Working with the DWP

Insight gets to grips with three Department for Work and Pensions partnership projects
CERTIFICATED BAILIFFS

www.chandlers-bailiffs.co.uk

Chandlers has been collecting Local Authority revenues since its incorporation in 1987, and continues to provide effective Bailiff and Civil Enforcement Services to England and Wales.

Chandlers continues to meet the demands of our clients by bringing new approaches and services to the market place. We are always looking at new ways of improving our services to our clients by using the most up to date Information Technology and new initiatives in the way we collect revenues.

For further Information contact
Adaine Gardner M.E.S.A - Managing Director
020 8290 0866

HOUSING BENEFIT

www.ladirectories.com

LA Directories Ltd provides Local Authorities with web-based knowledge management solutions for RevBens services, that are online, plain English analyses of law, caselaw and guidance presented by subject. Our flagship product The Benefits Directory is fast becoming the standard by which others follow because ‘everybody benefits from The Benefits Directory’ – so says Cambridge CC.

The Revenues Directory currently covers country-specific Council Tax, and Non-Domestic Rates will be available later in 2009. The Benefits Procedure Manual, a bespoke solution, is currently under development for imminent availability. LADL also provides RevBens training and consultancy services.

Tel: 0945 094 3348
Email: info@ladirectories.com

IT SUPPLIERS

www.onestep.co.uk

We have been supplying our comprehensive solutions to Bailiffs, in-house Local Authority recovery departments and Debt Recovery operators since 1987. Recommended by our customers and their clients alike, our solutions demonstrate intelligence, quality, integrity and transparency, thereby enhancing our customers’ professionalism to their clients.

Continual development by our own team of programmers, and our frequent research into the latest advances in the ever changing world of IT, keep our solutions best of breed. Thus, our customers can focus on their core business activities while we take care of the IT.

Available as either a traditional deployment or a hosted solution.

Steve Parrott
Email: sparrott@onestep.co.uk
Tel: 01702 426400

SUPPORT SERVICES

www.mouchel.com

Single Person Discount Reviews

Using data matching can reduce the number of Single Person Discounts incorrectly claimed and as a result increase net collectable debt.

Mouchel have developed a more intelligent method of verifying SPD’s. This provides a more robust review of the database, challenging those customers who claim an SPD to which they are not entitled.

This is a managed service and includes:

- Verification of SPDs against credit bureau data to inform a more accurate review
- Application of changes to the Revenues database
- Handling all customer enquiries

For more information contact us at revenuesandbenefits@mouchel-middlesbrough.com

CERTIFICATED BAILIFFS

www.jacobsbailiffs.co.uk

In 2009 Jacobs celebrate 50 years in business and are currently responsible for providing bailiff / debt recovery services for over 120 local authorities throughout England and Wales. With full appreciation that we are, effectively, an extension to the workings of each local authority client, Jacobs offer a solid, reliable and efficient service. Long term client retention is our goal and we have an enviable proven track record of 100% client retention at procurement exercise in the last 10 years.

Dave Cornes IRRV MESA
Telephone 0151 650 4994
Email dc@jacobsbailiffs.co.uk

INSOLVENCY/ BANKRUPTCY

www.chandlers-bailiffs.co.uk

In 2009 Jacobs celebrate 50 years in business and are currently responsible for providing bailiff / debt recovery services for over 120 local authorities throughout England and Wales. With full appreciation that we are, effectively, an extension to the workings of each local authority client, Jacobs offer a solid, reliable and efficient service. Long term client retention is our goal and we have an enviable proven track record of 100% client retention at procurement exercise in the last 10 years.

Dave Cornes IRRV MESA
Telephone 0151 650 4994
Email dc@jacobsbailiffs.co.uk

INSOLVENCY/ BANKRUPTCY

www.ladirectories.com

The Local Authority Insolvency team is a unique specialist unit assisting and supporting local authority revenue personnel in their recovery duties, with an established reputation for providing independent, user-friendly solutions.

Insolvency proceedings can provide a positive solution. If you would like to take advantage of Grant Thornton’s FREE “Pinpoint Report” service to assist in the effective targeting of the most suitable debtors to pursue through bankruptcy proceedings, or benefit from FREE technical advice, FREE in-house insolvency training, or FREE representation at meeting of creditors, please contact:

Philip Chadwick - Director
M 07801 816 649
E Philip.Chadwick@gtuk.com

Lisa Chadwick - Manager
T 0114 262 9777
M 0777 342 0707
E lisa.chadwick@gtuk.com

PERFORMANCE AND DATA MANAGEMENT SOLUTIONS

www.sungardps.co.uk/aspiren

SunGard Public Sector Aspiren Ltd is a leading provider of performance and information management technology and consultancy to the UK public sector. We have an outstanding track record of local, regional and large scale national deployments and have won a number of awards for our collaborative approach to service delivery. Our innovative solutions designed specifically for Housing benefits include:

- Risk Based Verification
- SunGard’s Right Benefit Toolkit
- Secure data transmission, validation and cleansing (Gov Connect)
- Fraud and error reduction tool (Intersect)
- Key lines of Enquiry (KLOE) services
- Local authority HB and corporate performance improvement services

To find out more about our solutions please contact
+44 (0) 8453 300 747 or e-mail ContactUs@sungardps.com

TO ADVERTISE HERE PLEASE CONTACT

Tregartha Dinnie
Vicki Parry or Sam Rowe-Green
T 01908 306 500
E vicki@tregartha-dinnie.co.uk
sam@tregartha-dinnie.co.uk

www.mouchel.com

Single Person Discount Reviews

Using data matching can reduce the number of Single Person Discounts incorrectly claimed and as a result increase net collectable debt.

Mouchel have developed a more intelligent method of verifying SPD’s. This provides a more robust review of the database, challenging those customers who claim an SPD to which they are not entitled.

This is a managed service and includes:

- Verification of SPDs against credit bureau data to inform a more accurate review
- Application of changes to the Revenues database
- Handling all customer enquiries

For more information contact us at revenuesandbenefits@mouchel-middlesbrough.com
IRRV Insight
Managing Editor John Roberts
Editorial Director Celia Mather
Editorial Assistant Annie Jennings
Art Director Joel O’Connor
Designer Anja Linke
Publisher Helder Dantas

IRRV
Chief Executive
David Magor, OBE IRRV
41 Doughty Street
London WC1N 2LF
T 020 7831 3505
E enquiries@irrv.org.uk
W www.irrv.net

Enquiries
Membership 020 7691 8980
Conferences 020 7691 8987
Subscriptions 020 7691 8975

Advertising
Tregartha Dinnie
Vicki Parry or Sam Rowe-Green
T 01908 306 500
E Vicki@tregartha-dinnie.co.uk
Sam@tregartha-dinnie.co.uk

Editorial
John Roberts
T 07952 659 258
E jcroberts54@hotmail.com

Abstract Associates Ltd
Managing Director Roger Wilsher
Biscuit Factory J08
100 Clements Road
London SE16 4DG
T 020 7064 8400
W www.abstractassociates.co.uk

IRRV Insight is produced by Abstract Associates Ltd on behalf of the IRRV. Unless otherwise indicated, copyright in this publication belongs to the IRRV.

May 2009 ISSN 1361-1305

© IRRV 2009. Reproduction in whole or in part of any article is prohibited without prior written consent. The views expressed in this magazine do not necessarily represent the views of the Institute. Whilst all due care is taken regarding the accuracy of information, no responsibility can be accepted for errors. Any advice given does not constitute a legal opinion.

IRRV Council: IRRV President Julie Holden IRRV MCM;
Chg; Senior Vice-President Geoff Fisher FRICS (Dip Rating) IRRV; Junior Vice-President Kerry Macdermott IRRV; Phil Adlard Tech IRRV MInstLM MCM; Alan Bronte FRICS IRRV; David Chapman IRRV; Tracy Crowe CPFA IRRV; Barbara Culverhouse IRRV CPFA; Carol Cutler IRRV; Tom Dixon RD BSc (Est Man) FRICS IRRV; Pat Doherty CPFA IRRV; Ian Ferguson IRRV; Richard Guy FRICS (Dip Rating) IRRV MCIArb; Richard Harbord MInstCPA FCCA IRRV FIDP FBIM FRSA; Mary Hardman IRRV FRICS MCM; Gordon Heath BSc IRRV; Caroline Hopkins IRRV; Brian Jeffrey IRRV; Roger Messenger BSc (Est Man) FRICS IRRV MCIArb; John Roberts IRRV; Eric Rose FRICS IRRV; Graham Ryall FRICS IRRV; Kevin Stewart IRRV MAAT MCM; Angela Storey Tech IRRV MCM; Bob Toshem IRRV; Julie Toshem IRRV; Allan Traynor FCCA IRRV

Contents

“Citizens will benefit from an improved collaboration between central and local government” p12

05 Chief Executive’s notes
06 Inside the Institute
   A round up of the latest news, events and other issues impacting on the Institute
11 Once upon a time
12 Cover story
   Three Department for Work and Pensions partnership projects are highlighted by Insight
17 Faculty Review
   An analysis of the key technical issues facing the revenues, benefits and valuation faculties
25 Leadership
26 Doherty’s despatch
28 Milner’s management
30 Audit Commission
32 Legal corner
34 Viewpoint

In the next issue...
Revenues Team winner Broadland is put in the spotlight • Jargon-busting for local authorities • Credit crunch comment returns to Faculty Review • Local Government Ombudsman update
Shared Services

Be smart - get even more from your resources

Our software solution enables a true shared service to operate from a single database, yet extract discreet government returns and reports for each individual authority. Its flexibility allows the partnership to run either from split sites or a single site. Work is processed according to its priority, irrespective of the authority to which it relates. It ensures all member authorities of the partnership perform at the same standard and high efficiency, yet allows for local variances in processing.

Find out more about how IBS can help you deliver Shared Services.

Please call Chris Munroe on 01635 550088 or email info@ibsopensystems.com

www.ibsopensystems.com
Every year the perpetrators of fraud steal over £4bn of our money, equating to over £200 per head of the population. To tackle this problem requires all aspects of commercial and public life to work together. The government started the process by unveiling the Fraud Review in 2006 and subsequently with the launch of the National Fraud Strategy (NFS). The National Fraud Strategic Authority (NFSA) is a major coordinated step in implementing the strategy. It was established in October 2008 to provide England and Wales with a forum to provide England and Wales with an agency capable of providing protection against the damaging consequences of fraud.

