- 2.6 If a taxpayer disputes the basis of why or what they have been charged in relation to Council Tax, the Council will advise them of their appeal rights by initially writing to the Council or alternatively by seeking redress at the Valuation Tribunal for Wales.

- 2.7 Council Tax and Business Rates is charged for financial years beginning on 1st April and ending on 31st March the following year. Taxpayers who receive an annual bill during March will normally receive ten monthly instalments payable between April and January inclusive, but the Council also welcome taxpayers to pay over 12 months if they choose to pay by direct debit. As the financial year progresses, less months are available, so the number of instalments reduces. Between 1st May and 31st December the number of instalments allowed for the year's charge is the number of whole months less one. New bills created from January will usually be given one instalment payable within 14 days from the date of the bill.

### **3.0 The Recovery Process**

- 3.1 The Council only has to prove recovery documents are issued in time and in line with regulations; it is not necessary to prove customers have received them.
- 3.2 As Council Tax and Business Rates are statutory charges it is very important that taxpayers give it a high priority when looking at their finances. If monthly instalments are paid late, or not at all, the Council will take action to recover the overdue amounts by sending documents that explain the consequences of delaying or not making payment. Taxpayers are actively encouraged to contact the Council without delay if they experience difficulties in paying their bill.
- 3.3 The Council has a planned annual recovery and enforcement timetable that sets out the dates for the issue of all recovery documents like reminders, final notices and summonses. It also details magistrates' court hearing dates and targets for transmitting accounts for further enforcement action by bailiffs. The enforcement taken will be:

#### **Reminders and Final Notice Stage:**

- 3.4 Apart from any accounts issued near the end of a financial year, all bills include a monthly instalment scheme. It is a taxpayer's responsibility to make sure that instalments are paid on time. If taxpayers do not pay, or if they make occasional or irregular payments that are not received on or by the due date, they will be considered overdue. If this happens, recovery action will be taken, initially in the form of a **1<sup>st</sup> Reminder Notice**.
- 3.5 Legislation allows for reminders to be sent immediately after an instalment is due but the Council will usually allow taxpayers 14 days after a payment has become overdue before issuing a **1<sup>st</sup> reminder**.
- 3.6 If an overdue instalment is subject to a **1<sup>st</sup> Reminder Notice**, a taxpayer is required to make payment in full of the overdue instalment within 14 days. If payment is made as required, future instalments can then be paid as shown on the bill.
- 3.7 If the overdue instalment is paid, but a future instalment is not paid on time a **2nd Reminder Notice** will be issued. If payment is made as required, future instalments can then be paid as shown on the bill. The second reminder states clearly that no further reminder notices will be sent if future instalments are not paid on time.

- 3.8 If payment is not made within 14 days of a 1<sup>st</sup> or 2<sup>nd</sup> reminder notice, after a further seven days a **Final Notice** will be sent for the full amount outstanding for the year.
- 3.9 Additionally, a Final Notice will also be issued if part or all of an instalment is overdue for a third time. This requires the full annual charge that is outstanding, rather than just the overdue instalment, to be paid in full within seven days. If payment is not made as required a **summons** will be sent for the full amount outstanding for the year together with associated costs of £50 for the issue of the summons.
- 3.10 Dependent on how promptly taxpayers pay, no more than two reminders and one final notice will be issued in a financial year before a summons is issued. Where the right to pay by instalments is lost due to consistent late payment, or no payment, this will only be forfeited for the current financial year; the right to pay by instalments will be reinstated when subsequent years' charges become due
- 3.11 Reminder and Final Notices confirm the full range of payment methods available and include information to encourage taxpayers to get in touch with the Council to discuss payment difficulties. The Council will, where appropriate, re-instate a taxpayer's instalment scheme where the taxpayer has agreed to bring the account up to date and switch to payment by direct debit for payment of future payments.
- 3.12 The Council will normally only offer to re-instate instalments once in any financial year following the issue of a final reminder. The Council Service recognises the offer to re-instate instalment may help a taxpayers meet financial obligations, but at the same time, the taxpayers previous payment history will be considered to ensure habitual late payers are not continually given the opportunity to delay payment.

#### **Summons Stage:**

- 3.13 In the event of late or non-payment as explained above, the Council will issue a **Summons** at the Magistrates' Court. Customers will be given at least fourteen days notice of the hearing date. The summons will confirm the charge outstanding together with court costs that are added to the amount payable in recognition of the extra work needed to secure payment. The additional costs charged for a summons are currently £50.
- 3.14 The summons will confirm the date and time of the Magistrates Court hearing at which the Council's officer will need to satisfy the Magistrate that the customer is the liable person, does owe the amount outstanding, and that the Council has sent the correct documents to the customers' current or last known address. Customers who pay in full on the date the summons is served will not incur additional costs.
- 3.15 Taxpayers who pay the full amount confirmed on the summons including the costs before the hearing date do not have to attend court, however any payment arrangement made following the issue of a summons which extends payment beyond the liability order court hearing date will be made on the basis that the application for a liability order will continue and will include the court costs, including additional costs of £20 for the issue of a Liability Order.

- 3.16 Attendance at the Magistrates Court is not compulsory, and usually the majority of customers summonsed do not attend. A taxpayer can dispute the charge or speak to the Court. The Court will give an audience to anyone who wishes to appear, however, unless the taxpayer has a valid defence then the Court is obliged to grant a Liability Order.

### **Liability Order stage**

- 3.17 Following the issue of a Liability Order, the Council will write to the taxpayer in an effort to secure full payment or to make a suitable payment agreement. The notification will also provide details of potential consequences of bailiff action (and additional costs) if the taxpayer does not make payment or fails to make a payment agreement. For Council Tax matters, the Council will also request to a taxpayer complete a 'statutory request for information', with details of their employment details, and if appropriate, information about any benefit that is received. Taxpayers are required to complete and return the statutory request within 14 days.
- 3.18 The Council will enter into a payment agreement with a taxpayer using the first principle that the outstanding balance must be paid in full prior to the end of the financial year, although in cases where there is no ongoing liability, payment agreements may be extended beyond the end of the financial year, depending on the circumstances of the case.
- 3.19 Following the issue of a Liability and in the event of the taxpayer not returning the 'statutory request for information' or failing to make a payment agreement, the recovery action to be taken will be dependent on the circumstances of each individual case and with due regard to the most effective way for the Council to collect :

**Attachment of Earnings** – Attachments require an employer of the taxpayer (for Council Tax only) to deduct a set percentage of the earnings and send them directly to the Council to pay the outstanding Liability Order. The amount of money deducted depends on how much is earned and whether the person is paid weekly or monthly. The deductions are governed by Council Tax regulations.

**Attachment from Income Support, Job Seekers Allowance and Employment Support Allowance** – Attachments require the Department of Work and Pensions to make deductions from the taxpayers benefit. The level of deduction is fixed by the Government but does increase annually.

**Attachment of Members Allowances** – The Council may make an attachment of 40% of the allowances of an elected member. The amount of money deducted depends on the level of allowances paid to the member.

**Distress & Use of Enforcement Officers** – Enforcement Officers contracted by the Council may be used where no attachment is possible or suitable. The Enforcement Officers will be required to comply with the Bailiff Code of Practice and contract conditions as set out by the Council at all times. Bailiffs will visit to arrange payment of the amount due together with additional visit fees in accordance with Regulations and will ask to be let in to the taxpayers

premises/residence to list goods in the property owned by the taxpayer to the value of the amount that is owned, included the additional fees. The bailiff will ask the taxpayer to sign the document and the process is called a 'walking possession'. The will seek to make a payment agreement on the total amount owed and no further action will occur provided the arrangement is paid as agreed. None of the listed items can be disposed of without the bailiffs permission.

If the payment agreement is not maintained, the walking possession agreement allows the bailiff to re-enter the property to remove goods listed previously.

If the bailiff decides the value of the goods is insufficient to pay the amount outstanding and there is no prospective of making payment agreement, or that there is no prospect of a peaceful entry to the property or the taxpayer cannot be traced the bailiff will normally return the Liability Order to the Council which ends the bailiff action, by then allows the Council to consider taking alternative recovery action.

- 3.20 If bailiff action proves unsuccessful, the Council will then consider whether to take further recovery action, dependent on the specific personal and financial circumstances of each individual case and with due regard to the most effective way for the Council to collect :

**Committal** – The Council may consider making an application to the Magistrates Court to instigate action that could ultimately result in the taxpayer being sent to prison for up to 90 days for non-payment. Before such action is taken, the Council will always send a final letter inviting the taxpayer to a pre-arranged meeting in an effort to make a payment agreement.

**Charging Order** – For taxpayers owing £1,000 or more, the Council may apply to the County Court for an Order that places a charge on the taxpayers property and the court, in certain circumstances, empowering the sale of the property is the taxpayer does not pay. The obtaining of a charging order does not prompt automatic payment of the amount outstanding; providing there is sufficient equity in the property value following the repayment of any outstanding mortgage or other existing registered charges, it secures payment of the debt when the property is sold. Before such action is taken, the Council will always send a final letter inviting the taxpayer to a pre-arranged meeting in an effort to make a payment agreement.

**Bankruptcy/Liquidation** – For taxpayers owing £750 or more, the Council may also consider taking legal action through the courts if insufficient goods exist to distraint upon. Before such action is taken, the Council will always send a final letter inviting the taxpayer to a pre-arranged meeting in an effort to make a payment agreement. Bankruptcy or liquidation will be considered, only as a last resort, in line with the policy in Appendix 4.

#### **4.0 Write Offs**

- 4.1 The Council recognises that where a debt is deemed to be irrecoverable, especially after all recovery options have been considered and/or taken, prompt write off of such debts is appropriate and good practice in certain circumstances and in line with the policy in Appendix 5



## **APPENDIX 2 - Housing Benefit and Council Tax Benefit Overpayment Policy**

### **1.0 Introduction**

- 1.1 Overpayments of Housing and Council Tax Benefit are established through a change in benefit entitlement. They are described as an amount of benefit that has been awarded but to which there is no entitlement under the regulations.
  - 1.2 Accurate and prompt identification of overpayments is important to ensure that the incorrect payment of benefit is discontinued and to maximise the chances of successful recovery.
  - 1.3 The Council recognises that to ensure there is minimal loss to public funds firm but fair action must be undertaken in the administration of Housing and Council Tax Benefit overpayments.
  - 1.4 The policy will reflect best practice in the procedure for dealing with the administration and recovery of Housing Benefit and Council Tax Benefit overpayments.
  - 1.5 The policy will be applied in all cases where an overpayment of benefit has occurred, that is, any amount of Housing Benefit or Council Tax Benefit which has been paid but to which there was no entitlement whether on initial decision or on a subsequent revised or superseded decision.
- 1.1 In undertaking this policy, the Council will :
- Take steps to minimise and prevent overpayments from occurring
  - Identify the overpayment promptly
  - Stop the overpayment from continuing
  - Classify the overpayment correctly
  - Determine if the overpayment is recoverable and if recoverable
    - determine from whom to recover
    - determine the most appropriate method of recovery
    - Notify the claimant and other affected persons of the decision
- 1.8 In most cases overpayments can arise as a consequence of:
- Late disclosure of a change in circumstances
  - Errors made by the claimant when completing an application form or review form
  - Claimant error
  - Official errors made by the Council or the Department for Work and Pensions
  - Deliberate fraud

- 1.9 Official error overpayments are only recoverable if the claimant or the person from whom recovery of the overpayment is sought could reasonably have known that an overpayment was occurring at the time the overpayment occurred.

