

## **Housing Benefit and Council Tax Support Service Delivery Policy and Strategy**

### 1. Policy Objectives

- that claimants promptly receive the benefit to which they are entitled offering a high standard of customer experience
- that the amount paid is correct every time
- it is accessible to everyone in our community
- customers are encouraged to claim and receive the maximum benefit they are entitled to, notifying changes in a timely manner
- maximise recovery of overpaid benefit where appropriate
- performance targets seek continuous improvement
- support for the Council's Vision and Corporate Strategic Priorities aligning delivery with other Council services

### 2. Policy Statement

2.1 The Council is committed to providing an effective and secure Housing Benefit and Council Tax Support Service (Benefits Service), reducing the risks of fraud and error by operating efficient procedures in accordance with Regulations:

2.2 The Council is committed to paying the right amount of benefit, to the right claimant at the right time

2.3 The Council seeks to provide a service that is accessible to all by implementing automations in the assessment process and maximising online services to free up other customer service channels for those who require them

2.4 A positive customer experience is at the forefront of the delivery of the Benefits service

2.5 The service will maximise efficiency through increasing automation in the assessment process and implementing innovative technology ensuring it is able to maintain a high standard of turnaround times

2.6 Service delivery and resources will be reviewed annually with particular reference to the impact of DWP policy in respect to the rollout of Universal Credit

2.7 Benefit decisions will be accurate as a result of a robust Quality Assurance plan ensuring customers receive the correct amount of benefit and public funds are protected

2.8 The service will employ staff who work within the Corporate Values and it will ensure morale is maintained resulting in a high standard of service delivery, addressing under performance

2.9 The Council will work with Department for Work & Pensions (DWP) and Corporate Anti-Fraud Team (CAFT) to identify and prevent fraud and to review controls in place

2.9 Recovery of overpayment of Housing Benefit will be maximised as set out in the Housing Benefit Overpayment Policy

2.10 The service will work with departments across the Council to provide a joined up customer service which does not conflict with other corporate objectives

2.11 The Benefits Service will work with stakeholders to identify any barriers to service delivery and to review its Council Tax Support Policy

## **Strategy**

### **3. Overview of the Benefits Service**

3.1 Housing Benefit is a state benefit administered by the Local Authority on behalf of DWP.

3.2 Council Tax Support is prescribed for Pensioners by the Ministry of Housing, Communities and Local Government (MHCLG) while the working age scheme is set by local Policy

3.3 Benefit is available to help low-income tenants and owners pay their rent and council tax. It is means-tested and the amount payable depends on the amount of rent and council tax liability, the claimant's household, income, capital, age

and any disability circumstances.

3.4 Administration of both schemes is funded in part by Government and topped up by the Council

3.5 Housing Benefit subsidy in the region of £90m p.a. is reclaimed from DWP for up to 100% of benefit paid following an annual audit of the subsidy claim. The claim may be docked by DWP in respect to any errors found and therefore puts the Council at risk of high financial penalties

3.6 Council Tax Support expenditure is partially reimbursed by MHCLG but is not ring-fenced and does not fully cover costs

3.7 Payment of benefit promptly and accurately is critical for some of the borough's most vulnerable customers to protect them from arrears and stress.

3.8 Accuracy is also critical to protect the council's subsidy claim and the public purse, with effective procedures in place to help prevent and identify fraud and error

3.9 The Council has the following policies setting out its objectives and strategies to achieve an effective and secure Benefits service:

- Council Tax Support Policy
- Housing Benefit Overpayment Policy
- Discretionary Housing Payment Policy
- Evidence Provision Policy

3.10 The Service structure includes a Training & Policy post as well as various Quality Assurance roles to ensure procedures and controls are in place and the objectives set out in Policies are monitored and delivered

#### 4. Summary of strategic elements

##### Section 5 – Legal duties

- apply all legislation relating to Housing Benefit and Council Tax Support

##### Section 6 – Right amount of benefit

- ensure the Council makes accurate decisions
- action changes to the Housing Benefit and Council Tax Support regulations and procedures quickly
- test the Housing Benefit and Council Tax Support IT system used to calculate and store data
- promote notification of changes that may affect entitlement

##### Section 7 – Prevent and detect fraud

- procedures in place to reduce the risk of fraud entering the system at the gateway and to ensure effective identification of fraud where it has

##### Section 8 – Performance - Pay at the right time to offer a good customer experience

- constantly review working practices to refine procedures and identify efficiencies

##### Section 9 – Overpayment recovery

- seek maximum recovery of benefits overpayments

### **Strategic Elements**

#### 5. Legal Duties

Apply all legislation relating to Housing Benefit and Council Tax Support

5.1 The following key primary and secondary legislation govern the administration of Housing Benefit and Council Tax Support

- Social Security Contributions and Benefits Act 1992
- Social Security Administration Act 1992
- Housing Benefit Regulations 2006
- Housing Benefits (state Pension credit) regulations 2006
- Housing Benefit and Council Tax Benefit (consequential Provisions) regulations 2006
- Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001
- Harrow's Council Tax Support scheme
- Council Tax Support Schemes (Prescribed Requirements) Regulations 2012 ("the Prescribed Requirements")
- Universal Credit Regulations 2013
- Universal Credit (Transitional Provisions) Regulations 2014.
- Universal Credit (Managed Migration) Regulations 2018.
- Data Protection Act 2018
- General Data Protection Regulation (GDPR)