The NFSA is an “Executive Agency” of the Attorney General’s Office. Its role is to take forward the NFS and build on the recommendations of the 2006 Fraud Review. The Agency will work with partners in Scotland, Northern Ireland and the wider international community to deliver the cross border issues. Through the NFS, government is calling on the business, public and voluntary sectors to join forces as a counter-fraud community and make the nation an even more hostile place for fraudsters. In collaboration with this counter-fraud community, the NFSA will provide the framework for co-ordinated, effective and delivery-focused activity to enable a truly effective response.

The NFSA was funded as part of the Comprehensive Spending Review for 2008-11, the Treasury setting aside £32m for its development and implementation, together with its support bodies. These bodies are the National Lead Force for Fraud (Lead Force), the National Fraud Bureau (NFIB) and the National Fraud Intelligence Bureau (NFIB). Around £6m of the grant will be used to set up and operate the Authority during this period. Approximately £16m will be used to establish and run the NFRC, NFIB and the Lead Force. A further £6m is being allocated to fund the development of a national Fraud Measurement Unit.

The Institute is playing a part in this fight. It has recently entered into an agreement with the Department of Work and Pensions to host electronic training for fraud officers in local government, which will shortly be expanded to allow access to key operational material. It is also opening a dialogue with the Local Authority Investigation Officers Group on matters of joint interest, particularly in the areas of education, training and publications.

The Institute’s membership is ideally positioned to make a real difference in the fight against fraud.
Carol Cutler

Who do you admire? Richard Branson, for his complete understanding of what real customer service is.

If you had a £50,000 windfall how would you spend it? My instinctive answer is shoes, but I suspect even I would struggle to spend that much! I’d probably take some friends on an exotic holiday and put the rest away for a rainy day.

What has been your best career decision? I’ve never had a fully thought through career plan therefore most of it has happened by chance. Never more so than when I began working for Westminster City Council. When they offered me the job they said I could either work in finance and study for CIPFA, or in the Rates Office and study for IRRV (RVA in those days). I hadn’t given it any real thought as I was only planning to work for a year before taking up my University place, a fact that I hadn’t shared with Westminster! I opted for the Rates Office as it involved dealing with people rather than numbers. Little did I know that a 34-year (and counting) career would follow, or that I would do so many different things and meet so many great people in the process. Was it the right decision? Absolutely yes!

What is your favourite book, film or TV programme? I would have to go for two films. The first is The Sound of Music – as a child I wanted to grow up to be Julie Andrews and this ambition was only prevented by the fact I can’t sing! The second is White Christmas, which I always watch on Christmas Eve.

What do you look forward to most when you’re not at work? Alcohol – no only joking! With such a busy job I enjoy closing the front door, cooking some good food and settling down for a relaxing evening with either good friends or a good book. The odd glass of wine might figure as well.

CV IN BRIEF

Carol began her career in the Rates Office at Westminster City Council and immediately studied for the IRRV examinations. From there she went to the London Borough of Lewisham, eventually filling the post of Assistant Director for Revenues and Benefits.

Carol moved to Harrow Council in 1995 and took on a number of wider roles – she is currently Director of Business Transformation and Customer Services.

Carol is a past President of the IRRV and has been on the Institute’s Council since 1996. She has served as Chair of the Commercial Services Committee and was a member of the Institute’s Housing Benefit Committee of Inquiry. She is a frequent speaker at the Institute’s professional and association meetings.

The IRRV Team in Pakistan

The IRRV has been appointed by the World Bank to advise the Government of the Punjab on the implementation of a new immovable property tax. During the visit to Lahore the team met with the Minister of Law at the Punjab Assembly.

The photograph above shows the team (from left to right) Gabor Peteri, Mihaly Kopyani (World Bank), Pat Doherty, Sh. Parkash Singh Badal (Minister of Law), David Magor, and Mark Doherty.

A stranger in town!

IRRV Senior Vice-President and valuer Geoff Fisher demonstrates his eagerness to learn new trades in time for his year of office by visiting the Benefits Conference in Southport.

New Rates for 2009

SCC £25

If you are looking for qualified revenues and benefits people or seeking to attract new people already making a career in the Public Sector, Opportunities is a very cost effective solution.

20% discount for all IRRV members

Special IRRV rates:

1/4 page advert £780

- for this price the advert runs until the application deadline
- an Online listing costs £240 and comes with a free web button.
Hot off the press...

Empty shops enterprise
Temporarily converting empty shops into social enterprises will help innovative communities prevent high streets declining, says Communities Secretary Hazel Blears.

The government is also announcing new measures and up to £3m to help communities find creative ways to reduce the negative impact that empty shops have on the high street. The new provisions, including planning application waivers, standard interim-use leases, and the temporary leasing of shops to councils, will allow empty shops to get makeovers for use as cultural, community or learning services.

The measures are being published in a practical guide, Looking after our Town Centres, which identifies the steps that communities can take to keep town centres thriving. The government will also introduce rules to give existing shops that serve the community extra protections, as part of wider action to help businesses.

John Wright, national chairman of the Federation of Small Businesses, said: “The government ought to take a few steps back and prevent this happening in the first place by reducing small businesses’ rate bills. Business rates are the third highest cost for small businesses after staff and rent, and many are unaware that they may be eligible for automatic relief from their rate bills.”

Jail term for benefit fraudster
A trainee teacher who fraudulently claimed more than £24,000 in benefits has been jailed for a year, following a joint investigation by Croydon Council, the DWP and Manchester City Council.

Melony Woollery, who also owns property in Manchester, had pleaded guilty to 22 offences at an earlier hearing, including fraudulently obtaining £17,084.15 in housing benefit from Croydon Council and £2,071.35 housing benefit from Manchester CC. The court was told that Woollery made false housing benefit claims to Croydon Council by allegedly inventing a fictitious landlady to whom she paid rent.

Annotated Rating Legislation (2009 update)

The Institute is pleased to announce that the 2009 update of its Annotated Rating Legislation has now been published. It is produced in a set of four loose-leaf volumes, and contains all primary legislation relevant to rating together with the currently applicable regulations and orders to the date of publication in 2009. All amendments brought about by statute and statutory instrument between 1989 and 2009 have been made to the text, and legislation repealed, revoked or ceasing to have effect is so indicated, as appropriate, throughout.

This publication, as updated in 2009, will be maintained by regular updates in the years to come. An electronic PDF version is also included.

To order online please visit the IRRV website www.irrv.org.uk or send an email to publications@irrv.org.uk

OUT NOW!

Price: £495.00 (plus VAT and £30 P&P)

Editor’s note – erratum
March’s Insight (page 6) carried a brief article with a photograph, about Institute member Sean Langley’s book, The phat Controller. Unfortunately, some of the text was obscured, for which we apologise.

For further information about the author and his book, visit: www.seanlangley.co.uk.

Inside the Institute
Examination preparation

The Institute’s Michael Hopkins sets the scene for the June 2009 examinations

The summer examinations will be held between 1 and 4 June 2009 in Aberdeen, Bradford, Dumfries, Durham, Keele, London, Newport, Nottingham, Preston and West Lothian. Candidates will be sent full details of their timetable and examination location with their entry card and candidate number shortly before the session.

It should be noted that the Newport, Nottingham and Preston locations have changed since the last session. After many years we have now been obliged to move the Newport centre from the University of South Wales to the YMCA on Mendalgief Road. This is a spacious, pleasant building with ample parking and is nearer the town centre than the university. It is also accessible by public transport. As in December 2008, Keele University will be used as the West Midlands location. Candidates wishing to use this facility should contact those two centres directly or view the recommended hotels, which are on the website (www.irrv.net) along with information and details of all the centres.

In London the location will be the London Welsh Centre, WC1, which was used in December 2008 and sits close to the Institute’s offices.

As ever, it is worth reminding candidates to allow plenty of time for travel, and bear in mind that train cancellations or traffic delays can play havoc with even the best-prepared travel plans. Better to arrive an hour early (more time for final revision!) than late. As a (non-IRRV) tutor, who was obsessed with punctuality, used to say “better never than late!” I would not go that far, but it is wise to be prepared. And finally, we wish all our candidates good luck with their examinations.

Important change

We now require enhanced identification from candidates. We have previously asked for the entry card that each candidate receives shortly before the examinations. But from now, including the forthcoming session, we will additionally require a form of photographic ID, for example a driving licence or passport. Please bring the two identification items to every examination.

We will not deny entry to candidates who forget to bring sufficient identification, and we would not want them to turn back and fetch the documents if they realise, en route to the examination centre, that they are missing a piece of ID. In such a case, however, we will take steps to establish identity by other means.

It is best to remind yourself of what is needed immediately before leaving home – those of us with faulty memories find post-it notes on the shaving/make-up mirror a great help!

Michael Hopkins is Head of Professional Services with the IRRV

STUDENT MEMBERS:

Name
Helen Alsop
Paula Astles
Elaine Beckett
Alison Bellingham
Helen Blake
Lucy Bobbroughi
Owen Clark
Solomon Clement
Melanie Cockton
Allie Duncan-Wood
Gavin Eddowes
Anthony Errington
Jayne Evans
Janice Ferguson
Michelle Gordon
Julie Gowing
Susan Gray
Julie Hallett
Carol Hempton
Helen Hill
Clare Hirst
Anita Jones
Kathryn Lawrence
Alexander McNeil
Emma Jane Nichols
Julie Paul
Michelle Simpson
Sheryll Sinclair
Paul Swaddle
Lorraine Taylor
Carl Wallace
Patricia Ward
Jennifer Wilkinson

TECHNICIAN MEMBERS:

Name
Melanie Abbott
Nwabueze Aghodeaka
Andrew Barlow
Julie Bell
Louise Bennett
Amrik Boghan
Tamanna Boylla
Rachel Brickley
Steven Candy
Isabel Cook
Carmen Culligan
Helen Currin
Joanna Dowley
Andrew Driver
Rachel Ellis
Rachel Fairbairn
Neil Fawcett
Lorraine Fay
Karen Godley
Amy Goodrum
Alan Greensit
Katie Hale
Helen Hamblin
Rachel Hill
Sion Hurle
Helen James
Carol Jones
Sidiqua Khan
Robert Leppard
David Lynch
Deepa Majithia
Elizbeth Marshall
Victoria Marshall
Benjamin Marshall

The Institute’s Michael Hopkins sets the scene for the June 2009 examinations

Important change

We now require enhanced identification from candidates. We have previously asked for the entry card that each candidate receives shortly before the examinations. But from now, including the forthcoming session, we will additionally require a form of photographic ID, for example a driving licence or passport. Please bring the two identification items to every examination.