## **2.0 Prevention of Overpayments**

- 2.1 Overpayments are often difficult and time consuming to administer. They can cause difficulties for claimants and their families as they try to manage on limited incomes. They are to be avoided where possible. This will be achieved by:
- Telling claimants how to avoid overpayments, with letters, in leaflets and during verbal communications
  - Encouraging claimants to maintain contact with us
  - Processing information quickly and accurately to minimise overpayments
  - Offsetting any new or underlying entitlement

## **3.0 Identifying Overpayments**

- 3.1 The Council will aim to act on any information received in relation to a claimant's change in circumstances within seven days of having received sufficient information to identify that an overpayment has or will be occurring.
- 3.2 This action will in the first instance include the suspension of further ongoing payments of incorrect benefit.
- 3.3 The Council will endeavour to identify any change in circumstances that would result in an overpayment still outstanding after seven days by:
- Undertaking a check of the Department for Work and Pensions records held on the Customer Information System (CIS) to identify whether entitlement to Income Support, Jobseeker's Allowance (Income Based) has ceased and if this information is not readily available on CIS by the sending of a benefits enquiry information letter
  - Referring potential fraudulent overpayments to the Benefit Fraud team
  - Ensuring that any post relating to the change in circumstances is collated and acted upon

## **4.0 Classification of Overpayments**

- 4.1 The correct classification of overpayments is essential as, depending on the type of overpayment, the authority will receive a percentage of the overpayment back from the government by way of subsidy. A summary of the types of overpayments and percentage of subsidy allowed is shown at the end of this policy.
- 4.2 All overpayments must be correctly classified by an Officer of the Council who has had training to a sufficient standard to allow them to make decisions, which ensure the correct application of the law in the decision making process.

## **5.0 Calculation of Overpayments**

- 5.1 Where an overpayment has occurred the Council must invite claimants to provide sufficient information for any underlying entitlement to benefit for the overpayment period to be assessed.

- 5.2 The full amount of the overpayment should be recovered unless the health or financial circumstances of the person from whom recovery is being sought suggest a lesser amount would be appropriate.
- 5.3 In all cases the overpayment should be recovered as quickly as possible and normally no later than six years from the date recovery action is commenced.

## **6.0 Notification Letters**

- 6.1 All notification letters must be dated and issued to all affected persons within fourteen days of the Council having made the decision.
- 6.2 The notification must include the reasons for the decision, the right to request a further statement and the time limit for doing so and the claimants appeal rights and the time limit for doing so.
- 6.3 Copies of the notification letter must be able to be reproduced in the event of an appeal, complaint or proceedings taken against the Council.

## **7.0 Decisions on Recoverability**

- 7.1 In all cases where an overpayment has arisen the Council should consider whether an official error has caused or contributed towards the overpayment.
- 7.2 Where the Council has identified an overpayment, which was caused or contributed to by an official error, it should decide whether recovery of the overpayment is appropriate under the guidance issued by the Department for Work and Pensions.
- 7.3 Before recovery action begins consideration will be given as to whom is the most appropriate person to recover the overpayment from. This may in certain cases mean that further information is required from the affected parties.
- 7.4 Recovery should then be made from the most appropriate persons who may be:
- The claimant
  - The person to whom the payment of benefit was made
  - The person who misrepresented or failed to disclose the material fact
  - The partner of the claimant if the partner was living with the claimant at the time of the overpayment and at the time the decision to recover was made
- 7.5 In all cases where the overpayment was the result of proven fraud the overpayment should, in the first instance, be sought to be recovered from the person who misrepresented or failed to disclose a material fact

## **8.0 Methods of Recovery**

- 8.1 Overpayments of recoverable Council Tax Benefit will result in an adjustment being made to the claimant's council tax account for the appropriate year. An amended bill will be issued and any unpaid monies will be subject to recovery action under the council tax regulations.
- 8.2 The most appropriate method of recovery for Housing Benefit Overpayments should be considered in all cases, including:

- On-going deductions from further payments of Housing Benefit
- Deductions from other Department for Works and Pensions benefits
- Benefit sundry debtor invoices
- Debits to the rent account where it is in credit
- Recovery from landlord in appropriate cases
- Referral to the Councils contracted debt collection agency (after all the above avenues of recovery are exhausted)
- Applying to the County Court for a County Court Judgement (after all avenues of recovery are considered or exhausted).
- In cases where a claimant is convicted of fraudulently claiming benefits by applying to the Magistrates court for a Compensation order.
- Apply to the Crown Court for a Confiscation Order under the Proceeds of Crime Act 2002

8.3 A period of at least one calendar month should have elapsed before recovery action begins. This will allow for the claimant to re-apply for benefit, which may identify an underlying entitlement or for the claimant to register any appeal.

8.4 In cases where recovery from on-going benefit is sought the standard maximum rate of deduction as laid down by regulation should be applied unless the health or financial circumstances of the claimant suggest a more appropriate rate should be used. In all cases however a minimum amount of fifty pence per week Housing Benefit must remain in payment.

## **9.0 Write Offs**

9.1 The Council recognises that where a debt is deemed to be irrecoverable, especially after all recovery options have been considered and/or , prompt write off of such debts is appropriate and good practice in certain circumstances and in line with the policy in Appendix 5

## **APPENDIX 3 - Sundry Debt Policy**

### **1.0 Introduction**

- 1.1 The Council charges and collects income from a diverse range of activities, customers and range of public bodies and private businesses. Sundry debt does not include Council Tax, Business Rates or Housing Benefit Overpayments.
- 1.2 The value of invoices raised can range significantly from a few pounds to several hundred thousand of pounds and therefore, taken together, the value of all of these sundry debts is considerable.
- 1.3 It is essential that the Council recovers all collectable debt owed to it and the purpose of this policy aims to :
  - Maximise the collection of the Councils income
  - Ensure that, where possible, payment up front is received Ensuring whenever possible that collection of the fee or charge involved takes place prior to the service being provided so that credit is only given when essential to do so
  - Ensure clear terms and conditions of payment appear within documentation
  - Ensure invoicing and recovery procedures are carried out on an accurate and timely basis, encouraging debtors to pay promptly and making collection and recovery activity more efficient by prioritising collection of larger debts
  - Minimise the time taken to raise invoices to within 10 days of the provision of service(s)
  - Minimise the time taken to collect charges or to effect recovery
  - Minimise the time taken to resolve invoice disputes
  - End the ongoing delivery of a non statutory service to a customer in non payment cases, but only where it is possible to do so.
  - Minimise the level of debt owed to the Council and its provision for bad debts
  - Minimise the incidence of debt that cannot be collected
  - Raise Corporate awareness and responsibility of the importance of prompt debt recovery across all services
- 1.4 The charge must, depending on legislation, always cover the cost of providing goods or service and the costs of collection, unless the Council has taken a policy decision to subsidise the service.
- 1.5 The charge must be invoiced in an efficient and cost effective way, ensuring that the frequency of invoices are minimised for services that are delivery on a regular and planned basis.
- 1.6 The debt will remain the responsibility of the Service in which it was raised, and recovery action will be taken by the Corporate Debt Team. It is the responsibility of the services to assist the Corporate Debt Team in collecting debts, ensuring that information and assistance is provides to ensure debts are collected quickly.

## **2.0 Corporate Responsibilities**

2.1 Directors and Heads of Service must ensure that:

- The Corporate Debt Recovery Policy is adhered to (specifically Appendix 3 – Sundry Debts)
- The aims of the policy are adhered to
- The parts of this policy that apply to their Service areas are correctly followed
- Specific attention is paid to prohibit the practise of not resolving invoice disputes within a reasonable period
- Budget Managers are fully aware of their responsibilities
- Relevant systems and procedures are in place
- Officers involved in the debt collection process are appropriately trained and are aware of their corporate responsibility

2.2 The Head of Finance with Internal Audit support will provide assurance that this Policy is adhered to and is effective.

## **3.0 Raising an Invoice**

3.1 A commercial approach should be adopted where fees and charges are obtained in advance or at the time of service provision. Where goods or services provided need to be paid for after this, then the Council offers credit facilities wherever it is considered prudent to do so.

3.2 Prompt invoicing is essential to efficient debt collection; the longer the period, the less likely is prompt settlement. Invoices must therefore be raised within 10 days of the service being delivered or due.

3.3 By raising an invoice, the originating service agrees approval to take appropriate recovery action through the Corporate Debt Recovery Team, including court action when necessary, is granted at the time the debt is raised.

3.4 Invoices must not be raised for amounts of less than £40, excluding VAT, unless the invoice relates to collection of peppercorn rents, licenses or leases in connection with occupation of Council land and property. This is in line with the Councils Financial Procedure Rules.

3.5 For payment of amounts of £40 or less services are required to request payment up front where it is reasonable and practical to do so.

3.5 The service responsible for raising the invoice must ensure that the evidence of the service provided is fully validated and that the invoice is accurate and contains sufficient detail for both billing and recovery purposes. Services must ensure that all invoice information is fully completed, including :

- Customer"s full name(s)
- Customer"s full address(es),including postcode(s)
- Customer"s contact telephone number(s)
- Customer"s e-mail address

- Name of contact officer in cases of query over the service provided
  - Date of supply of service
  - Purchase order number (where applicable)
  - Full description of the service/goods supplied
  - For each type of supply – the unit price or rate, quantity or extent of goods and services
  - Amount due
  - VAT amount and rate of VAT charged
  - Total due
  - For each type of supply – the unit price or rate, quantity or extent of goods and services, VAT amount and rate of VAT charged
- 3.6 The content (narrative) on the invoice should be concise but of sufficient clarity to ensure that the customer fully understands the bill.
- 3.7 All invoices must be raised to a correctly named legal entity. In the event of non-payment, legal action cannot be taken against a non-legal entity. Legal entities are:
- **Individuals** - This is usually someone living at a residential address. When a request is received for a service, the person's full name (title, forename(s) and surname) must be obtained and stated. Initials are not sufficient. If the request is on behalf of more than one person then the full name of each person must be obtained and stated. The full correct postal address, including postcode, must be stated.
  - **Sole Traders** - Where an individual is trading in his or her own name the full name of the individual as well as the business name must be obtained e.g. Mr John Smith, trading as Fast Removals. Evidence of the name of the business could be in the form of a request for services on a business letterhead. The individual's full postal address must also be requested.
  - **Partnerships**- LLP" must be added where applicable, otherwise the full names of one, two or more partners must be stated, followed by „trading as" (as above). If LLP is applicable the full correct business address, including postcode, must be stated, otherwise the full correct postal address(es), including postcode of the partner(s) should be stated.
  - **Limited companies** - the name must include „Ltd" or „Plc". Invoices can be addressed to either the current registered office or to a place of business of the company. Evidence of their Limited Company Status and registered office must be obtained by requiring confirmation of the service request on their official letterhead
  - **Charities limited by guarantee** - Companies which are charitable and also limited by guarantee can be exempted from using the term „Ltd" so, for example: "Oxfam" is a correct name. Evidence of their charitable status must be obtained by requiring confirmation of the service request on their official letterhead.
  - **Clubs run by a committee** - the full name(s) and address(es) of the treasurer and / or the secretary, or the trustees must be stated.
  - **Trustees** – the full name(s) and address(es) of the trustee(s) and the full name of the trust must be stated.
  - **Executors or Personal Representatives** – must be addressed e.g. „Mr Peter Smith, Executor of James Brown Deceased" or „Personal

representatives of James Brown Deceased. The full postal address(es) of the executors/personal representatives must be stated.

3.8 An invoice should not be raised where :

- A purchase order or written agreement has not been received
- It cannot be proven that the goods and/or services have been supplied
- If the debt is already bad or doubtful

#### **4.0 Payment Terms**

4.1 The Council will collect monies owing to it fully and promptly in line with the 30 day standard terms as outlined on the invoice. The standard terms apply to all sundry debtor accounts raised by the Council and should not be deviated from unless with the prior approval of the Head of Finance.

