

Practitioners Operational Group (POG) Meeting
Wednesday 30th July 2008
CIPFA Building, Robert Street London WC2N

Minutes

Attendees:

Danielle Wells	DWP HBSD (Chairperson)
Sabby Mahal-Riordan	DWP HBSD (Secretariat)
Bernard Mitton	DWP HBSD
Malcolm Mattack	DWP HBSD
Dave Jones	DWP HBSD
Colin Heward	DWP HBSD
Clare Mitton	DWP HBSD
Munira Dossaji	DWP HRAD
Jan Ripley	DWP IFD
Cheryl Weaver	DWP LAPD/PDT
Dot Dension	DWP National ID Card Programme
James Boyd	Pension Service
Chris Bullen	Jobcentre Plus Partnerships
Heather Neate	Audit Commission
Jenny Patterson	Tribunal Service
Gary Trent	Rent Service
Lesley Pigott	LB Camden/LGA/ Steering Group Representative
Lyn Sutherland	LB Barnet/LGA
Gwyn Thomas	Westminster City Council/London Councils
Margo Hodgens	Glasgow City Council/COSLA
Marion Smith	West –Dunbarton Council/COSLA
Frankie Cartwright	South Staffordshire Council
Mark Underwood	LB Bexley
Judith Johnson	Cherwell District Council
Julie Holden	Tandridge District Council/ LGA
Ian Mcardle	City of Bradford
Alison Mcgrory	Solihull Metropolitan Borough Council
Jane Mcmanus	Leeds City Council
Alan Sinclair	Edinburgh City Council

Apologies:

David Collier (Birmingham City Council), Paul Ellary (Kensington & Chelsea),
Norman Foster (Rent Service) Michelle Charles (Debt Management)

1. Welcome and Introductions

Danielle Wells welcomed all attendees and introductions were made.

2. Minutes/Action Points/Matters Arising

Minutes

No comments.

Action Points

Action Point 2/1/08: DWP to consider amending the definition of RSL to include the situation when an ALMO may purchase the body.

Joseph Stacey (DWP) had provided the following update on the above action point:

ALMOs are usually limited companies set up as managing agents by the LA to manage both their HRA and non HRA housing stock. Therefore, any HB claim would normally be treated as rent rebate because the landlord is still the LA.

Where managing agents (set up and owned by LAs) have been tasked by the LA to purchase or lease properties and the landlord is that agent and not the LA, then the HB claim would be treated as Rent Allowance and as with all private landlords, the maximum rent (LHA) would apply as these companies would not be acting in their capacity as ALMOs.

DWP currently has no plans to exempt such LA-owned 'agents' from the maximum rent (LHA) or treat their tenancies in a similar way to RSLs. The exclusion of RSL tenancies from the Rent Officer referral recognises that measures are in place that ensure their rents are kept below market levels with safeguards in place where this is not the case.

02/05/08: To circulate a copy of issues raised by SSAC in relation to proposed backdating changes in relation to HB/CTB.

LA representatives noted the update provided, but expressed concern about whether software suppliers would have enough time to implement possible changes to LA systems in time for October 2008.

03/05/08: Persons From Abroad (PFA) to issue guidance on the latest amendments as soon as possible.

Sabby Mahal-Riordan confirmed that no guidance had been issued to date, but will keep POG members informed of any further developments. LA representatives acknowledged the update, but were keen to see Frequently Asked Questions (FAQ) guidance available to all LAs as soon as possible.

Action Point 06/06/08: Invite Debt Management colleagues to attend the next POG meeting to discuss how relations with LAs might be re-established and to review the partnership agreement.

LA representatives were disappointed that a representative from Debt Management could not attend this meeting and felt that attendance at the next POG meeting scheduled for 17th September was too late.

All other action point updates were noted and cleared.

3. Update on CIS & Memorandum of Understanding

Malcolm Mattack gave thanks to LA representatives who forwarded comments on the CIS paper which was circulated after the last POG meeting.

Home Working

Malcolm explained that LA staff working from home could only use software equipment supplied by the LA for security purposes. Since Tax Credit data had gone live amendments have been made to departmental guidance. HMRC have expressed reservations about home working and they apply the same criteria to DWP staff.

LA representatives were surprised by the concerns raised on home working as they felt that their networks were secure as each home worker would be logging into their LA server and often the home equipment was nothing more than a dumb terminal.