We will not deny entry to candidates who forget to bring sufficient identification, and we would not want them to turn back and fetch the documents if they realise, en route to the examination centre, that they are missing a piece of ID. In such a case, however, we will take steps to establish identity by other means.

It is best to remind yourself of what is needed immediately before leaving home – those of us with faulty memories find post-it notes on the shaving/make-up mirror a great help!

Michael Hopkins is Head of Professional Services with the IRRV
New members

Kay McKeeand Craven DC
Susan Morrison Huntingdonshire DC
Christine Morrison Glasgow CC
Marion Padley South Staffordshire DC
Mark Petty Derby CC
Sharon Plant South Kesteven DC
Amrah Rahman Kingston upon Thames Royal BC
Julie Randall Fenland DC
Sarah Richardson East Staffordshire BC
Andrew Rowe Dacorum BC
Denise Sandell VOA, Bromley
Wendy Shand Fife Council
Angela Simpson Capita Business Services Ltd
Charlotte Watkins Leicester CC
Julie Whiston Trafford Metropolitan BC
Sara Wilcock Colchester BC
Jacqueline Wittstock Walsall Metropolitan BC

CORPORATE MEMBERS:

Name | Employer
--- | ---
Laurent Alexander | City of Bradford Metropolitan DC
Mark Andrews | Savills Ltd
Philip Beattie | Savills Ltd
Jonathan Dearing | West Oxfordshire DC
Alison Evans | Pembrokeshire County Council
John Holloway | Inland Revenue
Neil Humes | VOA Assessment Centre
Antony Hunter | FPD Savills
Grant Langford | Elmbridge BC
Trudie Mann | Bromley DC
Kevin Marsh | FPD Savills
Barry Newbury-Neale | VOA
Alan Osborne | Salisbury DC
Ceri Thomas | Pembrokeshire County Council

AFFILIATE MEMBERS:

Name | Employer
--- | ---
Jill Davies | Equita Ltd

NVQ MEMBERS:

Name | Employer
--- | ---
Moira Carruthers | East Ayrshire Council
Gabor Csonka | Watford BC
Julie Dordoy | Broxbourne BC
Nicola Edwards | Eastbourne BC
Michelle Farrow | East Ayrshire Council
Caroline Ford | East Ayrshire Council
Raid Kurmally | St Albans DC
Allison Leitch | East Ayrshire Council
Elizabeth Ann Leske | East Ayrshire Council
Elaine Myland | CSA Training Assessment Centre
Susan Newman | East Hertfordshire DC
Claire Pinch | North Cornwall DC Assessment Centre
Grace Robinson | East Ayrshire Council
Focus on finance

IRRV Accounts and Facilities Manager, Daniel Drane, chats to Insight about his role inside and outside of the Institute

Have you seen a lot of change during your time at the IRRV?
Yes it’s changed a huge amount. Commercially, I’ve seen us grow. The market’s changed and we’ve adapted to it. We’ve had to develop more ideas and we’re creating completely new products with which to reach our target market. Qualifications, conferences and training facilities have all changed but in the right way. We may be a small organisation but we continue to ‘punch above our weight’.

We celebrated our 125th anniversary in 2007 and I think we’ll be around for another 125 years.

A way from the Institute, what do you do in your spare time?
I bought a Victorian house in a conservation area in Surrey 18 months ago, so recently, a lot of DIY! Everything has had to be started from scratch although it has given me many ideas of how we can refurbish our offices in Doughty Street. Other than that, I do a lot of off-roading (a hobby, not a reflection of my day-to-day driving) and, of course, a lot of socialising.

What does the future hold for you?
I’d like to stay in the same field. As the Institute grows so do the opportunities, which is one of the great things about the organisation. There’s always scope for change. It is a challenging time for everyone, but the good outweighs the bad and the Institute is a really rewarding place to work.

How did your career at the IRRV begin?
I started at the Institute 10 years ago as a membership officer on a six-month contract to cover maternity leave, and I have remained there ever since - although not just to provide maternity cover!

I’ve worked in numerous departments, including examinations and now accounts, where I have been located for six years. It’s a rewarding role and I find working with the Institute very fulfilling. The people are great, it’s relaxed, has a good atmosphere and the staff are very hard-working.

Your role changed in January to incorporate facilities, has this presented new challenges?
Facilities has added a new dimension to my role (one that I have had to react to on a day-to-day basis). My accounts role is second nature to me but my new role requires me, among other things, to keep Doughty Street running efficiently.

A typical day may have me unblocking the photocopier or repairing the cistern in the gents before meeting our accountants (having washed my hands) and then speaking with the bank.

Times are obviously quite tough for a lot of people at the moment, have you noticed this in your role at the Institute?
Yes, of course. Although the Institute is financially stable we have to push ourselves more and try that little bit harder. The field isn’t getting any smaller but the current economic climate dictates that we are having to fight for a part of it - something we are all prepared to do.

“The field isn’t getting any smaller but the current economic climate dictates that we are having to fight for a part of it”

We are, at the end of the day, a membership organisation and I have a responsibility to the membership to manage our finances prudently.

Has there been a specific influential figure during your professional career?
Without doubt that would be Frank Anderson. Frank was my manager from when I joined the team until he sadly passed away at the end of 2006. He was a huge loss to the Institute and I valued our relationship both as friends and colleagues.

When I first joined the accounts team, I was virtually a novice. I began studying at the Association of Accounting Technicians and gained my qualifications there. Frank was my mentor and I learned a tremendous amount from him.

Do you have any particularly fond memories of the Institute?
One in particular, does spring to mind. At one of the conferences back in 2001,
Once upon a time

The early 1970s were exhilarating – I was coming fresh onto the scene of rating, where the immediate challenge was to integrate the current rating records into computer format, and print the rate books as facsimile copies of the rate demand note (yes we still had the paper copy rate books). This was a big step in the direction of computerising the rating system.

The various allowances for voids and other reliefs were still undertaken using the time-honoured ‘duplicate posting strips’, which formed the basis of the control for balancing purposes at year end. The rate books never balanced but, as soon as the following August was upon us, we just called it a day and settled for never being totally sure that the figures were correct – nobody complained!

Once the debit was controlled by computerised means, the next step was to establish a system for the credits. The Hollerith system had already been replaced by punched paper tape – a massive leap in technology – because the same punched paper tape output could be applied to the cash receipting machines. Mainframe computers, by then, had been designed to accept punched paper tape as a means of input, which meant that the duplicate posting strips could be dispensed with, along with the laborious task of balancing the rate accounts at year end. We had never been so up-to-date. That was indeed a milestone that removed a millstone from around the necks of the weary rating officers.

We could print thousands of final notices with a simple request to the computer department. Never before had we experienced long queues of people anxious to pay their rates in the collection hall. It had usually been a trickle, constrained by the effort of manually writing out and dispatching final notices. Thousands of these letters now hit the doormats within the space of a couple of days.

Next on the agenda was converting our rating records for decimalisation. With computers, it was a piece of cake. I shudder to think how long it would have taken the ‘quill and ink’ brigade to deal with that! So insignificant was the effort, staff even began to enjoy the benefits of the computer age.

In between times, a small legislative change occurred. Housing rents and rates could be reduced for those people who were adjudged not to be able to afford them. The benefits system was born! It wasn’t taken particularly seriously at strategic levels. Someone who maybe hadn’t had a pay rise for a few years was selected to deal with the handful of applicants that were expected to apply for this not-so-generous handout. The calculations could be performed on the back of an envelope, and usually were, when members of the public made enquiries! Little did we realise at that time that this little extra job would turn into a profession in its own right.

The 1972 Housing Act radically altered how public housing was to be subsidised by central government. The reality of the proposal was that rents would have to increase, and a much more comprehensive form of housing benefit (HB) was introduced. Our part-time benefits officer suddenly found himself snowed under with new applications, and needed something better than the back of an envelope on which to calculate the award.

Fortunately, a gentleman called Clive Sinclair was making a name for himself manufacturing hand-held calculators, and it wasn’t long before a whole host of people jumped on this particular bandwagon, hawking programmable calculators that would work out HB awards. We were beginning to experience some of the benefits of the technological change that is now history.

Computerised machines were also appearing in pubs, where it was possible to challenge the machine to a game of table tennis. These were soon followed by more sophisticated graphic representations of Space Invaders, Pacman and various other warfare simulations. The technological change was taking hold in many walks of life.
At present, a customer makes a new or repeat claim for a Jobcentre Plus ‘primary’ benefit – jobseekers allowance, income support, incapacity benefit, housing and council tax benefit (HB/CTB). Jobcentre Plus collects this claim information on the Customer Management System (CMS) as part of an integrated claims process, jobcentres print out this data and send them to local authorities by post or courier, a practice which has obvious safety and security implications. The e-Transfer Project is changing this by sending information electronically over the secure government (GSi) network. The transfers are sent from the CMS via the Department for Work and Pensions’ (DWP’s) secure external gateway, the Generic File Transfer Service (GFTS), to a local authority file server.

The HB Information Flows Programme within the DWP is currently introducing this automated method by transferring HB and CTB data (kept as Local Authority Input Documents, or LAIDs). LAIDs will not be printed out in jobcentres any longer. Instead, they’ll be sent by overnight batch files to the local authority server. Local authorities will have access to individual electronic LAIDs in a zipped file by 8am, the day after collection from DWP Jobcentre Plus, initially in PDF format.

Later this year, the programme will extend to include Local Authority Claim Information (LACI) forms from Pensions, Disability and Carers services. Electronic transfers from GFTS will become the only service for these transfers once available. GFTS will pass the files over the GSi including Government Connect Secure Extranet (GCxS) and Government Secure Extranet (GSx) networks, acting as the basis for the secure electronic exchange of data files between the DWP and all local authorities in England, Wales and Scotland.

GFTS will also be deployed to handle the Single Housing Benefit Extract (SHBE) as well as Fraud and Error Data Matching Scans and Referrals, which are currently issued through encrypted emails. The transition to two-way file transfer will give further security and protection.

What must a local authority do to use the new service?
The technical impact on local authorities should be minimal. Once live on GCxS, the DWP will supply an automated file transfer server called the Data Transfer Appliance (DTA). By now local authorities should have completed their DTA proforma, which will tell the DWP where the DTA should be located in the authority. This should be in your data centre close to the GCxS termination point. An engineer will visit your site on a pre-agreed day, install the appliance in your nominated place and configure it to work. After that, the DWP will send test files and put the service into live operation. The main piece of work for local authorities is to configure the firewalls for use with the FTPS protocol and consider how the new electronic forms will be distributed within the authority. The DWP will meet the cost of installing the DTAs, plus support and maintenance, until March 2011.