4.2 All requests from customers to enter into payment agreements must be referred to the Corporate Debt team regardless of the amount owed. The Corporate Debt team will set up and monitor all payment agreements.

4.3 Payment terms beyond the 30 day period will only be granted where a customer is not able to settle the debt in full in one payment.

4.4 The Corporate Debt team will withdraw payment terms if a debtor fails to maintain a payment agreement.

#### **5.0 Accounting Arrangements**

5.1 Services will receive the credit when an invoice is first raised.

5.2 Where debts cannot be recovered and the debt is written off, the original debt will be debited from directorate bad debt provision by way of a write off. All write offs will be considered in accordance with the Financial Procedure Rules and in accordance with the policy guidance in Append 5 to this policy.

5.3 All relevant information relating to an invoice (otherwise known as a proof of debt) should be kept until at least six years after it is first issued. If at the end of that six year period the bill still remains unpaid but payments are being made, the supporting documentation should be retained until final settlement or write off of the debt.

5.4 Appropriate accounting arrangements will be put in place to ensure that the Council reclaims VAT from HMRC on a bad debt if :

- Goods/Services have been supplied and VAT has been accounted for and paid to HMRC (as output tax), but no payment (or only a part payment has been received, and
- The amount has, or is, about to be written off in the accounts, and
- Six months have elapsed from the later of the supply date and the time when payment was due, and
- The reclaim of VAT is made within three years and six months of the date the payment was due and payable or the date of supply.

5.5 Refunds for overpayments must be submitted by the Accounts Receivable Control Team to process and reconcile the refund request to control account and journals relating to the ledger code. Refunds will only be processed where there are no other debts outstanding and due from that customer.



5.5 All credit values of £1 or under will be transferred to the Councils Central Fund after the expiry of one financial year plus the current financial year. The same process will also followed for any credit balances where Corporate Debt/Accounts Receivable Control Team is unable to trace the debtor.

## **6.0 Queries and Disputes**

6.1 Where a customer disputes an invoice with the service, the service must notify the Corporate Debt team immediately to prevent the recovery process continuing. Equally, where a customer contacts the debt team rather than the service to dispute the invoice, the matter will be referred to the service responsible for raising the invoice and recovery will be held. Full notes and reasons for the dispute must be added to the customers account.

6.2 To ensure the efficiency of debt collection and good customer service, all disputes must be resolved by the service responsible for raising the invoice within 28 days of the dispute being raised. The Corporate Debt team must be notified of the outcome of the dispute.

6.3 A dispute is not resolved unless it meets one of the following conditions :

- Customer is correct and gets a full credit
- Customer is partly correct, gets a partial credit and accepts revisions
- Customer is not correct and accepts the charge
- Customer is not correct but does not accept the decision of the service and the service is prepared to support the commencement or continuation of recovery proceedings.

6.4 Where disputes are not resolved within 28 days of the dispute being raised, the Corporate Debt team will raise a credit note to remove the debt from the system and reverse the income from the service. The service responsible for raising the invoice will be notified when this happens. The service will then be responsible for the re-raising of the invoice once the dispute is resolved, if appropriate.

## **7.0 Accounts subject to Recovery**

7.1 Following the issue of invoices, unless there are payment agreement in place, reminders will be sent for all invoices unpaid or partly unpaid after 7 days past the invoice due date, i.e. day 37 after the invoice is raised.

7.2 If an invoice is still unpaid after a further 14 days of the invoice reminder being raised (i.e. day 51 after the invoice is raised), a further letter will be sent that explains to the customer the potential action of a referral to a debt collection agency or legal action through the County Council that may be considered by the Council.

7.3 If, after a further 14 days, after the issue of the letter referred to in 7.2, an invoice is still unpaid (i.e. day 65 after the invoice in raised) the Corporate Debt team will attempt to make telephone contact with the customer in an effort to resolve the matter. Where appropriate, payment agreements will be offered. If telephone contact cannot be made or contact is made but the customer does not wish to engage with the Council to resolve the matter, the Corporate Debt team will

consider the most appropriate recovery route. Each case will be treated on its own merits, but the following guidance will be adhered to :

- 7.4 Single or multiple debts up to £500 will be referred to the Councils contracted debt collection agents to collect the amount overdue if all previous attempts to secure payment have been unsuccessful. No additional fees will be added to the original debt.
- 7.5 Single or multiple debts over £500 will be considered for action through the County Court if the originating service can provide the necessary supporting information to aid a successful prosecution.
- 7.6 Consideration will be given not to take further recovery but only in cases where it is reasonable, economic and in the interests of Council Tax payers to do so. In any case being considered for write off, the write off guidance in appendix 5 will be followed.
- 7.7 In appropriate cases where County Court action is considered appropriate, any failure of services to provide supporting information to aid a successful prosecution will result in the Corporate Debt team raising a credit note to cancel the charge and the loss of income will be met by the service who raised the original invoice.
- 7.8 For debts of £750 or more, the Council may also consider taking bankruptcy action through the courts if sufficient assets exist to meet the outstanding amount owing to the Council. Before such action is taken, the Council will always send a final letter inviting the customer to a pre-arranged meeting in an effort to make a payment agreement. Bankruptcy will be considered in line with the policy in Appendix 4.
- 7.9 In some instances, despite a County Court Judgement being obtained and enforcement action being taken, such action may, in some cases, fail to produce a payment towards some or all of the debt due. In these circumstances, further action is limited and in these cases the invoice will be considered for write off in accordance with the write off guidance in appendix 5

## **8.0 Credit Notes**

- 8.1 There is a clear distinction between raising a credit note and writing off a debt.
- 8.2 A credit note to cancel or reduce a charge must only be issued to
  - Correct a factual inaccuracy or administrative error in the raising of the original invoice
  - Cancel an invoice where a dispute has not been resolved within 28 days
  - Adjust the amount of debt due
  - Cancel an invoice where the service is unable to provide sufficient documentary evidence to support the recovery of an outstanding invoice.
- 8.3 All credit notes must be supported by evidence that validates the reason for reducing or cancelling the invoice.

- 8.4 When raising credit notes, services must ensure that all information is fully completed, in the same way as invoices are raised, including :
- It must reflect an agreed reduction in value and be issued within one month of the agreement.
  - Description of supply
  - Rate and amount of VAT charged
  - Total charge
  - In addition the invoice number and date of the original VAT invoice should be shown on the credit note.

## **9.0 Write Offs**

- 9.1 The Council recognises that where a debt is deemed to be irrecoverable, especially after all recovery options have been considered and/or taken, prompt write off of such debts, including reclaiming of VAT from HMRC (where applicable) is appropriate and good practice in certain circumstances and in line with the policy in Appendix 5

## **APPENDIX 4 – Housing Rent Recovery – Introductory Tenancies**

### **1.0 Introduction**

- 1.1 The Housing Act 1996 has given the Council the option of using Introductory Tenancies for new tenants.
- 1.2 Flintshire County Council decided to offer Introductory Tenancies to new tenants as from 1<sup>st</sup> January, 1998. However there are some exceptions:-
  - New tenancies granted to existing assured tenants from a social landlord will be secure tenancies.
  - New tenancies granted to existing assured tenants from a social landlord will be secure tenancies.
  - Any new tenancy granted, where one of the new tenants already has a secure tenancy, will be a secure tenancy.
- 1.3 Introductory Tenancies are for a limited period of 12 months, whereupon they will automatically become secure, unless an application has been made to the County Court for possession within that 12 month period.
- 1.4 Therefore to pursue repossession of a property under the rules and regulations of Introductory Tenancies requires the Income Officer to comply with a strict timetable.
- 1.5 The last opportunity to apply to the County Court will be in week 50 of the tenancy (to allow the County Court to issue their papers before the 12 month anniversary of the tenancy being signed for), which means that a Notice of Proceedings for Possession needs to be served at the end of tenancy week number 45 at least.
- 1.6 A weekly rent arrears extract is produce to enable Income Officers to identify tenants with rent arrears on the geographical areas managed.
- 1.7 All recovery action is automatically recorded on the electronic diary.

### **2.0 Rent Recovery Process**

- 2.1 In the event of an introductory tenant falling behind with a rent payment a first reminder will be sent. The purpose of the first reminder letter is to bring the arrear to the attention of the tenant(s). Good Practice guidelines suggest that copies of the first reminder are sent to all tenants. They should be addressed individually in separate envelopes to the property.
- 2.2 If there is no response to the first reminder letter (either by contacting the Income Officer or paying off the arrears), a second reminder letter is to be sent in the following week.

### **3.0 Notice of Proceedings for Possession for Procedures**

- 3.1 If the Income Officer establishes a need to serve a Notice of Proceedings for Possession, she/he generates an Notice of Proceedings package.
- 3.2 The Income Officer serves the Notice along with an Application for Review form and an Assessment of Income & Expenditure form on the tenant on the Friday of the same week.
- 3.3 However, if the tenant is elderly, or there has been no previous contact with the tenant, every effort must be made to establish personal contact when serving the Notice of Proceedings.
- 3.4 Income Officers have the discretion of withdrawing the notice at this stage, if it is felt appropriate.
- 3.5 The tenant has the opportunity to attend the Review Hearing within 7 days of the delivery of the Notice.

### **4.0 Review Procedures**

- 4.1 The Income Officer will request the tenant to attend a Review Hearing at the same time as the Notice is served. The tenant may bring a friend/representative to the Review.
- 4.2 The Review will be conducted by the Income Team Leader and a member of the Housing Options Team.
- 4.3 The Review panel will consider the case following discussion with the tenant and as assessment of the income and expenditure form.
- 4.4 The Income Officer will forward a letter to the tenant of the decision of the review panel.
  - a) If the Review finds in favour of the tenant the Introductory Tenancy continues until it becomes Secure. The Notice of Proceedings at this stage becomes invalid. If at a later stage the tenant falls back into arrears a new notice is to be served.
  - b) If the review finds in favour of the Council, the Income Officer applies to the County Court for Possession Order as soon as the notice expires, sending a letter to the tenant.

If a tenant fails to apply for a Review and remains in arrears 4 weeks after serving the notice, the Income Officer has the discretion to proceed to Court, sending letter to the tenant informing of same.

Once the County Court issues their papers, the tenancy will remain Introductory until the matter is resolved.

On receipt of the Court Hearing date, a court hearing date letter is to be sent to tenant by the Housing Officer.

- c) Another option available to the Council is to offer an Introductory Tenant an extension of 6 months to the trial period of the tenancy. To do so one of the following conditions have to be met:
- The Income Officer has served a Notice of Extension letter by hand on the tenant at least 8 weeks before the original expiry date of the Introductory Tenancy. If the tenant requests a review of the Council's decision to extend the tenancy.
  - The tenant did not attend the Review Hearing but the Income Officer does not want to proceed to court yet.
  - The decision of a review was to extend the tenancy.

## **5.0 Pre-court Procedures**

5.1 The Income Officer generates the following:-

- Copy of the court pro-forma.
- The copy of the Notice of Proceedings for Possession, suitably sworn where required.
- A completed copy of the Rent Arrears Review form, if available.
- Assessment of household Income and Expenditure, if available.
- Copy of the letter notifying of the Review Panel's decision.

5.2 Each Income Officer is responsible for controlling and monitoring their own court applications, to ensure that notification of Court Hearing dates are received from the County Court promptly.

5.3 Each Income Officer is responsible for maintaining a central register (e.g. Desk Diary/white board) in which the date of each and every Court Hearing is entered.

5.4 On receipt of the Court date, the Income Officer sends letter advising the tenant of the Court appointment. Efforts should be made to visit the tenant as soon as possible to discuss the case. Good Practice guidelines suggest that a copy of the letter is to be sent to all tenants. They should be addressed individually in separate envelopes to the property.