5.2 The Housing Benefit and Council Tax Support regulations include the following specific aspects of delivering a Benefits Service

- Provisions affecting entitlement to Housing Benefit and Council Tax Support
- Eligible rent
- Membership of a family and non-dependants
- Applicable Amounts
- Assessment of income and capital
- Students
- Claims – what is a claim
- Persons from abroad
- Absence from home
- Specified Accommodation
- Treatment of temporary accommodation
- Effective dates for claims and changes
- Appeals and disputes
- Payments
- Subsidy
- Overpayments
- Specific legislation covers the requirement of Housing Benefit to cease in place of Universal Credit

5.2 In summary, LA's administering benefits are under a legal duty to:

- Establish if a claimant is liable to pay rent or council tax
- Decide whether a claim for housing costs should be made for Housing Benefit or Universal Credit
- Decide the value of eligible rent or council tax liability for benefit purposes
- Identify all members of a claimant's family and household
- Calculate the claimant's Applicable Amount or Household Category
- Assess the value of income and capital for benefit purposes
- Ensure that claims are legally made
- Identify changes in circumstance where reasonable for the LA to do so
- Action changes in circumstance
- Respond to requests for reviews or appeals of Housing Benefit and Council Tax Support decisions
- Pay the correct amount to the appropriate payee
- Accurately identify and calculate overpayments of Housing Benefit and Council Tax Support
- Identify and prevent fraud

5.3 In addition, LA's administering benefits are encouraged to adopt best practice published by the DWP and MHCLG and to comply with the Council's duties in respect to homelessness, safeguarding and to protect public funds.

5.4 Operational procedures provide for each legal duty to be implemented. Various internal and external auditors inspect the Benefits Service to ensure compliance.

## 6. Right Amount of Benefit

### **Ensure the Council makes accurate decisions**

- 6.1 The Council has sound and comprehensive mechanisms to ensure the quality of Benefits Service work through regular training of staff, and through the Quality Checking procedures.
- 6.2 The overall work of the Benefits Section is independently monitored by Internal Audit to provide assurance to the Council that procedures are adequate, appropriate and can be audited for financial probity. Any recommendations made by Internal Audit through regular service reviews are implemented wherever viable.
- 6.3 Decision makers receive training and refresher training throughout the year in response to Circulars issued by the DWP, best practice guidance issued by government departments, benchmarking intelligence that suggests good practice, responses to complaints, errors found through the Quality Checking procedure and changes in the Housing Benefit and Council Tax Support regulations.
- 6.4 Training requirements are included in the annual training plan and provided internally or externally dependent on the requirements.
- 6.5 Training received is evaluated against intended outcomes to ensure the objectives have been achieved and a high level of quality is delivered
- 6.6 Operational procedures provide for the regular quality control of work undertaken within the Benefits Section. Errors made by decision makers are brought to their attention, and amendments are made to their decisions. Decision makers are provided with the opportunity to discuss any error identified to reinforce their knowledge.

### **Prompt review and amendment to procedures in response to changes to the Housing Benefit and Council Tax Support regulations**

- 6.7 Operational procedures include awareness training of all regulation changes. Those changes requiring in-depth training are identified and training material prepared and presented to the Assessment team and any other impacted staff such as in Access Harrow
- 6.8 Benefits Managers regularly clarify regulation changes with the DWP, and discuss interpretation of new law with practitioners in other LA's through networking with London Councils and attendance at external professional training events.
- 6.9 The Benefits IT system supplier receives prior notice of major changes to regulations and discusses implications with the DWP and MHCLG before specifications are written for agreement by Users. The Benefits Service has representation on the Software Product Group to enable it to influence future development of the software to support efficient and accurate service delivery.

### **Test the Benefit IT system used to calculate and store data**

- 6.10 The Housing Benefit and Council Tax Support regulations change constantly, which can require updates to software several times each year. The Council uses experienced staff to test all software before it is applied to the

'live' system. Any errors found are reported to the supplier who rewrites the software prior to 'live' loading.

- 6.11 The main change occurs with effect from annual billing in April each year, when the government updates all benefit values, and robust testing takes place beforehand to ensure that changes are applied accurately.
- 6.12 The Benefit system works closely with the Council Tax and Housing departments throughout the year to test any IT changes on either side that may impact interfaces between the two systems, particularly at annual billing.
- 6.13 Any errors found in the 'live' system are reported immediately to the supplier and a priority rating is jointly agreed and applied to the error. The rating affects the timescale to receive revised software, and contingency plans are made to maintain claims in the meantime.
- 6.14 The Benefits service also works closely with its corporate IT supplier to support any software changes and to ensure systems support efficient delivery, including access to DWP systems both through automations and manual transactions