The Department has also commissioned the Local E-Government Standards Body (LeGSBY) to develop XML schemas for LAIDs and LACIs. Where the local authority HB solution has an appropriate interface, it will be possible to directly input files, replacing the need to re-enter data.

**Timescales**
The first phase consists of the LAIDs being changed from clerical to electronic transfer. Tameside was the first pilot to go live, followed by North and South Lanarkshire, Mid Lothian, Torbay, West Somerset, Wyre Forest and Highland. A national rollout will follow later this year.
The Employment Authentication Service

The DWP is committed to joining up customer-focused services with local government. **David Wright** reports on using security as an enabler.

It is important to enable data sharing between organisations, in order to personalise services, enable individuals to ‘tell us once’, and generally make life easier to navigate through the welfare maze. But the personal data that is needed to share, to transform services, relates to the very same UK residents who stated in a recent poll that they were worried or extremely worried about their data being accessed by unauthorised individuals or misused¹.

The Joseph Rowntree Reform Trust Ltd report *The Database State*, published in March, sought to highlight the many public sector databases that collect personal information about us, and assess their impact on an individual’s privacy. So, can we reconcile the need to share more personal data to improve and personalise services with the fears about unauthorised access and the invasion of privacy this seems to bring? The answer is yes, as long as we build in a high degree of shared trust, based on the best-in-class security measures.

**What is EAS?**

The Employee Authentication Service (EAS) is essentially a package of measures designed to strengthen assurances that the following questions can be confidently answered before personal data is shared between organisations:

- how can I be sure you are who you say you are (authentication)?
- how can I be sure you are authorised to access this information (authorisation)?

Other questions, such as “how can I be sure the physical access or transfer of data will be secure?” are answered by the implementation of the Government Connect Secure Extranet (GCSe).

The package of measures includes:

- registration of all users – involving establishing an individual employee’s identity through production of a "..."
variety of identity documents (passport, birth certificate, etc);
• two-factor authentication – the two factors are something you know (your PIN) and something you have (a smartcard or one-time password generating device called a ‘token’);
• enrolment onto a service (in the case of the DWP this will be the Customer Information System) by a business sponsor that is accountable within the local authority for this authorisation step; and
• operation of these measures within a “Trust Framework” (a series of policies that govern the operation of the service, standard of identity verification and token administration) and independent accreditation of this framework.

The DWP and other government departments will benefit from being assured that they know who is accessing their customers’ personal information.

By joining the Trust Framework EAS provides, local authorities will potentially benefit from having direct access to other central government information systems. Paul Howarth, Head of the Housing Benefit Strategy Division says: “We already provide desktop access to the DWP benefit and HMRC tax credit data to local authority users to improve the efficiency of benefits administration. We’re now looking at the potential to provide access to other information systems as well as widening access to these systems. EAS enables this because it provides the best security controls on user access.”

Timescales and milestones
Current planning for the DWP EAS project is as follows:
• the necessary technical changes to CIS to accommodate strengthened authorisation and authentication sign on process will be made in July 2009;
• piloting of the end-to-end service incorporating the CIS changes will take place in September to November 2009; and
• evaluation will take place in November and December 2009, with an earliest national rollout start of January 2010.

1. 86% of respondents to the Global Unisys Security Index Report poll said they were either worried or extremely worried about unauthorised access to, or misuse of their personal data.

In November’s issue of Insight you may have read about the successful In and Out of Work project pilots, and the decision by Ministers to roll out brand new processes nationally. A cross-government team involving Jobcentre Plus, HMRC and local authorities worked to streamline the way in which customers could access their benefit entitlements while moving into and out of work.

Under the new system, customers typically only have to contact one organisation, Jobcentre Plus, which collects information not just for jobseeker’s allowance and income support, but also for tax credits and housing and council tax benefits. Whereas historically, customers would have had to make multiple contacts to all three organisations to claim their benefits and credits.

New local authority areas have been coming on board at a healthy pace since national rollout was announced, and I have been speaking with colleagues involved who have been reflecting on their experiences. Tracy Bunton, the Principal Benefits Officer at Inverclyde Council says: “We read about the In and Out of Work pilots in various communications and immediately recognised the potential benefits for our customers. “Historically, employment patterns in our area show that a significant number of opportunities are for work which is only short-term. The new processes make it easier to re-calculate benefits as people move in and out of employment, so we were keen to adopt them to help encourage more people to take up work of this nature.”

In and Out of Work Project
The In and Out of Work Project is delivering groundbreaking processes in benefit administration. Sue Dexter reports on the national rollout.
It’s really impressive to see this kind of joined up working in action, and being so successful.

“Our staff have been really positive about the change, particularly when they realised how it was going to benefit our customers. From day one we saw real improvements.

“We were able to process into work claims within a day. Before, it could have taken three to four weeks. We have also seen improvements in the speed of tax credit payments.

“Colleagues involved in the pilots who helped to develop the processes have done a great job in creating a product you can use ‘straight out of the box’. I can assure other authorities ready to go live that it is a straightforward and worthwhile process to implement,” she said.

Colleagues from Government Connect are also working hard with the project and local authorities to ensure they have the Government Connect Secure eXtranet, the most secure method of sharing information safely and securely. Authorities must have this before they can introduce the new processes, and the project is working closely with Government Connect to ensure they are connected as soon as possible.

It’s really impressive to see this kind of joined up working in action, and being so successful with more and more local authorities signing up to rollout through 2009. Jobcentre Plus RIMs will continue to work with authorities to help them understand what they need to do to get involved, and all local authority chief executives have received a brochure and DVD about the project.

RIMs will support local authorities going live by helping to up-skill staff so they know how the new processes will work.

I am looking forward to reporting more news in the near future as we progress towards full national implementation, scheduled for completion by March 2010.

Tracy was impressed with the support her authority received during implementation: “We worked very closely with our Jobcentre Plus Regional Implementation Manager (RIM). This provided invaluable support to help us understand the new processes and up-skill our staff. It was obvious that Jobcentre Plus wanted to make this a real success for us.

Sue Dexter is on secondment to the In and Out of Work Project Team from the London Borough of Hackney Council. You can contact her on: 020 7340 4149 or by e-mail at: iow@jobcentreplus.gsi.gov.uk. For further information, visit: www.dwp.gov.uk and search for In and Out of Work.
For more information please visit: www.irrv.org.uk or call: 0207 611 8987
For exhibition and sponsorship opportunities please contact Vicki Parry on: 01908 306 500 or email: vicki@tregartha-dinnie.co.uk

IRRV CONFERENCES & COURSES

COLLECTION & ENFORCEMENT CONFERENCE
Harrogate, 2 – 3 June

WELSH CONFERENCE
Llandridod Wells, 18 June

INTERNATIONAL CONFERENCE
Warsaw – Poland, 23 – 24 June

SCOTTISH CONFERENCE
Crieff, 2 – 3 September

ANNUAL CONFERENCE
Bournemouth, 29 September – 2 October

AUTUMN PRE-EXAMINATION COURSE
29 October – 2 November

IRRV COLLECTION AND ENFORCEMENT CONFERENCE & EXHIBITION 2009

The IRRV would like to thank the following company for their sponsorship at the IRRV Collection and Enforcement Conference & Exhibition 2009:

exacta

Dept. assessment headaches?
We have the cure

Assuming your headaches are due to a slow-moving method of enforcement, real-time credit related issues need to be dealt with quickly and efficiently. An automated credit management system will help you to keep on top of credit control issues, saving both time and money.

exacta

You can find more information on exacta’s professional credit management services at www.exacta.com.

The IRRV

Incassco

www.incassco.co.uk
Parallel positions

Paul Dalling attempts to differentiate between the roles of an advocate and an expert witness

p22
From a purely selfish point of view the first thing to mention is that I have been elected as Chair of the Benefits Faculty Board, so those of you wondering why Kevin Stewart is not writing this, now you know! I am fortunate in that I have a strong vice-chair in Maureen Neave, and look forward to working together both with her and the rest of the Board members.

The three main subjects under discussion at the February Faculty Board meeting were Government Connect, the IRRVs recently published occasional paper on the future of benefit delivery, and the possibility of building future links with fraud investigation groups in England, Wales and Scotland.

We were fortunate that the Department for Work and Pensions (DWP) had a sizeable presence at the Benefits Conference both in the conference hall and the exhibition, and took the opportunity to invite Lee Grafton from the Government Connect project to talk to the Board.

To his credit, Lee was open and frank about the project, together with the recent letter that the DWP had issued, which had prompted a number of authorities to reach straight for the phone to tell him exactly how far they had got on the road to meeting the ‘CoCo’.

The important message coming from the DWP is that it will do all it can to assist authorities that are working and communicating with their department towards compliance and the ‘go-live’ of Government Connect.

The subject that generated the most debate was the IRRV’s occasional paper on housing benefit delivery, which President Julie Holden elaborated on in her address to the Benefits Conference.

The paper looks to ‘simplify’ benefits administration and focuses on four areas where the benefits administration system could be improved, by making it:

- easier to understand;
- easier to access;
- easier to administer; and
- more robust, to avoid fraud and over claiming.

I would urge you to read the paper and put forward your comments. It’s fair to say that we need to back such a paper up with hard evidence to support our arguments, and it is the experiences of benefits practitioners around the UK that will be more than valuable in achieving this.

It has been eight years since the Institute’s Benefits Inquiry published its recommendations on the benefits delivery, and we are still hammering on about making the benefits system easier, which is worrying. Perhaps we need to change our approach? I’d be interested to hear from you.

The Board has recognised that we don’t operate in isolation and recognises the excellent work that the Local Authority Investigation Officers Group has done in England and Wales, and what the Scottish Local Authority Investigation Officers Group has done in Scotland, in the field of benefit fraud detection and prevention. It’s early days, but we are looking to explore ways of working more closely with these bodies, and we hope that we can make meaningful progress. I’ll keep you posted.
Technology has undoubtedly improved service delivery, but Dave Hendy wonders whether we should refocus on more traditional activity.

Over the last few months I have been trying to identify ways of improving the quality of service that my team provides. I started with the obvious things like improving the claim form and making sure my staffing structure was complete and able to cope with our steadily increasing caseload. But my progress was seriously hindered by a document management system that took so long to turn over its screens that it would be quicker to rewrite the documents from scratch! So with the system now going forward, it’s time to consider further improvements.