5.5 The Income Officer prepares an affidavit and exhibit (i.e. copy of signed Notice of Possession order) to be sworn at the County Court. The original affidavit and exhibit are submitted to the Court with a copy of the notice to be held on the property file in the office.

5.6 If the tenant clears the rent account and legal costs incurred, to our satisfaction before the Court Hearing date, the Income Officer can withdraw the case completely, sending a letter to the County Court and allowing the tenancy to continue.

5.7 Flintshire County Council is to be represented at Court by the Income Officer. In his/her absence the Income Team Leader may attend.

## **6.0 Court Proceedings**

- 6.1 Court cases on rent will be heard at one of three County Courts: Rhyl, Mold or Wrexham.
- 6.2 As long as the Court is satisfied that the local authority has followed the correct procedures, the Court must grant a possession order.
- 6.3 Documents and evidence required to be presented at the Court include:-
  - As per item 5.1 above
  - Court pro-forma
  - An up to date statement of account
- 6.4 The only power available to the Court is to postpone the date of possession for up to 14 days, and in the case of exceptional hardship for up to 6 weeks.
- 6.5 If the Income Officer is dissatisfied with the conduct of the tenancy, but there is no justification to end the tenancy through a Court Order, there is the option to extend the Introductory Tenancy for a further 6 months. Following consultation with the Income Team Leader, a Notice to extend the tenancy should be issued. This must be hand delivered to the tenants at the property no later than 8 weeks before the end date on the original tenancy agreement.

## **7.0 Post Court Procedures**

- 7.1 The Housing Officer is to send a letter to the tenant, notifying him/her of the Court decision.
- 7.2 The details of the Order is to be recorded on the electronic diary by the Income Officer.
- 7.3 When a Income Officer feels he/she has exhausted all attempts to recover rent arrears, and they consider the only appropriate course of action left is for them to apply for an Eviction they should refer to Addendum – Proceeding to Eviction.

## **8.0 Eviction Procedures**

- 8.1 To apply for an eviction the Income Officer completes a Request for Warrant of Possession of Land through the county court computer system.
- 8.2 The County Court will acknowledge the application and will confirm the date of eviction via electronic mail.
- 8.3 Each Income Officer is responsible for controlling and monitoring their court applications, to ensure that notification of eviction dates are received from the County Courts promptly.

8.4 When the Income Officer is notified of the eviction date, a letter is to be sent to the tenant informing of same, a standard memo sent to Social Services with a copy to Housing Options Team.

8.5 If the tenant clears all the rent arrears before the due date of eviction (including court costs), the Council has the discretion to continue with the eviction or offer a new Introductory Tenancy. Income Officers need to be aware that even if all the arrears and costs are paid, the Council can still take possession of the property. Consultation with the Neighbourhood Manager is necessary at this stage.

8.6 Every effort should be made to keep in personal contact with the tenant right up to the eviction date, providing the tenant with a written copy of the actual procedure on day of eviction 7 days before eviction is due to take place.

## **9.0 Proceeding to Evictions**

9.1 Before a Income Officer can apply for an eviction they must first prepare a detailed Case History.

9.2 In addition the Income Officer should detail what action has been taken, in report form, i.e. Notice of Possession Proceedings served, Court action taken and orders/costs awarded, agreements made, support and advice given by internal and external agencies, any previous Eviction dates & Suspension Hearings

9.3 It should also include any comments/notes the Income officer thinks will support their case for an Eviction Application.

9.4 The income Officer should then send this report, electronically, to their Neighbourhood Housing Manager for consideration.

9.5 At this stage the application can be refused, comments received and action reconsidered if appropriate. Any information regarding action taken or justification for the application should be welcomed at this stage and, if necessary, further action taken by the Income Officer to prevent an Eviction taking place.



## **APPENDIX 5 – Housing Rent Recovery – Secure Tenancies**

### **1.0 Introduction**

- 1.1 The majority of tenancies in Flintshire are secure tenancies. New tenants will be given an introductory tenancy for the first 12 months then will automatically become secure as long as they are not subject to legal action by the Council.
- 1.2 The computer system produces a weekly rent arrears extract to enable Income Officers to identify tenants with rent arrears on the geographical areas managed.
- 1.3 It is vital recovery action begins at an early stage.
- 1.4 The income Officer is to be aware of the tenant's entitlement to Housing Benefit and ensure that the tenant is claiming any other relevant benefits.
- 1.5 Personal contact (visits or telephone calls) must be maintained throughout the rent arrears procedure, and if any arrangements to pay are agreed with the Income Officer is to confirm the arrangement in writing.
- 1.6 Weekly monitoring is imperative, and if the tenant fails to comply with any arrangement's to pay, the Income Officer will make contact prior further action taking place.
- 1.7 The Housing service will ensure that debt counselling services are available to tenants within the Voluntary sector and will refer cases to the Maximisation Officer where necessary. Referrals to the Shelter Tenancy Support Service and their Debt Advisors will be undertaken as appropriate.
- 1.9 The Support Service Provider (i.e. Housing Options Team) needs to be informed of each stage of legal action to be taken by the Income Officer (starting with the serving of a Notice).
- 1.10 If personal contact with the tenant proves to be difficult, every effort must be made to find out the whereabouts of the tenant.
- 1.11 Before the serving of Notice of Seeking Possession, any contents insurance premiums need to be cancelled and the tenant notified in writing of same.
- 1.12 Ensure all actions taken in chasing rent arrears (inc. date applications are made to Court, date of evictions etc.) are recorded on the rent arrears electronic diary.

### **2.0 Rent Recovery Process**

- 2.1 The Income Officer can generate a variety of letters through the Rent Arrear Recovery computer system.
- 2.2 The Purpose of the reminder letter is to bring the arrear to the attention of the tenant(s). Good Practice guidelines suggest that copies of all correspondence are sent to all tenants. They should be addressed individually in separate envelopes to the property.

- 2.3 If the tenant does not respond to the reminder letter (either by contacting the Income Officer or paying off the arrears), the procedure is to send a second reminder letter 7 days following the first but :
- The Income Officer is not obliged to send both letters. At the officers discretion a personal letter can be constructed to reflect the situation.
  - At this stage good practice dictates that a Income Officer should visit the tenant(s) to discuss the arrears. A home visit form can be completed detailing agreements made to prevent further action.
  - In any event at least two home visits should be made before a Notice of Seeking Possession is served.

### **3.0 Notice of Seeking Possession**

- 3.1 If the Income Officer establishes a need to service a Notice of Seeking Possession, she/he generates an Notice of Seeking Possession order.
- 3.2 The Income Officer serves the Notice of Seeking Possession on the tenant or property at which time a record of delivery is documented on the tenants rent account.
- 3.3 However, If the tenant is elderly, or there has been no previous contact with the tenant, every effort must be made to establish personal contact when serving the Notice of Seeking Possession.
- 3.4 Income Officers have the discretion of withdrawing the Notice of Seeking Possession at this stage, if it is felt appropriate.
- 3.5 After serving the notice, the Income Officer monitors the rent account carefully, continues to contact the tenant and if necessary generate a reminder letter (this letter can be used at any time during the 12 month period that the Notice is valid).
- 3.6 At this stage the Income Officer will request the tenant to attend a "Final Warning before applying for Court". This interview should be carried out by the Income Team Leader and a Housing Options/Welfare Rights representative. All aspects of the Court Procedure, including legal costs incurred, should be discussed at this interview.

### **4.0 Pre-Court Procedures**

- 4.1 The Income Officer requests authorisation to proceed to court as follows:-
- Possession Order – Income Team Leader
  - Warrant for Possession – Neighbourhood Housing Manager
- 4.2 The income officer forwards the court pro-forma via electronic mail for consideration. On receipt of the authorisation the income officer applies to court.
- 4.3 The Income officer is responsible for recording the court hearing date and will attend the hearing.
- 4.4 Good practice dictates that no later than 14 days before the Court Hearing the Income Officer notifies the tenant in writing of the court date.

## **5.0 Court Proceedings**

- 5.1 Court cases on rent arrears in Flintshire County Council will be heard at one of three County Courts in Rhyl, Mold or Wrexham.
- 5.2 To help both the Housing and Court Officers it is proposed to standardise the procedure as follows:-
  - The cases may be heard in Court or in chambers.
  - The Officer takes to the Court the standard pro-forma, original notice of seeking possession a printout of the rent account diary entries.
  - The Officer may be invited to swear the oath and state his/her position in the organisation.
  - The Officer needs to be prepared to answer questions asked by the judge. The judge may wish for the Officer to elaborate on any information provided.
  - Finally the judge will invite the Officer to detail the order requested by the Council (e.g. an order for possession suspended for as long as tenant pays the weekly rent plus £\_ off the arrears).
  - The Officer completes his/her own copy of the court pro-forma accordingly.

## **6.0 Court Order Suspended**

- 6.1 If the tenant fails to comply with the terms of the suspended order, the Income Officer sends a reminder letter to the tenant.
- 6.2 Allow 14 days after letter has been sent before applying to the Court for a warrant of execution.
- 6.3 If the Court has adjourned the case generally or on terms and the rent arrears have increased within a 12 month period, apply back to the Court.
- 6.4 If the Court has adjourned the case for a fixed period (e.g. 3, 6 or 12 months) and the arrears increase within that period apply back to the court. Please note that if the case has not been restored during the given period the case will be struck out by the Court and the Income Officer will need to recommence the arrears procedure from the beginning.
- 6.5 Outside of the 12 month period a new Court application has to made.

## **7.0 Eviction Procedures**

- 7.1 The Income Officer completes the court pro-forma and forwards to the Neighbourhood Housing Manager for consideration/authorisation.
- 7.2 The Income Officer will apply to court via the county court computer system. Details of the court hearing/eviction dates are recorded.
- 7.3 When the Income Officer is notified of the eviction date, written notification is to be sent to the tenant, a standard memo sent to Social Services with a copy to

Housing Options Team. Details of the eviction date are to be forwarded by electronic mail to the neighbourhood officer and the repair section.

- 7.4 Every effort should be made to keep in personal contact with the tenant right up to the eviction date, providing the tenant with a written copy of the actual procedure on day of eviction a few days before the eviction is due to take place.
- 7.5 The tenant has the right to apply to have the eviction suspended by an ex-party agreement, 'Notice of Application form is completed and sent to the court by the tenant.
- 7.6 If the tenant applies for the eviction warrant to be suspended the Court advises the Council of a date and time when that application will be heard. The Income Officer attends the hearing to present the Council's case.
- 7.7 If the County Court decrees that the eviction is suspended, a Variation Order will be granted and the Income Officer notifies the tenant of the details of the new Order in writing.
- 7.8 If and when an order is ever satisfied, during the period between receiving an eviction date and reaching that date, the County Court should be advised in writing, with a copy sent to the tenant.

## **8.0 Proceeding to Evictions**

- 8.1 Before a Income Officer can apply for an eviction they must first prepare a detailed Case History.
- 8.2 In addition the Income Officer should detail what action has been taken, in report form, i.e. Notice Of Seeking Possession's, Court action taken and orders/costs awarded, agreements made, support and advice given by internal and external agencies, any previous Eviction dates & Suspension Hearings
- 8.3 It should also include any comments/notes the Income Officer thinks will support their case for an Eviction Application.
- 8.4 The Income Officer should then send this report, electronically, to the Neighbourhood Housing Manager for consideration.
- 8.5 At this stage the application can be refused, comments received and action reconsidered if appropriate. Any information regarding action taken or justification for the application should be welcomed at this stage and, if necessary, further action taken by the Income Officer to prevent an Eviction taking place.