Memorandum of Understanding

Malcolm confirmed that a meeting was taking place with Government Connect at the same time as the POG meeting and the outcome of that meeting would be circulated to POG members. (Please see attached at update on the Government Connect meeting held on 30th July).

4. Rent Service Update

Gary Trent provided the following update on the Rent Service (England) based on the update paper circulated prior to the POG meeting:

- The Churn Rate was running around at 40% and performance was still very good
- The LHA rates for July had been issued on time
- Rent Service had held meetings with the Private Sector and currently had received 300,000 pieces of market evidence
- In reference to data sharing upload they were aiming to fix all of the key problems and would provide feedback on data sharing issues in LHA Direct
- Local Unitary Authorities – Rent Service acknowledged practical arrangements need to be set up and this was a significant piece of work and that is why they planned to set up a Working Group within the Rent Service.

LA representatives welcomed the Rent Service update but raised the following queries:

Gwyn Thomas asked in reference to data sharing issues whether this would have an effect on LHA as HB data was lower than general market information

Gary Trent confirmed HB data is cross-referenced with the Rent Service data and therefore, there should not be any significant effect on LHA.

Lesley Pigott asked why the Rent Service in England was undertaking locality reviews whilst Scotland and Wales were awaiting the outcome of the Heffernan judgement

Gary Trent confirmed that England, Scotland and Wales were three separate bodies and the Rent Service in England had looked at the risks and potential outcomes and decided to continue with the reviews pending the outcome of the Heffernan judgement. [NB: These have ceased in the wake of the Heffernan judgement whilst the full implications are considered.]

Jane McManus stated that some landlords were charging very high rents to take advantage of high rates of LHA for larger properties and her LA were considering using HB regulation 12 to establish what rate would be appropriate and had undertaken research to support this. However, when Leeds City Council approached the Rent Service for valuation information, the LA was advised by a local Rent Officer they could not provide the information.

Gary Trent confirmed that he was aware of this issue and would be happy to take this matter away and provide feedback as soon as possible directly to Leeds City Council.

Danielle Wells explained that a number of LAs have raised concerns about landlords or customers exploiting the rules on LHA for larger properties. DWP and TRS were aware of the issue and it was difficult for TRS to provide median LHA rates for these properties. The department was considering

what action to take in discussion with the national rent services but in the meantime current rules applied.

Gary Trent also confirmed that when deciding whether Bed & Breakfast properties were referrals under LHA, individual decision had to be made on each case and LAs should look at the value of the board.

5. ESA Update

Finance

Bernard Mitton confirmed that an additional £1.5 million funding had been distributed to LAs and the Department had used the same formula to calculate amount for each LA as for the original £20 million. The funds had been issued the previous week with a covering note explaining what the funds were for.

Communication

Colin Heward provided the following update on ESA communication & Business Design:

- The ESA Communication Approach had been signed off
- DWP were still waiting for comments on the ESA guidance and the deadline for comments to be forwarded was 04/08/08.
- Colin had been working with Jobcentre Plus to ensure that Jobcentre Plus staff would know how to deal with HB/CTB cases guidance for which had been issued this week.

Business Design

- A lot of work had been taking place in the background but this did not affect the 'go live' date in October.
- Had not yet received comments on the operational guidance.

LA representatives acknowledged the ESA feedback and had no further comments.

6. Supported Exempt Accommodation

Dave Jones provided the following update on supported accommodation in relation to the pre-96 rule and cases that fall outside of LHA.

- Department would assess the impact of the changes and may need to undertake some form of research
- Guidance would soon be issued focusing on what is and isn't exempt accommodation as well as security checks
- Looking to circulate the draft guidance to LA representatives for comment and therefore would circulate it to POG members.

Action Point 01/07/08: Circulate guidance on exempt accommodation to POG members as soon as possible

LA representatives acknowledged the exempt accommodation update.

7. Identity Card Scheme

Dot Denison conducted an electronic presentation on the Identity Card Scheme (please see presentation slides circulated with the minutes)

- DWP staff and LA staff because of their administration of HB/CTB needed to be aware of the Identity Card Scheme
- The Scheme would begin with the introduction of cards to foreign nationals who are already in the UK and are extending their stay – Students and Marriage
- Pilot started on 28th April 2008 to test the technology and processes for the rollout of identity cards to foreign nationals on 25th November 2008
- Initially LAs would see a small amount of Identity Cards and they would need to know what they looked like. They would receive guidance on them including a list of security features
- A working Group had been set up within DWP and Danielle Wells was involved in the Working Group in reference to HB/CTB Administration. The Identity Card would have information in writing on whether the individual “does not have recourse to public funds.”