In the last few days I have seen numerous demonstrations of the housing benefit ‘e-form’, but listening to the sales patter, I find myself wondering:

- whether my customers really find this type of claim route easier to handle?
- do my customers have internet access and can they use it comfortably?
- are my ‘grey perspectives’ (pensioners with active social lives to you and me!) going to be okay with these new e-forms?
- could we really recoup the savings they say we could make? and
- is it better to let customers take total control of filling in the e-forms, or to control their completion by arranging for all claims to be completed by benefit staff at assisted interviews?

A part of the process that I’m already convinced by, is the automatic download to the benefits system. It’s got to make sense to avoid the painstaking transfer of data from claim forms to screen, when with e-forms the data can be downloaded automatically and simply cross-checked against the verification framework quality proofs. Skilled benefit officers can then be used for decision making in the important aspects of contrivance and backdating.

But this unveils two further issues – whether I am effectively ‘dumbing down’ this spadework part of the job and whether the savings to buy the product realistically have to come from staffing reductions.

To overcome the issue I spoke to the customer service staff, as they are the ones actually speaking to the customers face-to-face, to get the results from a training needs analysis exercise which they had completed. I found the number of blank spaces, where the answers should be on the very first example, very alarming. On the positive side, training will improve the quality of some of their answers for the future.

Maybe for true improvements in service delivery, back to basics really is the best solution, and not all this hi-tech stuff – my grey perspectives are comfortable with paper and postages after all!

Therefore, my plan of action includes:

- a better letter-writing course, so that when proof letters are received, they will at least be understood and can then be chased up with telephone call-backs;
- improvements to our year-end letters; and
- implementing more operational telephone lines to ensure that we will be easy to speak to in the future.

If we had those e-forms we could do them over the phone too. I used to be indecisive but now I’m just not sure!

Dave Hendy IRRV is Benefits Manager with Herefordshire Council
So, where do we go from here on local income tax (LIT)? The Scottish Government’s decision to ditch the proposals for the remainder of the current session of parliament has been generally welcomed by professional bodies, leaders of business and industry and the trade unions, all of whom believed it would not work.

But plans to replace the council tax remain on the longer-term agenda. When finance secretary John Swinney stunned MSPs by announcing the u-turn during a statement on the local government finance settlement in February, he gave an undertaking that the Scottish National Party (SNP) would fight the 2011 election “to win a parliamentary majority that backs the abolition of the unfair council tax”.

There was no specific commitment to replace the council tax with LIT, though clearly that is the route ministers still want to take. Much will depend on the outcome of the next election and the SNP winning a further term, which remains a possibility in view of the general popularity of the current minority administration. If the party succeeds in winning in 2011, the size of its majority will be crucial in determining whether LIT can be pushed through.

In the meantime, the next two years could give the professional associations the chance to come up with a viable alternative to the current council tax system or to a LIT alternative. It will also allow the SNP to go back to the drawing board in an effort to try to remove some of the serious flaws that were inherent in its plans for a nationally-set LIT of 3p in the pound, or to find a better system.

In its submission to the Scottish Government, the IRRV maintained that a property-based tax remained the best way forward. The recently elected Scottish President of the Institute, Brian Jeffrey, believes the government may come under further public pressure between now and the next election to improve the council tax and remove some of the current anomalies. “In the shorter term, the government may want to look at certain aspects of council tax, such as a revaluation, and at certain aspects of benefits,” he says. “We have to seek the views of government on where we go from here, so the debate is still on. We would be quite happy to work on any developments the government may propose in the short term to either improve the council tax or reform it in any shape of form.”

Former Scottish President Ian Ballance agrees there is a further opportunity to look again at council tax. “I think there’s now scope for taking time to actually give a considered opinion as to whether the existing council tax as a property tax could be improved,” he says. “When the new SNP manifesto comes out, I’m sure there will be a commitment to replace the so-called ‘unfair’ council tax, but I think that there might be a move afoot to ask for opinions as to how best to replace it and what is going to work.”

Mr Swinney cited cuts due to be made by Labour at Westminster in Scotland’s block grant as one of the reasons for the U-turn, arguing that it would not be appropriate to introduce a new tax at a time of growing unemployment and it is probably too early to find any clues as to what direction the Scottish Government may take on local taxation, apart from its commitment to maintain a freeze in council tax bills.”

David Scott is a freelance journalist specialising in Scottish governance issues.
the worsening recession. He also acknowledged the problems of the parliamentary “arithmetic” in getting the proposed legislation approved. As a minority government with only 47 seats of 129, the administration would need to rely on the support of other parties and it appeared that would not be forthcoming.

While the Liberal Democrats support a LIT, they remain against the proposal to set the tax rate nationally. The party would be willing to agree only to a LIT that allowed the rate to be varied at local level.

Labour, the second biggest party in the parliament, is opposed to LIT but has yet to produce an alternative for consideration. The Scottish Tories have drawn up a council tax policy that would cut bills in half for pensioners and by an average of £150 year for more than two million households in Scotland.

As Brian Jeffrey points out, it is probably too early to find any clues as to what direction the Scottish Government may take on local taxation, apart from its commitment to maintain a freeze in council tax bills. What was a flagship policy has been put on the back burner at a time when there are greater priorities due to the credit crunch and an apparently worsening economic situation. In the meantime, it remains to be seen how long the existing council tax freeze can be maintained especially at a time when councils are facing increasing financial pressures.

1. Must be wholly or mainly used for the sale of retail goods, which includes premises selling alcoholic beverages and preparing or selling food.

The main revenues activity in Wales over the last few months relates to business rate amendments.

Preparations have begun in earnest for the next business rate revaluation. All business rate properties in Wales are due to be revalued as at 1 April 2008, to become effective from 1 April 2010. The Valuation Office Agency (VOA) will send the draft list to the billing authority by 1 October 2009 and this will shortly thereafter be available for inspection at the authority’s offices.

The timing of events is crucial, in that we will need to balance the draft list to account for all properties and identify any errors or omissions. The delivery of the actual list would usually be expected during December 2009/January 2010 to enable billing authorities to validate the contents. The VOA has produced a 2010 bilingual valuation ‘fact sheet’ for ratepayers to be included with the 2009/10 rate demand notices, which should be helpful.

Our small business rate relief scheme was subject to enhancements to create a more generous scheme:

<table>
<thead>
<tr>
<th>Business or property type</th>
<th>Rateable value</th>
<th>% relief</th>
</tr>
</thead>
<tbody>
<tr>
<td>All property</td>
<td>Up to £2,000</td>
<td>50%</td>
</tr>
<tr>
<td>All property</td>
<td>£2,001 - £6,500</td>
<td>25%</td>
</tr>
<tr>
<td>Post offices or businesses housing post office services</td>
<td>Up to £9,000</td>
<td>100%</td>
</tr>
<tr>
<td>Office</td>
<td>£9,001 - £12,000</td>
<td>50%</td>
</tr>
<tr>
<td>Credit unions</td>
<td>Up to £9,000</td>
<td>50%</td>
</tr>
<tr>
<td>Approved child minders/day care services</td>
<td>Up to £12,000</td>
<td>50%</td>
</tr>
<tr>
<td>Retail premises, including petrol stations and public houses¹</td>
<td>£6,501 - £9,000</td>
<td>25%</td>
</tr>
</tbody>
</table>

These changes are relatively straightforward to administer, with eligibility being determined solely by the rateable value or business type. There are, however, three potentially problematic issues with the administration of retail premises in the small business rate relief scheme.

First, in identifying retail premises, as described in the rating list may not be accurate, and deciding between businesses that provide a service and those which sell retail goods can be difficult.

Second, applicants are governed by the state aid rules, in that the sum of support provided by the UK government cannot exceed £160,000 in any three-year period.

And third, the applicant must certify that they are not receiving rate relief for any similar property in Wales, and if they are it is their choice as to which property will be eligible. Customers are obliged to complete an application form to confirm their status.

The changes are retrospective, and take effect from 1 April 2008. In recognition of the perceived administrative burden, the Minister for Social Justice and Local Government has agreed that each local authority will receive a payment of £4,545 to help towards any additional administrative costs, to be paid in April 2010.

At the time of writing we are led to believe that the Welsh Assembly Government will not follow the lead of its English counterparts and cap the level of rent increases for council tenants from 1 April. This initiative will cause many problems for authorities that have retained their housing stock, with rent increases having to be rescinded, and arrears and benefit recalculated to reset account balances to the value they represented at the 1 April, which assumes that the regulations will be retrospective and not be made until the 2009/10 financial year. If tenants default on their payments because they know they will be paying a lower rent in the future, who will underwrite the debt? I shall leave you to ponder that issue.
the capacity as expert witness might be adversely affected. There have been cases where the courts have been openly critical of the dual role practice².

Many courts have their own procedures and these are rooted in the Civil Procedure Rules. A Valuation Tribunal is not bound by these Rules so why do the roles need to be kept separate when the surveyor appears before it? The answer lies in the fact that the two roles are fundamentally incompatible.

Advocate
In your role as Advocate your duty is to your client. You have a duty to try to win the case and in doing so you will present the case in the best possible light. You must not deceive or mislead the tribunal and must not twist the evidence, but you are permitted “to put the most favourable construction on it”³. You must not, of course, give expert opinion in your role as advocate (except with the permission of the Tribunal).

The surveyor-advocate has a duty to assist the tribunal, to be truthful and to disclose all relevant legal authority, whether it supports the client’s case or not. Your case must be properly arguable although the argument you present does not have to coincide with your own view. You may even believe the evidence to be factually incorrect, provided that you do not know it to be.

Expert witness
The role of the expert witness was clarified in the case of National Justice Compania Naviera SA v Prudential Assurance Co. Ltd. The case is better known as the Ikarian Reefer, and concerned a refrigerated container ship that ran aground on 12 April 1985 and was subsequently destroyed by fire. The Prudential alleged that the vessel was set on fire deliberately. The case is useful for surveyors in that Cresswell J set out the duties and responsibilities of the expert witness in civil cases.

It is worth reading, but in a nutshell the role of expert witnesses is to provide to the court or tribunal independent assistance by way of objective unbiased opinion in relation to matters within their expertise, and to state the facts or assumptions upon which their opinion is based, not omitting to consider material facts.

The requirement is clearly one of neutrality and balance – a report that is “the independent product of the expert uninfluenced as to form and content by the exigencies of litigation”⁴.

The expert’s report must be truthful as to fact, honest and impartial as to opinion, and complete as to coverage of all relevant matters and this duty prevails above the expert’s duty to the client or employer.

Expert witnesses can only act in this capacity where they have the experience, knowledge and appropriate expertise and they have carried out such factual research as they consider necessary including, where appropriate, inspection of the property.