## **9.0 Monitoring**

- 9.1 Weekly monitoring of the success or otherwise of the rent arrears procedure is practised by each Income Officer when carrying out their normal duties pursuing rent arrears.
- 9.2 The Income Team Leader will meet to review a selection of rent arrear cases, and provide support and advice to the Income Officers in the pursuance of the rent arrears.

- 9.3 Such exercises are to be completed with each Officer at least once every quarter. Each Officer will receive a minimum 1 week's notice of the cases selected by the Income Team Leader.
- 9.4 As and when monitoring exercises highlight the need to change or supplement the procedure, the Income Team Leader makes the necessary changes and ensures each holder of a set of working instructions is asked to replace the existing page with a revised page.
- 9.5 Where the panel identifies non compliance with the procedure for collecting rent arrears, which require further action, it is recorded on the control sheet with a note of further action to be taken.
- 9.6 Statistical feedback on rent arrears performance is provided by the Income Team Leader on a weekly basis.
- 9.7 Rent Arrears Performance is discussed on a quarterly basis at the Team Brief meeting, and minuted accordingly.

## **APPENDIX 6 - Bankruptcy Policy**

### **1.0 Introduction**

- 1.1 The Council is committed to using the most effective recovery methods available and this policy will ensure that the Council's very occasional use of bankruptcy is consistent and complies with all relevant legislation and best practice.
- 1.2 Council Tax and Business Rate regulations allow for debts over £750 to be considered for bankruptcy providing that Liability Orders have been obtained. For Sundry debts and Housing Benefit overpayments, bankruptcy proceedings may be taken against debtors who owe in excess of £750 where a County Court Judgement has been granted in respect of the debt.
- 1.3 The Council also recognises that serious nature of bankruptcy which may result in an insolvent person's property being vested in a trustee – someone who realises and distributes payment among the creditors in final settlement of their claims. The serious nature of this action cannot be under estimated as the consequences could result in a person losing their home and possessions, and be liable to pay a charge and statutory fees/costs associated with bankruptcy amounting to several thousand pounds
- 1.4 Given that the Council is not a preferential creditor for the purposes of bankruptcy there is no guarantee of a dividend being paid. The Council will only consider using bankruptcy as a last resort and final option and will take a cautious and diligent approach in deciding if bankruptcy is reasonable action to take.
- 1.5 Bankruptcy action takes place in the debtors local County Court with bankruptcy jurisdiction unless the debtor resides in London, in which case the action takes place in the High Court or the Central London High Court.
- 1.6 The Revenues Team will manage the administration of bankruptcy cases and proceedings in respect of Council Tax, Business Rates, Sundry Debt and Housing Benefit overpayments, with the assistance from Legal Officers in appropriate cases.

### **2.0 When bankruptcy Action may be taken**

- 2.1 The Corporate Debt Team may consider using bankruptcy proceedings in the following circumstances:
  - Where the debt exceeds £750 and the debtor appears to have sufficient assets or equity to ensure the debt is recoverable by the Official Receiver of the Insolvency Service or the Trustee in Bankruptcy.
  - Where the debtor is not prepared to make a payment agreement to clear the debt within a reasonable and acceptable timescale.
  - Where other methods of recovery are considered inappropriate or have failed and bankruptcy action, as a last resort, appears to be a fair and proportionate course of action.

### **3.0 Recording Information and Decisions**

- 3.1 When the Council consider bankruptcy proceedings, a log of events will be maintained on the customers account throughout the process to ensure that bankruptcy remains the most appropriate course of action.
- 3.2 **Decision Making (stage 1)** - Prior to commencing bankruptcy proceedings enquiries will be made of the Revenues and Benefit records to :
- Establish a debt history and whether any previous debts have been collected within a reasonable period by other means.
  - Ensure that all known benefits, discounts and exemptions have been granted based on the information held
  - Establish whether, based on any information held, the debtor may be vulnerable or unable to deal with their day to day financial affairs or have had previous debts written off.
- 3.3 Contact will also be made with relevant Directorates to ascertain if the debtor is known to them and therefore may be vulnerable. If the debtor is currently receiving any care service further enquiries will be made with the key worker to establish if the debtor may be vulnerable by way of, for example, age, mental illness, serious learning difficulties or where it is known that the debtor is unable to deal with their own affairs. Should it be apparent the debtor has such difficulties then consideration will be given to whether the help of other agencies should be sought, and to the appropriateness of pursuing an alternative course of action, including the potential to write off in line with the policy in appendix 5.
- 3.4 **Decision Making (stage 2)** – If records held and enquiries with relevant Directorates do not indicate that the debtor may be vulnerable then enquiries will be made with a credit reference agency and the Land Registry to establish information about the debtor’s financial standing and ownership of property and assets.
- 3.5 **Decision Making (stage 3)** – In order to assist with the decision making process as to the appropriateness of bankruptcy a visit will be made to the debtor’s home address (and/or business address if known) to discuss the matter and to establish whether a payment agreement can be established.
- 3.6 In the event that the visit establishes that the debtor may be vulnerable then details of the perceived vulnerability will be recorded. Further enquiries will then be made with the Directorate of Community Services together with possible referral to other advice agencies and to determine an alternative method of recovery.
- 3.7 If a payment agreement cannot be made, or contact with the debtor cannot be made, the Council will serve a final letter will be sent to the debtor that explains the intended action, confirms the charges due, and offers a final opportunity to arrange payment within 14 days. The letter will also advise the debtor to seek independent advice from one of the advice agencies. A copy of the Insolvency Service’s publication – ‘A guide to Bankruptcy’ will also be sent to the debtor.

3.8 **Decision Making (stage 4)** – If payment is not made and no satisfactory arrangement agreed, the matter will be discussed with the Head of Finance and if appropriate with the service department to approve the next course of action associated with bankruptcy proceedings.

#### **4.0 Statutory Demand**

4.1 Where a decision is taken to commence bankruptcy proceedings a formal 'statutory demand' for payment will be issued by the Council to the debtor and the service of the statutory demand upon the debtor is the first formal stage in bankruptcy proceedings.

4.2 Guidance on service requirements are set out in the Insolvency Proceedings Court Practice Direction. A letter will also be issued with the statutory demand setting out the intentions of the Council and what the debtor needs to do to comply with it.

4.3 The debtor will still have the opportunity to contact the Council, even at this stage and, depending on information supplied, it may still be possible to a short term repayment arrangement. The debtor also has the right to apply to the County Court to have the Statutory Demand set aside.

#### **5.0 Bankruptcy Petition**

5.1 The Council may present a Creditors Bankruptcy Petition to the County Court within four months of service of the Statutory Demand Notice if the debtor has not complied with it, or if alternative payment arrangements cannot be agreed following the service of the Statutory Demand.

5.2 Prior to presentation of the Petition, further enquiries will be made all relevant Directorates to establish whether the debtor has become known to them during the recent process in which case the action will be reconsidered.

5.3 The Council is required to serve the Petition upon the debtor and guidance for service requirements are set out in the Insolvency Proceedings Court Practice Direction.

5.4 At this stage, the debtor is required to pay the debt in full before the hearing of the Petition at Court otherwise the Court will be asked to make a Bankruptcy Order. The Council will always support a short adjournment of the court proceedings if the debtor provides the court with evidence that they will be able to pay in full within a very short period.

5.5 If, between the Petition being presented to the Court and the hearing of the Petition, it becomes known that the debtor does not have the capacity to deal with the matter, then full consideration will be given to seeking an adjournment of the proceedings to enable both the debtor and the Council to obtain further advice.

#### **6.0 Making of a Bankruptcy Order**

6.1 If the Court awards a Bankruptcy Order, the Official Receiver of the Insolvency Service is immediately appointed Trustee in Bankruptcy.



## APPENDIX 7 - Write Off Policy

### 1.0 Introduction

- 1.2 The Council recognises that where a debt is irrecoverable, prompt and regular write off of such debts is important so that the Council can budget for bad debts. An integral part of debt recovery is the effective management of bad debts to ensure that resources are applied efficiently to the collection of monies outstanding which can reasonably be expected to be collected.
- 1.3 The Council will seek to minimise the cost of write offs to the local tax payers by taking all necessary and appropriate recovery action to recover what is due. All debts will be subject to the full collection, recovery and legal procedures and considerations as outlined in this Corporate Debt Recovery Policy.
- 1.4 Write offs will be carried out in accordance with the Councils Financial Procedure Rules, and only in cases where
- The demand or invoice has been raised correctly and is due and owing;  
**and**
  - There is a justified reason why the debt should no longer be pursued.
- 1.5 The Head of Finance will have the authority to write off debts of up to £5,000 (in aggregate) for each debtor. Write off of debts between £5,001 and £24,999 will be considered for write off by the Head of Finance and in consultation with the Cabinet Member for Corporate Management via delegated powers. All debts considered for write off in excess £25,000 will be referred to Cabinet for approval.
- 1.6 Debts will normally only be considered for write off where the account is 'closed' and there are no reoccurring debts. Only in exceptional circumstances will amounts on 'live' and ongoing accruing debts be considered for write off. All such cases must demonstrate that further recovery will not achieve collection of the debts.
- 1.7 The Council will record all write off decisions.

### 2.0 Reasons for Write Off

- 2.1 Is it not possible to list every possible scenario which could make a debt suitable for write off, however the following reasons capture the main reasons why debts become irrecoverable:

Absconded / No Trace	The debtor has left the address listed on the invoice/bill and all reasonable attempts, including using trace agents, to find the debtor have failed.
Deceased	The debtor has passed away and there is evidence of in-sufficient or no funds in the deceased persons estate to pay the amount outstanding

Debt 'out of time'	Debts over 6 years old and where a Liability Order has not been granted (Council Tax and Business Rates), or no contact has been made and no payments have been received (in accordance with the Limitation Act 1980 as amended).
Small Debts and debts Uneconomical to pursue	When all recovery processes have been tried or considered and where the cost of proceeding to recover would be cost prohibitive to the Council and to its taxpayers.
Debts subject to a Relief Order	Where debts owed to the Council are subject to and included in a Debt Relief Order and cannot be recovered.
Bankruptcy	The debtor is declared bankrupt and sums due before the date of bankruptcy cannot be recovered.
Companies in Liquidation/ Wound Up / Dissolved Struck Off	The Company is a Limited Company registered with Companies House and no longer exists and there is no means of recovering the debt.
Debts remitted by the Court	Where the Magistrates Court have remitted Council Tax or Business Rates debts, usually at committal hearings/proceedings.

### **3.0 Conditions for re-claiming VAT on Bad Debts**

3.1 The Council will be entitled to a refund of VAT from HMRC on any bad debts (excluding Council Tax, Business Rates and Housing Benefit Overpayments) if the conditions prescribed below are met :

- Goods and services have been supplied and VAT has been accounted for and paid to HMRC but no payment (or only a part payment – see 3.4) has been received;
- The debt has, or is, to be written off in the accounts and transferred to a bad debt account
- The debt must not have been assigned
- The debt has remained unpaid (or partly unpaid) for six months or more after the later of the date payment was due or the date of the supply of the goods or services
- The re-claim of VAT is made within three years and six months of the later of the date payment was due or the date of the supply of the goods or services.

