

REPORT TO: POLICY AND RESOURCES COMMITTEE – 28 MARCH 2011

REPORT ON: HOUSING BENEFIT OVERPAYMENT RECOVERY POLICY UPDATE

REPORT BY: DIRECTOR OF FINANCE

REPORT NO: 178-2011

1.0 PURPOSE OF REPORT

To update the previously approved Dundee City Council Housing Benefit Overpayment Recovery policy.

7.0 RECOMMENDATIONS

It is recommended that the Committee approve the revisions to the Housing Benefit Overpayment Recovery policy set out in Appendix A of this report. These revisions will come into effect on 1 April 2011.

3.0 FINANCIAL IMPLICATIONS

None

4.0 MAIN TEXT

4.1 Reference is made to Article II of the minute of meeting of this Committee of 9 May 2005 where the Committee approved the Housing Benefit Overpayment Recovery policy.

7.0 The updated policy sets out Dundee City Council's commitment to the recovery of Housing Benefit Overpayments as laid down by the Housing Benefit (General) Regulations 1987.

4.3 The Council aims to comply wherever possible with Performance Standards guidance and will look to revising this policy document as and when necessary.

4.4 Details of changes are appended hereto. A copy of the revised policy has been passed to each of group leaders, the Lord Provost and the depute Lord Provost.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

The Equality Impact Assessment which has been carried out will be made available on the Council's website <http://www.dundee.gov.uk/equanddiv/equimpact/>

6.0 CONSULTATIONS

The Chief Executive, Depute Chief Executive (Support Services) and Assistant Chief Executive have been consulted on the content of this report.

7.0 BACKGROUND PAPERS

None

**MARJORY STEWART
DIRECTOR OF FINANCE**

DATE _____

APPENDIX A

HOUSING BENEFIT OVERPAYMENT RECOVERY POLICY - REVISION SUMMARY

The only changes fall within the area of the policy headed 'How The Council Actions Housing Benefit Overpayment Recovery' as follows-

- Section 8 - **Recovery from on-going Benefit**

Weekly rates of deduction from ongoing benefits up-rated as follows -

Income Support type benefits - £3.30 to £3.40
Non Income Support benefits - £9.90 to £10.20
Fraudulent cases - £13.20 to £13.60

- Section 9 - **Where there is no on-going benefit entitlement:-**

An Invoice for recovery of the overpayment will be issued after a 4 week period instead of 6 weeks.

Payment will be requested within 14 days rather than 28 days.

- Section 10 - **Methods of Payment:-**

This advises of a change in contact details from

Dundee City Council, Depute Chief Executive (Finance), PO Box 6786, Dundee, DD1 3YP

To

Dundee City Council, Revenues Division, PO Box 216, Dundee, DD1 3YJ

- Section 11 - **Non-payment**

This section is amended from:-

If payment/an arrangement for payment is not made a reminder will be issued 7 days after the payment due date displayed on the invoice.

If payment/an arrangement for payment is not made within 16/17 days of the reminder being sent a final demand will be issued requesting payment within 7 days.

To

If payment/an arrangement for payment is not made a reminder will follow the invoice. This requests payment within 14 days.

If payment/an arrangement for payment is not made a final demand will follow the reminder. This requests payment within 7 days.

- Section 12 - **Arrangements**

The last paragraph is amended from:-

All payment arrangements are reviewed on an annual basis by means of completion of an Income and Expenditure form. If agreement is reached without the use of an Income and Expenditure form an initial review is carried out 6 months after the arrangement is made then annually thereafter.

To

A payment arrangement may be reviewed at a future date.

- Section 16 - **Authorisation for non-recovery of debts.**

This section has been amended to advise that if the case is a sequestration case, then it is the supervisor that will make the final determination on whether the overpayment should be recorded as "not to be recovered".