Where an inspection is required, it must be
carried out to the extent necessary to produce an opinion that is professionally competent. All reasonable efforts should be made to secure access and this implies that an internal inspection should be made if possible. The date or dates of inspection should be stated, as should the extent of access gained. If you are unable to inspect, do not neglect to mention this fact in your report and provide the tribunal with an explanation.

Within the report you must give the source of factual information relied upon. This could include literature, the opinion of others, surveys and probably even the floor plans, where somebody else has drawn them. The qualifications, relevant experience, knowledge and expertise of those persons should be stated and whether or not the survey has been carried out under your supervision.

How should the roles be separated in practice?

There are a number of practical solutions, including standing in a different place in the room to give evidence, or sit for one role and stand for the other, but many surveyors do not find these “solutions” very attractive. It is far more practical to use two separate documents on different coloured paper or at least with different coloured covers. If only one document is used then the parts must be so clearly distinguishable that they might as well be separated. You are also strongly advised to announce when you change from one role to the other. By informing the tribunal when your expert evidence begins, it will be clear which material can be tested by cross-examination.

It is also important to distinguish your roles by the language you use in each role. The advocate prepares and makes 'submissions' whereas the expert prepares a “report” (referred to as a “statement” in written representations).

The advocate uses words such as “I suggest” or “I submit that…” but should avoid using phrases such as “in my experience”, “in my view” or “in my opinion”. The advocate’s opinion is irrelevant. Opinion should be left to the expert witness, who will frequently say “In my opinion…” or even “I believe that…” or “I think that…”.

The material that you present should also help to make it obvious to the tribunal which role you are in at any one time. As advocate you will present any legal submissions and will use the evidence presented by the expert to support your client’s case using your full powers of persuasion.

As expert witness you will state the facts and offer your expert opinion. In this role you should steer clear of interpreting legal matters although you may need to state an understanding of a point of law if this forms an assumption behind your opinion.

By keeping the roles separate and discrete you will be fulfilling a duty to assist the tribunal making it easier for the members to come to a reasoned decision based upon the evidence and submissions presented.

Footnotes


“Roles not always compatible” Adam Ltd v Hockin (VO) (1966) 13 RRC 1

3. Sir Michael Rowe CBE QC; Adv GN4.9

Many managers and staff in revenues and benefits are completely sold on vocational courses, a credible alternative to the examination route to IRRV Technician status, as discovered during a discussion at a recent Southern Counties NVQ forum. For those that are yet to be convinced, I will attempt to give your fears some assurances.

**Bad past experiences?** Despite some teething problems in the beginning, as is the case with all new work streams, we are all now aware of how the NVQ actually works. A number of people working in Assessment Centres now have been involved in the process for over five years and have gained invaluable advice from other NVQ providers, awarding bodies and the candidates themselves to get the award where it is today. Through forums and the auditing process, a constant dialogue also remains between us and the IRRV.

**What will they learn?** The NVQ is all about the candidate proving that they know how to do their day job, and that they know why they are doing it. It isn’t sufficient that the candidate can tap away on their PC all day – they also have to know the background behind what they are doing, and in many cases the background behind other job roles in revenues and benefits.

There is a very strict audit process in place to ensure that all candidates meet the standards and requirements. This process involves the checking of candidates’ work, the work of the assessor (the NVQ tutor), and the work of the Assessment Centre as a whole. There is also a section within the NVQ that independently assesses the candidate on a specific area of the award.

The emphasis is on the quality of work the candidate provides, not the quantity. The process has been streamlined quite dramatically, without diluting the award itself, and most Assessment Centres observe candidates while they work. Candidates get involved in projects, take photographs and ask colleagues to write witness testimonies.

**Advantages of the NVQ**

Staff can often be put off recognised qualifications by having to sit exams and having to learn from lectures and textbooks. Therefore many qualifications are moving away from traditional examination assessment and towards “on the job” assessment. NVQs are about relevant and occupational work-based learning – so rather than traditional examinations which test memory, the NVQ will test the candidate’s ability to carry out work practices.

**And the benefits?**

As well as becoming a professionally qualified member of staff and an IRRV technician member, I have seen candidates get promoted to more specialised areas of work. This is not necessarily because they are now qualified, but because of the “can do” attitude which an NVQ brings about in a candidate, enabling them to think beyond their usual comfort zone and get involved in projects to improve the service they offer.

For more information on the IRRV NVQ programme and a list of Assessment Centres, contact: Lindsay Frankland on 020 7691 8981 or email: lindsay@irrv.org.uk.

---

“I can definitely recommend the NVQ route to obtain the IRRV Technician qualification if, like me, you prefer to carry out your everyday work and then write about it in depth, rather than sit an exam.

The qualification may have contributed to my promotion to Benefits Supervisor in 2007. As

*Jacqueline Harris*,
Swale Borough Council
As the government’s squeeze on local government continues, the number of restructures in both benefits and revenues departments is, not surprisingly, increasing. The taxpayer and the media both support the view that the public sector should have to face the same difficult decisions that the private sector is having to, and cut its cloth accordingly. The private sector, in the current climate, is often reacting to the fact that its business is contracting and it therefore needs to cut costs – restructuring is part of this process. With revenues, and particularly benefits, this is essentially not the case, as the economic downturn means that the business is certainly not contracting.

The impact of increasing benefit caseloads, and the difficulty with collecting revenue from taxpayers with falling income, means that in order to maintain or improve performance, additional resources and/or more effective use of the existing resources, is needed. The full impact of the recession is still largely unknown, and therefore restructures need to be flexible so that the service can respond to the situation quickly.

One by-product of the restructuring process is the need to achieve value for money, which the Audit Commission has identified as an essential requirement for local government. The Commission’s good practice guide suggests that cost-per-claim information for planning improvements in the benefits service should be a key measurement, and that these costs should be reported annually to elected members.

The advice also points to the need for these costs to be related to the relative complexity of the claim mix, which should provide a range of cost/claim ratios to be used for budgeting and resource planning purposes. This should also enable the authority to analyse areas of high cost compared to other authorities, and to identify areas where efficiency savings could be gained. If action is then taken it will allow the impact of the change to be monitored.

The initial reports from the Audit Commission show that the majority of authorities have some work to do in demonstrating value for money, and perhaps unsurprisingly, it is often those with the worst grasp in this area who are providing the poorest service. One aspect of proving value for money, which was highlighted by the Commission although it is frequently overlooked, is the need to continue to review alternative ways of delivering the service by using cost benefit analysis and options appraisals.

Change is nothing new, so what’s different about dealing with a restructure? The key difference is that the frequency, speed and scale of change during a restructure can often result in a service losing sight of its objectives, and its performance deteriorating as a result. There are many elements to implementing a successful restructure, but I will highlight two of the critical ones.

First, it is essential to prepare the service to accept and welcome the change. Effective communication is the answer to delivering a successful restructure and regular, credible and objective information is crucial to help deter any ‘rumour-mongers’. If staff are uninformed or do not see the necessity for a restructure, they are likely to be obstructive. Staff should also be invited to share some parts of the re-design. It is inevitable that there will be some uncertainty and turbulence during this period, but this may operate to good effect where it becomes clear that the new structure is to address a number of difficulties and issues that staff have been aware of. During this preparatory stage management need to be as open as possible, and making the process as participative as possible will enhance this.

Second, it is important to ensure that both management and staff recognise the abilities available and the extent to which they continue to be needed. Any specific training and development required for the new structure should be planned for, to ensure that the necessary training takes place, so that staff can feel confident where they will be undertaking any new role or activity. ▶
The local government shake-up

Between business rate hikes, the introduction of unitary authorities and new proposals to disclose staff salaries, there is much to discuss in the world of local government. **Pat Doherty** reports

**Business rates**

There is nothing like storing up problems for the future, and it seems to me that this is exactly what the government is doing with its proposal to allow businesses to spread payment of this year’s inflation uprating to business rates over three years. This, taken together with other measures that have been introduced to “help businesses meet the challenges of the current economic climate”, such as HM Revenue & Customs’ ‘time to pay’ arrangements in relation to National Insurance contributions, will mean that many businesses are storing up debt that will eventually have to be repaid and may well become a bigger problem to repay over time.

As we all know, under the existing legislation business rates are adjusted every April in line with the Retail Prices Index (RPI) for the previous September. According to the government, the new measures are designed to smooth the effects of the 5% spike in inflation that occurred in September last year.

The majority of independent economists expect RPI inflation, which has now fallen to 0%, to turn negative at the end of 2009, therefore the impact of uprating, if RPI is negative, would be to reduce total business rates in cash terms in 2010/11. However, the government considers that many businesses also need help now to ease cash flow. This may well be true but it could have been recognised earlier, and certainly before local authorities issued their bills, and the RPI increase reduced accordingly instead of introducing this halfway house, which will no doubt create administrative problems for billing authorities.

Business ratepayers will be able to defer around £600m across 1.6 million properties, boosting their cash flow for the current year. This will include measures to allow those affected by the end of the 2005 transitional relief scheme to also spread payment of the increase in their bills over a three-year period.

Secretary of State for Communities and Local Government, Hazel Blears, said: “It’s vital that we support businesses as they navigate their way through this tough financial climate. The steps we are taking today will provide them with real help now, by giving them the flexibility to defer part of this year’s increase in business rates, and manage the financial pressures that they are facing.”
The biggest single day shake-up in local government since 1974 was marked on 1 April 2009, when nine councils replaced 44 to serve over three million residents.

According to government press releases, “from Cornwall to Northumberland, this move will boost services, cut red tape and waste and capitalise on stronger leadership and value for money, crucial in tough economic times”.

I am still not sure that I believe this, because when I look at things like performance indicators it seems that it is the smaller local authorities that have better performance. Aren’t smaller organisations, by definition, closer to the public than some largely centralised organisations?

Having said that, the theory is that stripping out a layer of local government will also strip out public confusion about who to speak to about local services – from bin collections to businesses. Councils will have a renewed emphasis on:

- making multimillion pound annual savings;
- providing better services and stronger leadership to tackle key issues in their communities; and
- putting local people centre stage in decision making.

But it is of course only a theory, and it will be interesting to see what the facts are in say three or five years’ time.

As a result of the changes, nearly two thirds of England will be under ‘unitary’ governance, like Scotland and Wales, with the North East being the first English region to be fully unitary.

Local Government Minister John Healey said: “The acid test now will be whether these councils deliver their promises, including better services, leadership and achieving more for less, as I, and more importantly their residents, expect.”