3.2 The Council is required, in accordance with HMRC guidance, to retain copies of all invoices and bad debt account details for a fixed period of six years

- 3.3 VAT on bad debts will be re-claimed on the monthly VAT return, ensuring that appropriate VAT codes are debited with the appropriate amounts to reduce the amount of the write off recorded against the appropriate bad debt provision for the relevant Directorate.
- 3.4 Where the Council is re-claiming VAT on debts where part payment is received, the entitlement to bad debt relief on VAT is based on the amount outstanding for the supplies made. For a single supply, where no payment is received, the amount of VAT accounted for can be reclaimed. If a part payment of the debt is received, a refund can only be claimed on the VAT relating to the amount still unpaid.
- 3.5 HMRC advise that payments should be allocated to the earliest supply made unless the customer specifies that a payment is for a particular supply and pays for that supply in full.
- 3.6 In bad debt cases where everything except the VAT element is paid, if the customer refuses to pay the VAT element of an invoice and this is the only element outstanding, relief is limited to the VAT element of the total debt outstanding. For example, if the charge was £100 (which was paid) and £20 VAT remains outstanding, the Council is entitled to re-claim VAT of £3.33 (i.e. 1/6 of £20).
- 3.7 Any bad debt relief claimed on sales must be at the same rate of VAT as used for those sales, that is, 20% from 4 January 2011, 17.5% from 1 January 2010 to 3 January 2011 and 15% from 1 December 2008 to 31 December 2009.
- 3.8 If VAT is re-claimed on a bad debt and a payment is later received from the customer, the VAT element included in the payment must be paid over to HMRC in the tax period in which the payment is received.
- 3.9 For any technical queries on VAT treatment of invoices please refer to the Council's Tax Advisor.

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **CORPORATE RESOURCES OVERVIEW AND SCRUTINY COMMITTEE**

**DATE:** **MONDAY, 19 NOVEMBER 2012**

**REPORT BY:** **HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT**

**SUBJECT:** **PEOPLE STRATEGY**

### **1.00 PURPOSE OF REPORT**

1.01 To provide Members with a progress report on the delivery of the People Strategy Action Plan for 2009–2012 as at 30 September 2012.

### **2.00 BACKGROUND**

2.01 The People Strategy is one of the four Corporate Resource Strategies for the Council. It sets out the Council's vision and intentions in achieving effective Organisational Change and transformation, improving Leadership and management practice, increasing performance and productivity and modernising our working practices and terms and conditions of employment to enable us to better meet the needs of our customers.

2.02 The current strategy covers the period 2009–12 and is in the process of being reviewed to reflect the Council's on-going and future priorities for the next three/four years. Whilst appropriate focus and resources are being targeted to deliver the identified priorities, consideration is being given to which projects will extend to the next phase of the strategy.

2.03 Given the interdependencies between the People Strategy and the ICT Strategy, there is the opportunity to re-align the timeframes for the review of the respective strategies. This would ensure that the 'enabling' actions on the part of both HR and OD and the ICT teams, to support the delivery of key projects such as Agile Working, are fully co-ordinated.

2.04 To achieve the above, work is underway to commence some joint planning of activities and priorities for the new strategies. The likely outcome is that the implementation dates and duration of the respective strategies will be the same.

2.05 The progress on the delivery of the strategy is reported on a regular basis (at least quarterly) to Cabinet and at Overview and Scrutiny

Committees. In addition, the Quarterly Performance reports for Human Resources and Organisational Development provides details on progress, by exception, focusing on those actions that have been completed in accordance with the action plan and actions that have not been delivered in accordance with the original timeframes set, the reasons for this and the recovery plan that has been put into place.

### **3.00 CONSIDERATIONS**

3.01 The People Strategy Action Plan, shown at Appendix 1, provides a detailed progress update on each of the projects/work streams.

3.02 The majority of projects and actions are on track to be completed within the stated deadline, or are completed. Some of the deadlines were revised and reported on in the previous People Strategy progress report in July. For example, the deadline for the delivery of the Organisational Design Change Programme was delayed, to allow sufficient capacity and resources for the Single Status project.

3.03 The following actions/projects are reported 'by exception' as follows:

- The action CUS/003, in the 'Customer' work stream, i.e. to design and implement a new HR and OD service structure, has been delayed. The new service structure and jobs within it have been re-designed and are currently undergoing job evaluation. Individual consultation with affected employees will not start until November 2012, resulting in the new service being fully operational by March 2013. This delay is as a result of the Head of Service and other senior managers in HR and OD being responsible for leading on the delivery of the Single Status and Equal Pay projects, both of which have had to take priority over other projects.
- The action CHA/006, in the 'Change' work stream, i.e. to develop Career Progression Frameworks has been completed and implemented as part of the Single Status Project.
- The action CAP/006, in the 'Capacity' work stream, i.e. to develop the E-learning modules for new managers, is now completed. The date for the roll out and implementation of the modules is still to be determined.
- A new task has been added to CAP/005 in the 'Capacity' work stream to identify a new programme for 'aspiring leaders' which is currently being explored as part of developing the partnership arrangement between Flintshire Council and Deeside College further.
- The implementation date for the action CON/001 for Single Status and Equal Pay is shown as November 2012 but is currently under

review. All data verification work on the posts and people in scope of the project has been finalised and pay modelling and Part 3 negotiations have recommenced and are on-going. Whilst the projects are progressing, the date for implementation is under review. A further report relating to the Single Status Project will be presented separately for the Cabinet Committee.

#### **4.00 RECOMMENDATIONS**

4.01 That Members note the progress report on delivery of the current People Strategy Action Plan for 2009–12.

#### **5.00 FINANCIAL IMPLICATIONS**

5.01 The financial/resourcing implications for each project are set out in the attached Action Plan.

#### **6.00 ANTI POVERTY IMPACT**

6.01 None identified.

#### **7.00 ENVIRONMENTAL IMPACT**

7.01 None identified.

#### **8.00 EQUALITIES IMPACT**

8.01 Equality Impact Assessments will be undertaken for individual projects as appropriate.

#### **9.00 PERSONNEL IMPLICATIONS**

9.01 None specifically arising from this report. Any actions arising from delivery of projects within the strategy which may impact on employees will have their own Communication and Consultation Plan.

#### **10.00 CONSULTATION REQUIRED**

10.01 None specifically arising from this report. A consultation exercise will be conducted with Members, Managers and Trade Unions on the proposed content of the next phase of the strategy at the appropriate time.

#### **11.00 CONSULTATION UNDERTAKEN**

11.01 Not applicable.

**12.00 APPENDICES**

- 12.01 Appendix 1 – People Strategy Action Plan with updates as at 30<sup>th</sup> September, 2012.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

**Contact Officer:** Helen Stappleton  
**Telephone:** 01352 702720  
**Email:** Helen.stappleton@flintshire.gov.uk



## APPENDIX 1

### PEOPLE STRATEGY ACTION PLAN – PRIORITIES FOR 2011/12

PEOPLE STRATEGY THEME	CUSTOMER – Rebecca Noble		
OBJECTIVES	<ul style="list-style-type: none"><li>• To ensure that employees have the skills, knowledge and behaviours to deliver accessible, responsive and customer focused services</li><li>• To design the organisation to meet the requirements of customers, ensuring structures are shaped with the aim of delivering excellent customer services</li><li>• To develop a 'world class' HR service for both strategic and transactional HR</li></ul>	LEAD ROLE	Head of HR and OD

<b>DELIVERABLES</b>		<ul style="list-style-type: none"> <li>• Providing development opportunities for employees to develop excellent customer care skills (Customer Care Award)</li> <li>• Design and implement an organisational design model / framework with guidance for managers to meet the needs of customers</li> <li>• Implementation of HRMIS Phase II – Manager and Employee Self-Service</li> <li>• Design and implementation of a new HR &amp; OD Service Structure</li> </ul>			<b>TARGET COMPLETION DATE</b>	<b>SEPTEMBER 2012</b> (some workstreams will extend beyond)
<b>RESOURCES</b>		HR Management team, Corporate Training, Directorate Management Teams, Corporate Management Team				
REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✘ - Behind Schedule
CUS/001	Develop Customer Care	Completion by June 2011 achieved.	Corporate Training (Steve Hughes)/	Within existing resources	GREEN	Customer Service Award

	Award		Deeside College / DMTs			development completed. <b>C - Completed</b>
<b>CUS/002</b>	Implement Customer Care Award across the organisation	Implement from July 2011 and on-going	Corporate Training(Steve Hughes)/ / Heads of Service Denise Naylor (LEAD) / Rebecca Jones	Within existing resources	GREEN	Housing award completed. <b>C - Completed</b>
					GREEN	Programme of development for Environment complete. Roll out in Environment due to be completed April/May 2012. Wider roll out to organisation within 18 months.  Update 17.09.12 S Hughes to agree to a roll out plan aligned to the OD change programme.  <b>✓ - On Track</b>

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✘ - Behind Schedule
CUS/003	Design and Implement new HR and OD service	Service Review in progress. Complete by May 2012  Revised implementation date March 2013	Head of HR and OD	Additional project support resources secured.	AMBER	Process mapping & SOP's development near completion.  29.09.12 Quality Assurance and final JEQ's submitted for panel. Communication issued to the HR and OD team. Revised implementation date March 2013 <b>✘- Behind Schedule</b>
CUS/004	Tailor and implement Customer Care Award for new HR and OD service	Tailor the Customer Care Award - Commence by August 2012. Revised date Jan 2013 Implement the	Steve Hughes and Employment Services Manager (on appointment)	Within existing resources	AMBER	HR and OD Review to be completed first.  <b>✘- Behind Schedule –</b>

		Customer Care Award - Complete by December 2012. <b>Revised date June 2013</b>  <b>Carry forward to 2013 – 2016 People Strategy.</b>				<b>date adjusted.</b>
<b>CUS/005 PROJECT PLAN IN PLACE – (Flints. Futures)</b>	Implement Phase II of HRMIS - Employee Self-Service	Completion by August 2011 achieved.	iTrent HRMIS Project Manager (Rebecca Noble)	Continuation of Project Funding confirmed via Flintshire Futures.	<b>GREEN</b>	Employee Self-Service roll out complete for IT users  <b>C – Completed</b>
<b>CUS/006 PROJECT PLAN IN PLACE- (Flints. Futures)</b>	Implement Phase II of HRMIS (iTrent)  Manager Self-Service (People Manager)	Project in progress. Complete by Dec 2013  <b>Carry forward to 2013 – 2016 People Strategy.</b>	iTrent HRMIS Project Manager (Rebecca Noble) – CMT – Project Board – DMT's	Continuation of Project Funding confirmed via Flintshire Futures.	<b>GREEN</b>	Update 17.09.12  Manager Self Service rollout complete to all IT users.  Expenses module roll out to Corporate Services complete.  Learning

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						Module development commenced – target roll out Dec 2012  ✓ - On Track
Page 100	CUS/007	Identify and implement employee involvement methods	Project in progress. Methods to be identified and implemented from April 2012 onwards  Revised deadline September 2012  Carry forward to 2013 – 2016 People Strategy.	Heather Johnson /Corporate Communications Officer (Gill Watkins)	Within existing resources	AMBER  Methodologies identified but plan still requires developing. Intention is to have a programme of involvement /engagement activities.  ✗- Behind Schedule – date adjusted.

