

Practitioners Operational Group (POG) Meeting
Wednesday 16th January 2008
CIPFA building, Robert Street, London WC2N

Minutes

Attendance:

Danielle Wells	DWP HBSD (Chairperson)
Sabby Mahal-Riordan	DWP LAPD (Secretariat)
Adrian Pateman	DWP HBSD
Penny Higgins	DWP HBSD
Bernard Mitton	DWP HBSD
Christy Dennehy	DWP HBSD
Ben Aylott	DWP HBSD
Colin Heward	DWP HBSD
Chris Bullen	Jobcentre Plus Partnerships
Fiona Mcleish	The Pension Service
Norman Foster	The Rent Service
Alyn Williams	The Rent Service (Wales)
Gary Trent	The Rent Service
Karl Thomas	The Rent Officer Service (Wales)
Lesley Pigott	LB Camden/LGA
Jane McManus	Leeds City Council
Frankie Cartwright	South Staffordshire Council
Alison McGrory	Solihull Metropolitan Borough Council
Paul Ellary	LB Kensington & Chelsea
Peter Forde	LB Wandsworth
Gwyn Thomas	Westminster City Council/ London Councils
Lyn Sutherland	LB Barnet
Judith Johnson	Cherwell District Council/LGA
Julie Holden	Tandridge District Council
Ian McArdle	Bradford MBC

Apologies:

Michelle Charles (Debt Management), Mark Underwood (LB Bexley), David Collier (Birmingham City Council), Margo Hodgins (Glasgow City Council) and Marion Smith (West Dunbarton)

1. Welcome and Introductions

Danielle Wells welcomed all attendees and introductions were made.

2. Minutes/Action Points/Matters Arising

In reference to the discussion about Right Time Indicators LA representatives said that they would like the action point for Clare Mitton to be treated as a formal action point.

It was agreed action point 6/11/07: Clare Mitton to feedback to POG members on whether it was the intention to publish appeals data on HoBoD and to consider whether the data should be collected clerically; will be added to the action point log.

LA representatives also expressed concerns about software implications and felt it was necessary to have further clarity on the impact of Right Time Indicators and what needed to be done. Perhaps guidance would be suitable to answer these queries.

Action Point 1/10/07 Chris Bullen to provide an update on the example forwarded by Judith Johnson in reference to the initial action point: to establish what the Department's line is on when, LAs are unable to process HB/CTB applications, because the claimant's partner is unable to obtain a NINO due to his/her passport being held at the Home Office.

Chris Bullen provided the following update on the above action point:

- If the Home Office is holding onto a passport, there would still be documentation available from the Home Office to show the LA clarifying the current status situation.
- If the customer could not afford to attend an interview reimbursement could be considered
- A customer and partner could not qualify for Tax Credits or HB/CTB unless both individuals had been allocated a NINO, however, if the delay in providing information was beyond the control of the customer then an LA could consider payment on account.

Action Point 2/11/07 DWP to ensure a copy of the BFI report regarding temporary accommodation has been cleared as copy of the report has been sent to Frank Newton and Ian McIntyre/ London Councils

Action Point 3/10/07 the Department to remind or notify the audit bodies as to the regulations on not holding paper claim form and the legitimacy of applications for benefit being taken electronically or over the telephone.

Sabby Mahal-Riordan confirmed that the audit bodies were aware of the latest guidance on electronic claim forms and what documentations needed to be kept for audit purposes. It was agreed that this action point had been cleared.

Action Point 4/11/07: Frank Newton to report back to POG after speaking to the Subsidy Working Group. This action was updated by Lesley Pigott under AOB.

Action 5/11/07: DWP to consider issuing guidance on EEA nationals on rounding capital.

It was agreed that the above action point referred to two different issues and they should have been treated separately. In reference to issuing further guidance on EEA nationals; LA representatives would like Ursula Brennan to issue updated guidance on this area, as LAs are finding the advice given by Ursula on a case by case basis to be very helpful but would prefer it to be made available to all via guidance.

Sabby Mahal-Riordan confirmed she would forward these comments directly to Ursula Brennan.

In reference to the part relating to rounding up capital; LA representatives stated there was an inconsistent approach to whether exact figures should be used or whether capital figures could be rounded up. It was agreed this would continue to be an on-going action point and an update will be provided at the next meeting.

3. LHA Update

Penny Higgins provided an update on LHA and confirmed that a series of communications had been circulated in preparation for LHA "go live" on 1st April 2008.