I have to say that I agree with his comment – we shall wait and see.

---

**Unitary authorities**

The biggest single day shake-up in local government since 1974 was marked on 1 April 2009, when nine councils replaced 44 to serve over three million residents.

According to government press releases, “from Cornwall to Northumberland, this move will boost services, cut red tape and waste and capitalise on stronger leadership and value for money, crucial in tough economic times”.

I am still not sure that I believe this, because when I look at things like performance indicators it seems that it is the smaller local authorities that have better performance. Aren’t smaller organisations, by definition, closer to the public than some largely centralised organisations?

Having said that, the theory is that stripping out a layer of local government will also strip out public confusion about who to speak to about local services – from bin collections to businesses. Councils will have a renewed emphasis on:

- making multimillion pound annual savings;
- providing better services and stronger leadership to tackle key issues in their communities; and
- putting local people centre stage in decision making.

But it is of course only a theory, and it will be interesting to see what the facts are in say three or five years’ time.

As a result of the changes, nearly two thirds of England will be under ‘unitary’ governance, like Scotland and Wales, with the North East being the first English region to be fully unitary.

Local Government Minister John Healey said: “The acid test now will be whether these councils deliver their promises, including better services, leadership and achieving more for less, as I, and more importantly their residents, expect.”

I have to say that I agree with his comment – we shall wait and see.

---

**Salary disclosures**

There appears to have been a typical knee-jerk reaction from the government to all the recent fuss in the press about the salaries paid to local authority chief officers. It has announced a consultation paper proposing a new level of disclosure for senior officers in terms of salary, bonuses, additional payments, benefits in kind, compensation/ex-gratia payments, and pension entitlements.

Public bodies are not currently required to set out remuneration packages for individual senior employees in their annual accounts, whereas listed companies in the private sector are required to disclose information about basic pay, pensions and the bonuses of directors, by name, in their financial statements. Similarly in central government, the Financial Reporting Manual issued by HM Treasury requires departments to disclose the names and detailed remuneration information for the permanent secretary and senior officials and members of the Board, within £5,000 bands.

The current remuneration requirement on public bodies only requires a count of the number of staff earning over £50,000 a year in £10,000 bandings.

The government proposes, through amendments to the existing secondary legislation, to make it a requirement to include in the financial statement a report of the salary, bonuses, additional payments, compensation/ex-gratia payments, benefits in kind, and pension information for each ‘senior’ employee from 2009/10.

According to the consultation paper, the extent and focus of disclosure would be comparable to central government for the most senior and highly paid individuals.

The intention is that the new requirement will require remuneration reporting on the head of paid service, and the officers in the organisation who are required to report to the head of paid service, including, where appropriate, interim managers and consultants.

So look out, many of you will soon have your names in print, and may become famous locally for all the wrong reasons!
Let me start this article by offering a distinction between crisis and risk management. Crisis management consists of skills and techniques required to assess, understand and cope with a ‘serious situation’ from the moment it occurs to the point that recovery procedures become effective. Risk management is a more structured approach to managing uncertainty with the objective of introducing procedures to minimise the likelihood of a given event actually occurring in the first place.

It’s not unreasonable to suggest that crisis management is a facet of risk management – as the two undoubtedly overlap – but effective risk management should make crisis management easier. However, there will be occasions when unforeseen risks will demand crisis management skills.

To illustrate the distinction of skills, I often highlight the political career of Winston Churchill who, in times of crisis, led the UK to victory in World War II. However in 1945, he lost the general election, simply because people did not see him as the man to lead the nation in peace and address the risks around issues of employment, housing, food shortages and economic redevelopment.

Racing around the world is not without its risks, and as the Clipper Race is now the only event open to non-professional sailors, risk management is even more important. Over the last decade, Clipper Ventures plc, as race organisers, have refined a training programme that is second to none, and produced enough ocean racers to safely circumnavigate the world in six consecutive races. There is no event open to non-professional racers to safely circumnavigate the world, to be installed in good time for the race to resume. And if that was not enough of a challenge, Clipper discovered that the only factory to make these masts, situated in South Africa, had been destroyed in a fire the week before! So three management skills came into play – crisis management, risk management and contingency planning.

Potentially the most serious incident occurred as leg three got underway in the 2007/8 Race from Durban to Fremantle. Some 500 miles from port, in the Southern Ocean, the foredeck crew on Glasgow Clipper were undertaking a sail change under difficult conditions and one crew member was thrown off balance by a wave and found himself hanging over the rail. The crew members which came to his aid grabbed hold of him by the shoulders of his life jacket and tried to lift him. But as the life jacket and lifeline came away, the crew member fell back into the water and drifted off into the darkness. What could have been a complete disaster was turned into a success, in terms of crisis management, thanks to the training prior to the race and some superb leadership from the skipper. It normally takes 12 minutes to turn a 68 foot racing yacht around and in cold waters the body will usually only survive for five. In this instance, the waters were still warm – almost tropical – and the boat was turned around in less than nine minutes. A combination of audible and visual awareness helped them locate the casualty and get him back on deck.

The lifejacket, of course, should never have become detached and this sparked a further investigation – risk management for the future. The lifejacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way as the jacket was examined and found to have a faulty clasp which had given way.

The safety rule “one hand for you and one hand for the boat” is virtually tattooed on to our brains. Life jackets are worn on deck at all times, and at night we secure ourselves to the boat with a lifeline. No exceptions. During training, we regularly rehearse “man overboard” drills and other emergencies because we know that the race will not pass without incident and it is how we deal with those incidents that determines the safety of our team.

For example, during a daily safety check in the Pacific during the 2005/6 Race (the first race using the current fleet of boats) a skipper located a loose keel, which is pretty fundamental as the keel is the part of the boat that prevents it capsizing. Repairs were carried out and other skippers notified. Others reported similar problems and, as a precaution, the fleet diverted to Manila for a detailed safety check before the race was allowed to restart.

Similarly, in the last race, two boats lost their masts mid-Pacific and while one was close enough to motor to Hawaii, another had to divert to Midway Island just to take on enough fuel to complete the same journey. The whole fleet rallied to make sure that both boats were able to reach port safely and only after thorough safety checks, was the race allowed to resume. Camaraderie aside, the most impressive part of this exercise was the logistical task of sourcing replacement masts and transporting them half way across the world, to be installed in good time for the race to resume. And if that was not enough of a challenge, Clipper discovered that the only factory to make these masts, situated in South Africa, had been destroyed in a fire the week before! So three management skills came into play – crisis management, risk management and contingency planning.
Perfecting crisis management is one of the ultimate challenges in team building and leadership. Luckily the Clipper Race provides the best training local government practitioners could ask for. Andy Milner reports

- a good example of crisis management feeding into risk management to reduce the likelihood of future crisis.

In local government, the risks are diverse but generally manageable. Fire or flood may impact on the availability of our offices, while industrial action or pandemic flu may impact on the availability of our workforce. Essential services, such as refuse collection, need to be maintained, and since benefit claimants rely heavily on financial support they receive from us, there has to be a secure and auditable system for payment totally independent of your current database (although in practice it will probably mirror that system in both the technical and literal sense of the word). Risk management also arises at community level and most authorities have plans to address transport-related disasters, oil or chemical spillages, flood, fire and even terrorism. As with the Clipper Race, it is no use having these plans and procedures unless you regularly carry out exercises. This ensures not only that your own teams understands and demonstrates competence in their role, but that there is an understanding with other public service agencies to ensure that the safety and care of local residents is paramount.

Don’t forget you can follow my training at www.meridian360.me.uk and read more about our Rainbow charity at www.rainbowcentre.org.

Andy Milner is Area Co-ordinator (Chandler’s Ford & Hittingbury) with Eastleigh Borough Council
Since 1 April 2008, the Key Lines of Enquiry (KLOE) framework has provided a fresh way of examining the overall quality of service to customers. Although challenging, the criteria for judging the service have been widely accepted. Many councils have undertaken their own self-assessment against the KLOE, and while not wanting to discourage any activity which ultimately leads to improvement for customers, the Commission is very mindful of the government’s wish to reduce the burden of regulation on councils. Self-assessment is only requested where an inspection is undertaken. As the Commission reviews its approach to inspection for the future, it is unlikely that self-assessment will feature at all.

The funding agreement with the Department for Work and Pensions allowed the Commission to undertake up to 35 inspections in 2008/9. Our risk assessment process means that we have looked at the potential to inspect many more sites (around 80), but we will only undertake an inspection where we think it will make the most difference. The final total is 15, which largely reflects our risk-based approach. It also takes into account the additional time taken in staff training, shadowing, meetings with councils, expectation management and the problems associated with getting up-to-date performance information.

At the time of writing, eight reports have been published. The scores (six rated as ‘poor’ and two as ‘fair’) reflect the risk-based approach to inspection. The second judgement, looking at future prospects for improvement, has been more encouraging. Three ‘promising’ judgements indicate that our inspection teams are confident that the right measures are being planned to secure improvement.

From the inspections already completed, we strongly recognise that the managers and staff running the services really do care about the service being provided to benefits customers. So what about the general trends on issues arising from these early inspections? It is early days, but some themes are emerging, which are detailed, right.

### Performance
There was previously a perception that achieving a high performance standards score alone was enough. While recognising the value of the standards in setting a useful framework for benefits, there are many other issues which a good benefits service can contribute to. The benefits score has, in some cases, detracted from the wider contribution the service can make to area priorities. This is even more important given the new performance framework with fewer national indicators.

### Access and customer care
At times of economic pressure, good access to benefit services is essential, but our inspections have revealed that people are facing difficulties accessing the service. Speaking to staff on the telephone seems a particular issue. Other challenges exist around ensuring the service is accessible for all local residents. Almost without exception, the feedback about front line staff service has been positive.

### Customer engagement and satisfaction
In order for services to meet the needs of the public, it is important that local people’s views are taken into account when deciding upon service design. Services tend to be designed around what councils perceive is needed, rather than as a result of a dialogue with customers. There has also been little evidence of active customer satisfaction measurement to use as a basis to identify improvements.

### Benefit take-up
Traditionally, take-up campaigns have been ad-hoc and not strategically driven. However, effective campaigns can bring much needed money into local areas (the Citizens Advice Bureau estimates that 78p in every £1 is spent locally). Performance management principles also need to be applied to take-up campaigns, so that effectiveness can be measured, and lessons learned for the future.

The one-year anniversary of the transfer of inspection responsibilities from the Benefit Fraud Inspectorate to the Audit Commission has now passed. **Tim Savill** reflects on the changes and challenges for councils under the new process.
Local authorities need to act now before their work becomes unmanageable.”