<b>PEOPLE STRATEGY THEME</b>	<b>CHANGE – Sheila Lynch</b>		
<b>OBJECTIVES</b>	<ul style="list-style-type: none"> <li>To ensure that managers are confident and competent in managing change effectively</li> <li>To promote a culture where employees understand and participate in change</li> </ul>	<b>LEAD ROLE</b>	Head of HR and OD

	<ul style="list-style-type: none"> <li>• To achieve planned organisational change and modernisation throughout our services and business practices</li> <li>• To create frameworks, tools and techniques for managing change</li> </ul>		
<b>DELIVERABLES</b>	<ul style="list-style-type: none"> <li>• Delivery of 'managing change' programme to develop skills and knowledge</li> <li>• Development and implementation of Organisation Design principles</li> <li>• Development of framework and guidance for managing change effectively</li> <li>• Implementation of tools and techniques to support change and service modernisation</li> </ul>	<b>TARGET COMPLETION DATE</b>	SEPTEMBER 2012
<b>RESOURCES</b>	HR Management team, Corporate Training, Single Status Project Manager, Directorate Management Teams, Corporate Management Team, Regional Partners Additional resource – Temporary Organisation Design Officers / Job Analysts		

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✗ - Behind Schedule
CHA/001 (Flints. Futures)	Develop set of Organisational Design principles	In progress.  Completed by December 2011	Cross-organisation Management Group / Single Status Project Manager / Head of HR and OD	Additional project support resources secured	GREEN	Research and benchmarking work completed Final document prepared  <b>C - Completed</b>
CHA/002 (Flints. Futures)	Review and revise "Guide to Organisational Design for Senior Managers" (Lean process to be incorporated)	Commence by July 2012  Completed by November 2012	Organisation Design Officer(s) Averil Thomas/Sian Williams		GREEN	Timescale has been adjusted as corporate priority is Single Status (insufficient HR capacity to deliver to original timeframes).  This activity will commence in July 2012 and complete November 2012  Update 17.09.12 Guidance is on track for completion <b>✓ - On track</b>



REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✗ - Behind Schedule
CHA/003 Flint Futures	Design and Deliver coaching / development programme on Organisation Design and Change	Commence by January 2013  Complete by March 2013  <b>Carry forward to 2013 – 2016 People Strategy.</b>	Head of HR/Single Status Project Manager/Corporate Training Officers	Additional project support resources	GREEN	Reasons for adjustment as above. Commencement date January 2013 Completion of design of programme March 2013 ✓ - <b>On track</b>
CHA/004 (Flints. Futures)	To define the programme and identify which services to be reviewed as part of Organisational Design Change Programme	Commence by January 2013  On-going.  <b>Carry forward to 2013 – 2016 People Strategy.</b>	Head of HR / CMT / Organisational Design Officers	Resources secured (Appointment of Organisation Design Officers as part of HR and OD Service Review).	GREEN	Commencement date has been adjusted. Intelligence via the Single Status JE process (e.g. examples of compression) will be used initially to identify services where the organisational structure needs to be reviewed.  ✓ - <b>On track</b>

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REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✗ - Behind Schedule
CHA005 (Flints. Futures)	Commence implementation of Organisation Design Change Programme	Commence by April 2013  Carry forward to 2013 – 2016 People Strategy.	CMT / HR / Organisation Design Officers	Additional project support resources secured	GREEN	Timescale adjusted to come after Single Status implementation.  ✓ - On track
CHA/006	Agree and implement “Jobs at this Level” Framework for broader usage across organisation	In progress. Complete by December 2011.  Revised deadline to November 2012.	Head of HR and OD / Single Status Project Manager / CMT / Joint Trades Unions	Project resources in place	GREEN	Framework document prepared and implemented for determining ‘Career Grade Progression’ – see CON/003. Under consideration by Corporate Management Team for broader usage.  Consultation on the framework to be undertaken with Trade Unions.  ✓ - On Track

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REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✗ - Behind Schedule
CHA/007	<p>Promote attendance for senior and middle managers on 'Managing Change Successfully' Regional Programme</p> <p><b>Revised key task to:</b></p> <p>Target attendance for senior and middle managers on 'Managing Change Successfully' Regional Programme</p>	In progress	HR Managers with Heads of Service	Within existing resources	GREEN	<p>Programme well established <b>C- Completed</b></p> <p>Evaluation of learning / measures around improved practice to be identified</p> <p>✓ - On Track</p>
CHA/008	<p>Create opportunities for exchanging good practice / excellence in managing change Identify 'Change Champions' within services</p> <p>(CHA/008 and CHA / 009 now combined)</p>	Commence December 2012	CMT [Head of HR and OD / Head of Housing and Head of ICT and Customer Services] (Flintshire Futures Programme)	<p>Within existing resources</p> <p>HR Manager (Lesley Newton)</p> <p>Flintshire Futures HR Lead (Angela Lawrence)</p>	GREEN	<p>Review of organisational change approach with Leadership Team</p> <p>✓ - On Track</p>

*Interdependencies: Key Tasks CHA/001, CHA/002, CHA/005 have interdependencies with Single Status – CON/001  
CHA/008 is interdependent with CHA/002*

<b>PEOPLE STRATEGY THEME</b>	<b>CAPACITY – Sian Williams</b>		
<b>OBJECTIVES</b>	<ul style="list-style-type: none"> <li>To identify and implement a framework to remodel the workforce as part of corporate and service planning</li> <li>To promote succession and continuity planning</li> <li>To develop key skills for employees to support the effective delivery of services now and in the future</li> </ul>	<b>LEAD ROLE</b>	Head of HR and OD
<b>DELIVERABLES</b>	<ul style="list-style-type: none"> <li>Workforce Planning Model including identification of talent and succession planning</li> <li>Developing use of Appraisal system to identify and develop our talent</li> <li>Development and implementation of People Development Framework including Leadership Development</li> </ul>	<b>TARGET COMPLETION DATE</b>	SEPTEMBER 2012
<b>RESOURCES</b>	HR Management team, Corporate Training, Single Status Project Manager, Directorate Management Teams, Corporate Management Team, Regional Partners		

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✗ - Behind Schedule
CAP/001	Develop Workforce Planning Skills for HR	Completion by October 2011 achieved	Head of HR and OD / HR Managers	N/A	GREEN	Training completed.  <b>C - Completed</b>
CAP/002	Develop Workforce Planning Approach and Model	Commence by January 2012.  Complete by March 2012.	Head of HR and OD / HR Managers /Lorraine Snead / CMT	Within existing resources	GREEN	Draft Workforce Planning model developed. <b>C - Completed</b>
	Implement new Workforce Planning Model and explore integration into Service Planning process	Complete by April 2013  Carry forward to 2013 – 2016 People Strategy.	Head of HR and OD / HR Managers / Lorraine Snead / Karen Armstrong / CMT	Within existing resources		Model to be 'tested' by Directorate and Service teams.  The option to integrate WP into service planning process to be

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✘ - Behind Schedule
						explored. ✓ - On Track
CAP/003	Adapt Appraisal System (as part of Workforce Planning Model) to assess and improve performance, identify talent and provide development opportunities	Commence by January 2013.  Complete by April 2013  Behavioural competencies and 'Jobs at this Level' to be developed prior to selecting and introducing new approach.  Carry forward to 2013 – 2016 People Strategy.	Corporate Training – Heather Johnson	Additional resources (in collaboration with neighbouring Councils) to be identified	AMBER	Further work to be done to assess most effective Appraisal system for the Council at this time. Competency-based approach to be tested by Senior Management Team  ✓ - On Track
CAP/004	Embed People Development Framework Programmes and align with new Qualification Framework	In progress. Complete by January 2012	Corporate Training Team Heather Johnson	Within existing resources	GREEN	Programmes designed and implemented  C - Completed

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✗ - Behind Schedule
CAP/005	Develop/identify options for Leadership Development for existing Leadership team	In progress. Complete by February 2012	Head of HR / CMT / Corporate Training Team Steve Hughes	Within existing resources	GREEN	Initial options identified. Application of appropriate methods to be arranged to include Coaching options
	Identify options for 'aspiring' / future Leaders as part of programmes offered in partnership with Deeside College  Key task added	In progress. Complete by April 2013  Carry forward to 2013 – 2016 People Strategy.	Head of HR and OD / CMT/ Corporate Training Team – Heather Johnson.	Within existing resources		C - Completed
CAP/006	Develop New Manager Development Programme (E-Learning)	Commence by January 2012. Complete by June 2012	Corporate Training Team Heather Johnson	Within existing resources	GREEN	E learning programme developed.  C- Completed

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✘ - Behind Schedule
	Implementation of new programme  Key task split to reflect development and implementation as two stages.	November 2012  Carry forward to 2013 – 2016 People Strategy.				ICT arrangements now in place to implement programme by revised deadline.  ✓ - On Track
AP/007	Develop and implement Coaching Strategy	Commence by April 2012  Complete by December 2013.  Carry forward to 2013 – 2016 People Strategy.	Corporate Training Team Steve Hughes / Head of HR and OD	Within existing resources	GREEN	Draft Coaching Strategy for other NW Councils to be adapted for FCC.  ✓ - On Track

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*Interdependencies: Key Tasks CAP/005 is interdependent with CAP / 007*



<b>PEOPLE STRATEGY THEME</b>	<b>CONSOLIDATION – Sharon Carney</b>		
<b>OBJECTIVES</b>	<ul style="list-style-type: none"> <li>To enhance Flintshire’s reputation as a “modern employer of first choice”</li> <li>To ensure we set and meet standards of performance through sound people management</li> <li>To provide and maintain a fair and equitable reward strategy to recognise and reward the contributions of employees</li> </ul>	<b>LEAD ROLE</b>	Head of HR and OD
<b>DELIVERABLES</b>	<ul style="list-style-type: none"> <li>Implementation of Single Status and settlement of Equal Pay Claims</li> <li>Negotiate and implement a revised set of Part III Terms and Conditions</li> <li>Identify, develop and review HR policies to enable flexible, agile and modernised working practices</li> </ul>	<b>TARGET COMPLETION DATE</b>	SEPTEMBER 2012
<b>RESOURCES</b>	HR Management team, Corporate Training, Single Status Project Manager, Directorate Management Teams, Corporate Management Team, Regional Partners		

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	<b>Progress</b> <b>C - Completed</b> <b>✓ - On Track</b> <b>✗ - Behind Schedule</b>
<b>CON/001</b>  <b>PROJECT PLAN IN PLACE</b>  Page 112	Implement Single Status  Settle Equal Pay claims	In progress.  Complete Single Status and Equal Pay projects by November 2012  Project plan currently under review	Chief Executive / Head of HR and OD / Single Status Project Manager / Head of Finance / Head of Legal / CMT / Joint Trade Unions	Project resources in place	<b>AMBER</b>	Data verification to be completed by early October 2012. Pay modelling and Part 3 negotiations to recommence with Joint Trade Unions by mid October.  Equal Pay Settlement Strategy under development. concluding of the Council's approach is dependent on the completion of pay modelling. Equal Pay settlement will take place after Single Status completed.