There would be a joint article in More Direct with several LAs offering any last minute help to prepare for LHA. There would also be an article in Jobcentre Plus magazine to make Jobcentre Plus staff aware of the LHA and the "go live" date.

The LHA team were still happy to offer assistance in preparation for 8th April and if there was still interest from LAs to hold further workshops, then these would probably be held in London.

4. LHA Regulations

Adrian Pateman provided an update on the LHA amendment regulations paper circulated prior to the meeting. He stated that LA

software providers had come up with several enquiries and these had led to some minor changes which would be achieved through drafting or more precise cross-referencing.

Adrian highlighted examples of the types of issues that would require further clarity:

- Recovery of overpayment from private landlords - it would not be fair to recover more than the direct payment from the private landlord
- Ensuring that LHA rates apply from the first calendar day in the month rather than the first working day.
- Ensuring that tenancies transferred to Registered Social Landlords, or tenancies of landlords who decide to register, can be exempted from the LHA.

The LHA Team had circulated the revised LHA amendment regulations for consultation and was hoping for the regulations to be put before Parliament by Mid-February 2008.

LA representatives acknowledged the opportunity of reviewing the LHA amendment regulation paper and the update provided by Adrian, however, further clarity on customers sharing rooms or accommodation and what rate they should be paid was required.

Adrian confirmed that this was not a tenancy issue, as long as one of the individuals holds a tenancy for a shared room. It was important to tidy up the definition of shared rooms in order ensure that everyone is clear on the policy intent and this would be done in the LHA amendment regulations.

LA representatives also raised the issue of the treatment of care leavers under the proposed LHA amendment regulations.

Adrian confirmed that the reason why we intended to make this amendment was that the treatment of care leavers, under the Pathfinder regulations, was at odds with the general principles long established in HB rules. This amendment would bring those rules back into line.

5. HB/CTB Claim Forms (Pension Credit)

Bernard Mitton provided an update on the announcement made in Parliament before Christmas, to do away with HB/CTB claims forms for customers in receipt of Pension Credit from October 2008. Also there would be no need for supplementary forms in reference to non-dependants and children.

Christie Dennehy confirmed that LAs would be able to obtain a claim information document from the Pension Service called LAC1, which will provide information on non-dependants and children and this documentation was designed in consultation with several LAs.

LAs would get these documents from the Pension Service once the customer had been guaranteed Pension Credit.

There would be a trial run of this procedure in two LAs before the next POG meeting and Jim Boyd from the Pension Service would provide an update. Copy of the layout of the LAC1 statement of details would be circulated to POG, as there is a commitment to the Steering Group to clear the document with POG.

The Pension Service would be circulating a formal statement and Jim Boyd would be available to answer questions about residency verification and any other issues at the next POG meeting scheduled for Wednesday 27th February 2008.

LA representatives acknowledged the update provided by both Bernard and Christie, but required further clarification on what still needed to be reported directly to LAs and what only needed to be reported to the Pension Service, with reference to change of circumstances.

It was agreed that the above issues would have to be ironed out before the removal of the HB/CTB claim form.

5. In and Out of Work Pilot

Colin Heward provided an update on the In and Out of Work Pilot, which had stemmed from a joint working initiative between LAs, Jobcentre Plus and HMRC in the Tyneside area. The objective of the pilot was to make it as easy as possible for people in and out of work to claim benefit.

Currently this pilot was being undertaken in 6 LAs which represent a cross section of urban, rural, Scottish and Welsh LAs since September 2007. Although the pilot was scheduled to finish in December it had been extended to February 2008.

So far the evaluation of the pilot showed that there were some liaison issues that needed to be resolved, whereby the correct process had not been completed.

Overall the LAs involved liked the process and this type of joint working had been highlighted positively in the Omnibus Survey 15 where questions were asked about LAs working with Jobcentre Plus. 79%

provided positive feedback and felt that cases generally were coming through the channels faster and there was a better understanding of the process.

However, Colin did point out the fact the cost implications were falling to Jobcentre Plus, whilst savings were being made on the LA side.

6. Employment and Support Allowance (ESA)

Colin Heward provided an update on ESA which is scheduled to be introduced in October 2008 and will replace Incapacity Benefit for new claimants. However, Jobcentre Plus were currently re-thinking how they were going to deploy ESA, as Jobcentre Plus do not believe they have the right amount of training capacity for full introduction in October 2008. If full-implementation was introduced in one go Jobcentre Plus could not guarantee full-service would be maintained.