**Publicise the need for customers to notify changes of circumstance and prompt processing of changes when received**

- 6.15 The Benefit service complies with legislation when applying changes in circumstances to claims.
- 6.16 The duty to notify changes in circumstances is publicised to customers through different channels including on all notification letters and online including through My Harrow Account
- 6.17 The council undertakes proactive steps to identify changes in circumstance such as through data sharing with council tax which may help identify changes in the household that could affect council tax support and housing benefit entitlement
- 6.18 DWP programmes which support identification of changes in circumstances are undertaken by the LA including activities such as HBMS (Housing Benefit Matching Service), VEP (Verify Earnings and Pensions) and HBAA (Housing Benefit Award Accuracy Initiative) reviews

**7. Prevent and detect fraud**

- 7.1 Evidence required by the service to support Benefit claims is set out by the Evidence Provision Policy. This policy has been developed to help prevent fraud from entering the system through targeting resources toward high-risk cases.
- 7.2 Verification staff are trained to the standard of the Verification Framework so they hold the skills to be able to identify fake documents
- 7.3 Procedures require staff to obtain evidence of a claimant's circumstances from official databases in the first instance e.g. direct access to DWP CIS.
- 7.4 A list of acceptable evidence is held and regularly reviewed to inform claimants of what information is required and for decision makers to refer to when assessing claims.

7.5 Allegations about potential fraud are received from the following sources

- decision makers in the LA
- decision makers at Jobcentre Plus
- staff in other Harrow council departments e.g. Housing Department, Social Services, Council Tax
- staff in other LA's – particularly those with whom we share borders
- anonymous residents in Harrow
- proactive investigations by Investigations Officers
- Her Majesties Revenues and Customs (HMRC)

7.6 Housing Benefit fraud allegations are referred to the Single Fraud Investigation Service (SFIS) in DWP for investigation. The Benefit Service works with SFIS to support effective investigation of fraud within limited resources.

7.7 The service conducts interventions to assist in the detection of undeclared income, capital or household members. Interventions are carried out through a variety of channels

- Targeted review of claims, e.g. where earned income hasn't changed for a year
- Initiate customer contact at the point of a known change e.g. a child in the household turning 18
- Investigate discrepancies between data held by the Benefit Service and ATLAS
- National Fraud Initiative
- The Housing Benefit Matching Service (HBMS)
- VEP (Verify Earnings and Pensions)
- HBAA (Housing Benefit Award Accuracy Initiative)
- Council Tax Single Person Discount review
- Train other services and put processes in place for them to identify and report potential fraud
- Controls in place to reduce the risk of internal fraud, e.g. separation of duties in respect to loading bank accounts for payment of Benefit

7.8 Data is shared between DWP, HMRC and the local authority to assist in the reduction of fraud and error in the benefit system. The Council has sought to maximise automation of this data share to enable high volumes of changes in entitlement to be processed with minimal resources.

7.9 Where an overpayment is raised as a result of fraud, it will have the higher rate of clawback applied and the overpayment will be prioritised for recovery, as set out in the Overpayment Policy.

## 8. Performance - Pay at the right time

### **Constantly review working practices to refine procedures**

8.1 A key measure for Housing Benefit and Council Tax Support performance is the turnaround time for assessment of new claims and changes in circumstance. The Benefit Service carries out benchmarking against other LAs to ensure it is providing good customer experience to residents and offering value for money.

8.2 Performance targets for the service and individuals are reviewed regularly to ensure they are realistic within available resources and to ensure they enable a

high standard of service to be delivered. Performance improvement plans will be developed for individuals where required with targets and review points to ensure performance improves to the required level.

- 8.3 Regular training also assists with efficient processing by the Benefit Assessment team as well as reducing the risk of error.
- 8.4 Procedures are reviewed regularly to identify efficiencies and the Service works closely with West London Councils to share and implement best practice.
- 8.5 The Service has implemented a high level of automation across the assessment process to reduce error and increase efficiency. It continues to investigate new opportunities to advance this further, ensuring service standards remain high as funding is reduced.
- 8.6 The Service's resources are reviewed annually as part of the budget setting process to ensure there is sufficient capacity to deliver the service whilst also considering any potential budget reductions in response to any service efficiencies that have been implemented.
- 8.7 Performance of the Service is monitored for individuals on a monthly basis. The turnaround times for new claims and changes in circumstance are also monitored by the Service on a monthly basis and reported to Members. Data is submitted to DWP on a monthly basis for publication to allow councils to be benchmarked against each other nationally.

## 9. Overpayment recovery

- 9.1 The approach to overpayment recovery is set out in the Overpayment Policy
- 9.2 Operational procedures ensure that total repayment is requested when the overpayment is created, with instructions on how to negotiate an instalment profile if required. Debtors are encouraged to discuss reduced instalment profiles rather than pay nothing at all. They may also choose to pay higher instalments.
- 9.3 Whilst every effort is taken to reduce the creation of overpayments operational procedures ensure that overpayments are identified promptly and classified correctly, the overpayment is stopped from continuing, and decisions made on whether they are recoverable, and if so, from whom. The claimants and other affected persons are notified quickly and recovery pursued by the speediest, most cost effective and efficient methods available in line with legislation having regard to Harrow's policies. Throughout the whole process effective financial control is maintained.