LA representatives noted the above presentation and asked whether the Identity Cards for foreign nationals would expire.

Dot Denison confirmed that the Identity Card would expire when the date to remain expires. They would be a charge for renewing the Identity Card as there is already a charge for extending the visa.

8. In and Out of Work Pilots & Proposed Legislation

Clare Mitton introduced this item by providing a brief background to the pilots and then requested feedback on the paper that was circulated prior to the meeting for comments from POG members:

Background

- Customer Research had showed that Benefit claims were taking 26 days or more from the time a customer left work
- In and Out of Work pilots were set up in 6 LAs which started last September 2007
- The pilot process refined the compliance process and some improvements were made as Jobcentre Plus and LA staff started to understand each others' requirements. The end to end time between Jobcentre Plus and LAs improved by 15%
- National roll-out of the In and Out Work scheme would be formally announced in Autumn and the aim was to roll out the scheme in December 2009
- In the meantime the intention was to get 14 more LAs on board by this Christmas. This would mean 20 LAs would be involved in the pilot scheme

Overview of the In and Out of Work processes and how they impact on LAs Paper

LA representatives raised the following comments on above paper:

- LA representatives were concerned about the standard of evidence between Jobcentre Plus and LAs.
- would Jobcentre Plus verify residency
- Concerns if customers are only reporting that they had gone back to work to Jobcentre Plus
- It appears that Joint Performance Board were issuing process maps and there were concerns that this information was going out to LAs

Clare Mitton noted the above concerns and provided the following updates:

- In reference to standards of evidence and verification, both Jobcentre Plus and LAs have the same capital limit and Jobcentre Plus will verify the capital.
- In reference to residency Jobcentre plus will not verify rent and residency has not been an issue for those LAs currently on the pilot scheme
- In reference to notify only the Jobcentre plus if the customer has gone back to work. This was to emphasise that the customer does not have to notify both organisation
- In reference to the Joint Performance Board issuing process mapping, these are low level process mapping and I have alerted the In and Out of Work Project Board

In essence, the LA representatives stated that they were content with the paper as long as Jobcentre Plus can make the scheme work. Also consultation process should be cleared through Frank Newton

9. AOB

Testing the SHBE Performance Derivation Code

Jan Ripley and Munira Dossaji circulated a paper prior to the meeting and introduced this item.

Housing Research Analysis Division (HRAD) was in the process of finalising the development of the derivation code that would enable Information Directorate (IFD) to translate the Single HB Extract into performance information.

The department is looking to test the derivation code and paper which was circulated prior to meeting gave details on how they planned to conduct the test.

They would like to test the code by involving a small sample of LAs (15 to 20) across different software suppliers and where there was complete 3 months' data available by September.

The aim was to take 3 months of data and derive performance from the data and they hoped to send the LA and software supplier a page summary for each month. They had approached the software suppliers and they did not mention a charge.

The test would be done on 2 levels which would be:

- Case Level Assessment
- LA Level Assessment

Jan Ripley and Munira Dossaji asked LA representative members how they should approach the LAs for participating in the test.

LA representatives confirmed that the best way to seek LA volunteers was to write to all 3 secretariats (LGA, London Councils & COSLA).

Action Point 02/07/08: HRAD colleagues to write to the appropriate secretariats about LA volunteers to participate in testing derivation code

LA representatives also expressed concern that some software suppliers will not have 3 months data and what would the implications be if a data file forwarded by an LA turned out to be incorrect.

Jan Ripley and Munira Dossaji confirmed that before anything was published the information would have to be signed off. This was a new specification and it would take time to bed in on what it could be telling us and they would make a decision on what they could publish.

Changes to DWP/LAA Steering Group

Lesley Pigott and Danielle Wells confirmed that changes had been agreed to what was handled at the Steering Group and what by its standing committees and it has been agreed that some items like updates on agency performance from Jobcentre Plus and Pension Service should in future be dealt with by POG.

It was agreed that updates from Jobcentre Plus and Pension Service would be treated as standing items. Representatives from these agencies should provide information on performance and any other issues that may be relevant to LAs.

DWP HB/CTB Website Re-launch

Sabby Mahal Riordan (DWP) confirmed that the newly re-vamped DWP HB/CTB website area for LAs would be re-launched on 8th August and POG minutes from January 2008 onwards would be put on the website.

The next POG meeting is scheduled for Wednesday 17th September 2008