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track x - Behind Schedule
CON/002	Modify and agree elements of the JE process to enable the converging of organisational change projects with Single Status	Completion by December 2011 achieved.	Head of HR and OD / Single Status Project Manager / CMT / Joint Trades Unions	Project resources in place	GREEN	Alternative proposals for modernising JE process developed and agreed at CMT  <b>C - Completed</b>
CON/003	Develop Career Progression Frameworks via use of 'Jobs at this level')  (See link to CHA/006 re agreement and implementation of 'Jobs at this Level' model for broader usage across organisation for service change projects)	Commence by May 2012.  Complete by July 2012.	Single Status Project Manager / OD Officer / Senior Managers	Additional project support resources secured	GREEN	Research and benchmarking work completed. Project interdependency with Single Status identified. Timeframes brought forward.  <b>C - Completed</b>

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REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track x - Behind Schedule
CON/004	Establish governance and monitoring post Single Status implementation	Commence September 2012  Complete by November 2012  <b>Project plan currently under review – date may change</b>	Head of HR & OD / Payroll and Systems Manager / HR Managers	Within existing resources	AMBER	Dependent on Single Status project.
CON/005	Set proposals for revised Part III terms and conditions and prepare EIA	Completion by August 2011 achieved. Part 3 to be integrated in with Single Status Agreement – see CON / 001	CMT / CEO / Head of HR & OD / Head of Finance	N/A	GREEN	Proposals and Equality Impact Assessment completed <b>C - Completed</b>
CON/006 (Flints. Futures) Action deleted – negotiations						N/A – to be integrated with Single Status CON / 001

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track x - Behind Schedule
for Part 2 now incorporated in with Single Status project.						
CON/007 (Flints. Futures) Page 115	Identify and review HR policies to enable / promote Agile Working	Commence by January 2012.  Complete by September 2012.  <b>Revised deadline September 2012 to align with Agile Working Project and Single Status</b>	HR Lead – Flintshire Futures Programme Head of HR & OD  Interim HR Policy Development Officer	Additional capacity identified within existing resources	<b>AMBER</b>	Appointment of Interim HR Policy Development Officer in May has provided focus and resource for this activity  Policies have been identified and draft policies completed, feedback is required to take these policies forward to completion  <b>Behind schedule</b>

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track x - Behind Schedule
CON/008 (Flints. Futures)	Develop Manager Guidance on Agile Working practices	Completion by March 2012 achieved.	HR Lead – Flintshire Futures Programme Head of HR & OD	Resources in place.	GREEN	Toolkit developed (requires maintenance which is ongoing)  C - Completed
CON/009  Page 116	Review and implement Attendance Management Strategy	In progress.  August 2012	Head of HR & OD / HR Managers / Occupational Health Team/Lesley Newton /Sharon Cave	Within existing resources	GREEN	Review of Attendance Strategy has commenced. Additional OH Service interventions to be incorporated ✓ - On Track
CON/010  New task added	Develop Holiday Policy  Implementation plan to be developed and actioned	In progress. Complete by February 2012  April 2013	Payroll and Systems Manager John Griffiths	Within existing resources	GREEN	Scope for new policy developed. C – Completed  Holiday policy to be implemented  ✓ - On Track

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	<b>Progress</b> <b>C - Completed</b> <b>✓ - On Track</b> <b>✗ - Behind Schedule</b>

<b>PEOPLE STRATEGY THEME</b>	<b>COLLABORATION - Lesley Newton</b>		
<b>OBJECTIVES</b>	<ul style="list-style-type: none"> <li>To continue to develop and maintain a positive employee relations culture by promoting open and effective partnership working with Trades Unions</li> <li>To lead collaborative working on innovative and responsive HR shared solutions across North Wales</li> <li>To develop good practice principles and capacity to lead and participate effectively in collaborative working projects</li> <li>To promote mobility across the public sector to achieve workforce planning, recruitment and retention and develop talent</li> </ul>	<b>LEAD ROLE</b>	Head of HR and OD
<b>DELIVERABLES</b>	<ul style="list-style-type: none"> <li>To establish links with other Local Authorities, public sector organisations and WG to explore opportunities to working collaboratively to deliver positive outcomes together</li> <li>To enable collaborative working projects (e.g. shared School Improvement Service) to deliver by ensuring that the 'people' workstreams are managed effectively (creation of HR Collaboration Toolkit)</li> <li>To promote and deliver regional collaboration within Human Resources with other local authorities</li> </ul>	<b>TARGET COMPLETION DATE</b>	SEPTEMBER 2012
<b>RESOURCES</b>	HR Management team, HRD Network, HR Regional Community, Directorate Management Teams, Procurement, Corporate Management Team, other Regional Partners		



REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✗ - Behind Schedule
COL/001 PROJECT PLAN IN PLACE (Flints. Futures)	Implement shorter term options to maximise benefits of MASS project further across the three Local Authorities	In progress. Complete by September 2012	Heads of HR and OD / Director of Community Services / Managed Agency Contracts Manager	Within existing resources	GREEN	New contract re-negotiated for 3 Local Authorities from October 2011 onwards  Implementation of new version of Matrix system in progress  <b>C – Completed</b>
COL/002 PROJECT PLAN IN PLACE (Flints. Futures)	Explore options for introducing systems such as the Dynamic Purchasing System to procure other services, e.g consultants	In progress. Complete by September 2012  Carry forward to 2013 – 2016 People Strategy.	Heads of HR and OD / Director of Community Services / Procurement Manager	Within existing resources	AMBER	Options currently under review.  Further development as a Flintshire Futures Project under Workforce Workstream.  ✓ - On Track

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track x - Behind Schedule
COL/003 PROJECT PLAN IN PLACE (Flints. Futures)  Page 120	Consultants and Interims Review	To commence October 2012.  To complete December 2013.	Head of HR & OD / Head of Finance / Procurement Manager / CMT		GREEN	Further development as a Flintshire Futures Project under Workforce Workstream (links with Procurement Workstream).  Project is currently being scoped – in progress.  ✓ - On Track
COL/004	Development of Redeployment pool across North Wales and development of NW approach for providing outplacement services for all redeployees.	Commence by January 2012.  Complete by September 2012.  Part of task removed as this is not currently a collective priority for NW Councils	Heads of HR and OD / HR Community Group for North Wales	Within existing resources	AMBER	Partially delivered. NW Local Authorities offering outplacement support through Careers Wales and Job Centre Plus on a collective basis to improve response times and

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✘ - Behind Schedule
					AMBER	accessibility for employees. ✓ - On Track
COL/005	Sharing HR policy development and harmonising current policies across Local Authorities	In progress from March 2012 and on-going  Carry forward to 2013 – 2016 People Strategy.	Heads of HR and OD / HR Community Group for North Wales / HR Policy Development Officers	Within existing resources		Key policies shared policies to be collectively developed identified. Working Group set up to identify areas of priority. ✓ - On Track
COL/006	Development of Commissioning Model for Learning and Development across North Wales  Extend model to work on a All Wales basis as part of COMPACT	Commence from January 2012. Complete by December 2012.  Carry forward to 2013 – 2016 People Strategy.	Heads of HR and OD / Learning and Development Officers	Within existing resources	AMBER	NW Managing Change Successfully Programme developed and delivered at no cost for 600 managers.  NW Coaching Framework in place and delivering ILM

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	Progress C - Completed ✓ - On Track ✘ - Behind Schedule
						Level 5 Coaching Diploma ✓ - On Track
COL/007	Development and implementation of an HR Toolkit for Collaboration and Integration Projects.	Commence by January 2012. Complete by December 2013.	Heads of HR and OD	Financial assistance bid submitted to WLGA for Project Manager for two year duration to work across NW Local Authorities	GREEN	Toolkit to be developed to support Conwy and Denbighshire Highways and Infrastructure Integration Project  Toolkit to be further developed for wider use across NW - e.g. for Schools Improvement Project and North Wales Support Services Review ✓ - On Track
COL/008	Agree and finalise partnership with WCBC to act as host authority for providing	Implementation date 1 September 2011 achieved.	Head of HR & OD	N/A	GREEN	New OH service partnership agreement with WCC fully operational

REF	KEY TASKS	WORKSTREAM TIMEFRAME	RESPONSIBLE OFFICER	RESOURCE REQUIREMENTS	RAG Status	<b>Progress</b> <b>C - Completed</b> <b>✓ - On Track</b> <b>× - Behind Schedule</b>
	Occupational Health Services					<b>C - Completed</b>

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** CORPORATE RESOURCES OVERVIEW & SCRUTINY  
COMMITTEE  
**DATE:** MONDAY, 19<sup>TH</sup> NOVEMBER 2012  
**REPORT BY:** MEMBER ENGAGEMENT MANAGER  
**SUBJECT:** FORWARD WORK PROGRAMME

### **1.00 PURPOSE OF REPORT**

To advise on the Forward Work Programme for the Corporate Resources Overview & Scrutiny Committee.

### **2.00 BACKGROUND**

**2.01** Members will be aware that items can feed into a committee's Forward Work Programme from a number of sources. Individual Members can suggest topics for review by Overview & Scrutiny committees; members of the public can suggest topics; items can be referred by the Cabinet for consultation purposes; items can be referred by the County Council, or Directors can request that a committee gives a view on a particular topic.

**2.02** In identifying topics for future consideration, it is useful to apply a 'test of significance'. This can be achieved by asking a range of questions, some of which could come from the following list, which is not intended to be exhaustive:

1. Will the review contribute to the Council's priorities and/or objectives?
2. Are there issues of weak or poor performance?
3. How, where and why were the issues identified?
4. Is there any evidence that local communities think the issues are important and is there any evidence of public dissatisfaction with a particular service?
5. Has there been new Government guidance or legislation?
6. Have inspections been carried out by an Overview & Scrutiny committee or by one of the Council's regulators?
7. Is this area already the subject of an ongoing review of any form?

### **3.00 CONSIDERATIONS**

**3.01** Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work Programme of the committees of which they are members.

- 3.02 A copy of the provisional programme is attached at Appendix 1 for Members' consideration.
- 4.00 RECOMMENDATIONS**  
That the committee considers the attached Forward Work Programme (see Appendix 1).
- 5.00 FINANCIAL IMPLICATIONS**  
None arising directly from this report.
- 6.00 ANTI POVERTY IMPACT**  
None arising directly from this report.
- 7.00 ENVIRONMENTAL IMPACT**  
None arising directly from this report.
- 8.00 EQUALITIES IMPACT**  
None arising directly from this report.
- 9.00 PERSONNEL IMPLICATIONS**  
None arising directly from this report.
- 10.00 CONSULTATION REQUIRED**  
Not applicable.
- 11.00 CONSULTATION UNDERTAKEN**  
Publication of this report constitutes consultation.
- 12.00 APPENDICES**  
Current Forward Work Programme (Appendix 1)

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

**Contact Officer: Robert Robins**  
**Telephone: 01352 702320**  
**Email: Robert.robins@flintshire.gov.uk**



**Corporate Resources Overview & Scrutiny Committee**  
**FORWARD WORK PROGRAMME 2012/13**

	<b>SUBJECT</b>	<b>O&amp;S FOCUS</b>	<b>REPORT FROM</b>
Thursday 22 <sup>nd</sup> November 10.00	Capital programme briefing	Information and contribution	
Thursday 13 <sup>th</sup> December 10.00	Q2 performance reporting  Revenue Budget Monitoring 2012/13 and Capital Programme 2012/13 Month 6  Strategic Assessment of risks and Challenges (SARC) mid year report  Improvement Priorities mid year report	Monitoring and development	MEM  HF  CE/PPPM  CE/PPPM
Thursday 17 <sup>th</sup> January 2013 10.00	Revenue Budget Monitoring 2012/13 Month 7	Monitoring and development	HF
21 <sup>st</sup> – 28 <sup>th</sup> January 2013	Tuesday 22 <sup>nd</sup> January PM Housing (GF and HRA) Thursday 24 <sup>th</sup> January AM Environment Friday 25 <sup>th</sup> January AM Lifelong Learning Monday 28 <sup>th</sup> January AM Social & Healthcare Monday 28 <sup>th</sup> January PM Corporate Resources (for central and Corporate Services budgets) Thursday 31 <sup>st</sup> January AM Corporate Resources capital and 'mop up' meeting		CE/HF/MEM

**Corporate Resources Overview & Scrutiny Committee**  
**FORWARD WORK PROGRAMME 2012/13**

Thursday 14 <sup>th</sup> February 2013 10.00	Revenue Budget Monitoring 2012/13 Month 8  Annual Improvement Report 2012 by the Auditor General for Wales	Monitoring and development	HF  CE/PPPM
Thursday 14 <sup>th</sup> March 2013 10.00	Q3 performance reporting  Revenue Budget Monitoring 2012/13 Month 9  Capital Programme 2012/13 Month 9	Monitoring and development	MEM  HF
Thursday 18 <sup>th</sup> April 2013 10.00	Revenue Budget Monitoring 2012/13 Month 10	Monitoring and development	HF

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**Items to be scheduled as they become available**  
**Asset Strategy, the Compact, Procurement, Flintshire Futures.**