These concerns were based on their experience of introducing changes with one hit and the impact this has on their IT helpdesk which could not cope.

As Ministers would still like to go ahead with ESA in October 2008, one of the possible ways of doing this was to deploy a new system but then slice down the system between one trailblazing system which will cover 64 centres and the remaining 63 centres will operate on a manual hybrid system. This arrangement would affect LAs.

LA representatives expressed concerns the impact on LAs. If the system were to be half technical and half clerical how would LAs find out about any changes and this uncertainty could lead to overpayments. Also there would be cost implications for LAs. These issues needed to be considered before October 2008.

Colin confirmed that in reference to changes the ETD system would still report changes to LAs. Colin noted the concerns raised by the LA representatives and stated he would provide further updates to POG members via the POG Secretariat.

7. AOB

Overpayment Subsidy

In reference to action point 4/11/07, Lesley Pigott provided an update on behalf of Frank Newton. Following a paper put to POG members two months ago, it was agreed the paper would go to the Subsidy Working Group. At that meeting it was agreed that no alterations would be made to the subsidy arrangements apart from the addition of a separate overpayment category, which would cover delay.

Mark Cramer provided further clarity as to why there had been a change in reference to delay. This was due to contradictory Commissioners' decision on how subsidy should be treated in cases where a delay had occurred.

Most LAs were treating these cases as LA official error however the guidance was not clear. These minor changes, if confirmed by the Steering Group, would be introduced in 2009/10, as there could be software implications and thresholds would be set for the LA official error box and LA processing box. A formal note would be circulated to POG members in due course.

Performance Measure10 (PM10)

Mark Cramer provided an update on PM10. The Department had noted the LA view that the PM10 target was too high and should be reviewed and reduced to 5%. This view had been put to DWP Ministers who had agreed with a 10% target.

DWP stated that due to the temporary halt in data transfer, it would not be possible to estimate PM10 performance using data for the whole year. Instead, it had been decided to assess LA performance on data taken from the first six months of the year only.

LA representatives registered their discontent with the decision to use data from first six months only and on the 10% target: They felt that this would have a negative impact on CPA scores.

LA representatives asked how this information was going to be communicated by DWP.

Mark Cramer noted the concerns raised by POG members and confirmed that this matter was going to be discussed at the Security Operational Group (SOG) meeting held 17th January 2008. Formal communication of this decision would be circulated via bulletin to LAs.

Rapid Review Initiative

Fiona Mcleish from the Pension Service provided an update on the assessed income periods review and confirmed that in 52 % of cases of Rapid Review showed no changes had occurred. The Steering Group had agreed to run a joint working review with the Pension Service. It had suggested that a certain number of LAs should get together to set up a working group to see through the review.

The Steering group had agreed that six LAs would participate and report back to POG. Update would be provided on the number of

reviews which would be considered under this joint arrangement, as soon as possible.

Jobcentre Plus and LA Issues

Chris Bullen informed POG members that the Service Level Agreement (SLA) between Jobcentre Plus and LAs had been circulated for review to POG members before Christmas and the closing date for comments was 18th January 2008.

Chris also confirmed that Jobcentre Plus and LA Joint Boards would be holding a conference and would be producing a short product after the event based on good practice and he asked if POG members would be interested in the product.

POG members confirmed they would like to see the product.

Lone Parents Income Support and Jobseekers Allowance (IS & JSA)

Gwyn Thomas raised a query regarding migrating Lone Parents with children to JSA. The concern raised was whether we were working to ensure that adverse consequences did not occur when the individual is claiming HB ie a break in their claim

It was confirmed that there should not be any adverse consequences when moving from one pass-ported benefit to another, as this should not impact on HB. It was similar to when a customer moves from IS to Pension Credit where an ETD notification showed the change of circs as a move from one pass-ported benefit to another. This is what would happen in these cases.

MIS Guidance

LA representative Judith Johnson notified POG members that LAS were currently finding it difficult to access MIS guidance on the DWP website.

Action Point 1/01/08: DW P to establish why LAs cannot access the MIS guidance, and if this due to a technical problem, are there alternative ways for LAs to access the guidance.

Status of Arms Length Management Organisations (ALMO)

Gwyn Thomas said there needed to be clarification on the status of an ALMO. This was because when an ALMO purchased a property, the

status of landlord of their own accommodation does not fall in the definition of a RSL.

Action Point 2/01/08: DWP to consider amending the definition of RSL to include the situation when an ALMO may purchase a property.

The next POG meeting is scheduled for Wednesday 27th February 2008