Our approach to inspection is still developing, and we have successfully piloted the use of Tenancy Inspection Advisers (TIAs), which already undertake an important role in our housing inspections, and help to identify issues that impact on users of the service. Their experience in engaging with customers and stakeholders was a particular strength. The TIAs will also assist with our ‘mystery shopping’ as part of the inspection process.

Significant issues are now emerging. The profile of benefits is even more important at times of economic downturn, when more people are in need of financial independence and staying economically active. And this will remain a significant issue for local areas as we move into the new Comprehensive Area Assessment framework.

We will fully evaluate our learning and use this information to help generate further improvements. We expect publication of this to be available in the autumn of 2009.

Tim Savill is National Lead (Benefits) with the Audit Commission. Contact him on: 07876 144849

“From the inspections already completed, we strongly recognise that the managers and staff running the services really do care about the service being provided to benefits customers”

Value for money (VFM)
A particular focus of some early inspections has been to link issues such as local authority error subsidy penalties with VFM generally. Local taxpayers have incurred significant costs where the service has exceeded the threshold limits (over £23m in 23 councils which exceeded the threshold in 2006/7 and 2007/8). There was also a view that VFM is just about cost – not recognising that performance and satisfaction were also important. Weak overpayment management has also featured strongly as an issue in our early work. Councils are not always demonstrating the same robust collection of money for benefits debt as with other debts – such as council tax.

Performance management
A range of issues has emerged where a more focused approach to managing performance would assist improvement. There has tended to be a lack of challenging improvement targets and little performance information being shared with customers.

Equality and diversity
As councils strive to improve their performance against the local government equality standard, benefits services are making their own efforts to meet the needs of the whole community. However, we have found that local demographic information is not always being used to target improvements in service, for example, through take-up campaigns. Help for more vulnerable people through Discretionary Housing Payments is not applied consistently. We have found examples of the scheme being under utilised and budgets not being closely monitored so that help can be maximised.

Our approach to inspection is still developing, and we have successfully piloted the use of Tenancy Inspection Advisers (TIAs), which already undertake an important role in our housing inspections, and help to identify issues that impact on users of the service. Their experience in engaging with customers and stakeholders was a particular strength. The TIAs will also assist with our ‘mystery shopping’ as part of the inspection process.

Significant issues are now emerging. The profile of benefits is even more important at times of economic downturn, when more people are in need of financial independence and staying economically active. And this will remain a significant issue for local areas as we move into the new Comprehensive Area Assessment framework.

We will fully evaluate our learning and use this information to help generate further improvements. We expect publication of this to be available in the autumn of 2009.

Tim Savill is National Lead (Benefits) with the Audit Commission. Contact him on: 07876 144849
Ownership

issues

The case of Kinsley v London Borough of Barnet was heard before His Honour Judge Raynor QC (Sitting as a High Court Judge) on 20 February. Mr Kinsey was appealing against a decision of London North West Valuation Tribunal that he was liable for £4,300 of council tax (CT) between April 2000 and March 2005. This case was straightforward and had given rise to a disproportionate amount of litigation: committals, judicial reviews, case stated, High Court appeals against the committal warrants, as well as this case. Mr Kinsey had made a formal representation to Barnet LBC that he should not be held liable for CT on the subject property: “…I am not liable for payment of those taxes because, (1) I was not in occupation at the relevant times, (2) the liable persons occupied the property at the relevant times, and (3) the council was fully aware that the liable persons occupied the property but deliberately ignored it.” Barnet is stated to have responded: “Our investigations show that you are the legal owner of the above property … and I understand you are not disputing this fact. To dissolve your liability to pay council tax, you would need to prove that this property was not your sole or main residence and there was another person in the property who was their sole or main residence. This would also need to prove that you were subject to a council tax charge elsewhere and that you were paying that charge.” That part of the response seemed to miss the point that he contended tenants occupied and should be liable. However, Paul Russell evaluates some recent appeals to the High Court against Valuation Tribunal decisions concerning council tax matters.
it went on to say: “My visiting inspectors and external bailiff companies have visited the property and never found proof of an established tenancy, however the information they did obtain has led us to believe that the above property is let on a room basis only, and this also raises a Council Tax charge to the owner.”

Mr Kinsley then appealed to the Valuation Tribunal (VT).

At the VT hearing, the council (for some bizarre reason) changed its response from holding Mr Kinsley liable under Class C to the Liability for Owners regulation (HMO) outside the case made, and without any period. This was an extension of the appeal one’s sole or main residence throughout that period. This was an extension of the appeal to hold that Mr Kinsley was liable under s6(f) on the basis that it found that it was no-

Mr Kinsley then appealed to the Valuation Tribunal (VT).

In giving judgment quashing the decision of the VT, His Honour Judge Raynor said: “... given the way the local authority conducted its case before the Tribunal, I do not think that it was any business of the Tribunal to extend its enquiry in the way that it did. The local authority was well able to decide, as the taxing authority, how it wished to present its case. It made the positive decision that it would proceed against Mr Kinsley in one way only, and that is under s6(2)(a). Mr Kinsley had the legitimate expectation, given that that was the way that the case had been presented and defended, that he would win his appeal if the local authority failed to make good its case.”

Judge Raynor said that an injustice had been done to Mr Kinsley as the local authority had produced no evidence that he had ever lived at the property, and so he had a legitimate expectation that he should win his appeal.

Judge Raynor also heard the case of Lever v Southwark London Borough Council, judgment of which was given on 26 February 2009. This case was somewhat more straightforward.

The subject matter concerned the CT (Prescribed Classes of Dwellings) (England) Regulations 2003 (SI 2003/3011) and the protection against a reduction in discount on second homes where the property was ‘job-related’.

Mr Lever is a director (as are his daughters) of the investment company which owns the dwelling concerned and he contended that he fulfilled all the criteria necessary under paragraph 1(1)(a) to the schedule to those regulations, which says: “(a) where it is necessary for the proper performance of the duties of the employment that the employee should reside in that dwelling.”

The dwelling is a modest one-room flat and provides overnight accommodation and use for the purposes of the business of the company when one of the directors is present. The VT had held that: “It is the tribunal’s decision that from the evidence presented both verbally and in writing that Mr Lever’s business work could be operated from other dwellings equally as well as 26 River Court. There must be a link established between the duties of employment and the particular property in which the employee is living, such that it would be impossible to carry out the duties if he were living in a different property. In this case it is a matter of personal choice and not a matter of employment dictates.”

In dismissing Mr Lever’s appeal, Judge Raynor provided some useful guidance on the intention of paragraph 1(1)(a) by saying: “Paragraph (a), it seems to me, is intentionally restrictive. It must be necessary for the proper performance of the duties of employment that the employee should reside in that dwelling. I believe that the provision is intended to refer to dwellings that are connected with the duties of employment – for example, a dwelling provided in the grounds of a care home, where the employee has to go into the care home in the course of his work; another example would be a dwelling which is provided in the grounds of a school.

“In every case residence in the dwelling concerned has to be necessary for the proper performance of the duties. That is my first reason for upholding the tribunal’s decision. The second reason why I think that the tribunal was right in saying that the case was not within (a) is that I do not believe, on the facts, that Mr Lever actually resides in the dwelling. Residence connotes a situation of some permanency; it does not mean that you stay there occasionally, sometimes twice a month, sometimes twice a week. You must reside there. If anybody asks, ‘Where does Mr Lever reside?’, on the facts presented to me, the answer would be plain: he resides in his home in Gloucestershire and he uses the flat in London for occasional stays in connection with his directorship.”

Since 2003, when local authorities were given the power to reduce the 50% discount on second homes and long-term empty properties, there have been many applications by tax payers for the protection of their discount against reduction under this provision. This judgment should assist local authority officers in making informed decisions on whether or not a job-related discount protection applies in the circumstances of each case.

“Legal corner”

Paul Russell LLB, IRRV is an independent specialist law consultant and can be contacted at: paul-russell@btconnect.com
Times are hard for business ratepayers, but some are looking for ingenious solutions, as Kate Miller discovers

From: Mark Pockley, Chairman, Dogsbury Town Association Football Club
To: North Southbury District Council Revenues Department
Good morning. Err, this rates bill. It doesn’t come at a very good time.

From: Tina Tanner, Assistant Revenues Manager, North Southbury District Council Revenues Department
I think you’ll find that our demand notices are issued at the same time each year, in line with our quality assurance best practice certificate.

From: Mark Pockley
To: Tina Tanner
I mean it arrives at a time when the club’s finances are not in the best of health. I’m not saying we can’t afford to pay, I’m just saying we would like a few weeks’ grace, in the light of certain events that are about to transpire.

From: Tina Tanner
To: Mark Pockley
Could you be more specific about these events?

From: Mark Pockley
To: Tina Tanner
I mean it arrives at a time when the club’s finances are not in the best of health. I’m not saying we can’t afford to pay, I’m just saying we would like a few weeks’ grace, in the light of certain events that are about to transpire.

From: Mark Pockley
To: Tina Tanner
Could you be more specific about these events?

From: Mark Pockley
To: Tina Tanner
I mean it arrives at a time when the club’s finances are not in the best of health. I’m not saying we can’t afford to pay, I’m just saying we would like a few weeks’ grace, in the light of certain events that are about to transpire.

From: Mark Pockley
To: Tina Tanner
I did actually have the money set aside for the rates bill but unfortunately I had to dip into funds to pay Neil’s credit card, as these negotiations seem to have mainly taken place in the Desert Sands Holiday Inn Oriental Bar and Casino. However, I can confidently say the whole district will benefit from this opportunity for Dogsbury. I predict the boost to the local economy, what with building work at the club, hospitality for the sheikh and his guests, a rise in estate agents’ business once our new players start arriving, will result in a major increase in your business rates revenue next year.

From: Tina Tanner
To: Mark Pockley
We’ll look forward to it.

From: Mark Pockley
To: Tina Tanner
Now, who do I speak to about planning permission for a helicopter landing pad?

From: Kate Miller
To: The Editor
Weil, he doesn’t know a lot about football, but he liked the fact that Dogsbury is near Manchester. Give or take 100 miles. As Neil explained to them, they can get so much more return on their outlay by investing in a small club with potential. Just think of the media attention when little Dogsbury crashes into the Premiership!
Get Qualified . . .

Study for the IRRV (Level 3) Certificate in Local Taxation and Benefits

Distance Learning v Day Release in London

Syllabus

The qualification structure is as follows:

Revenues Pathway
- Revenues and Benefits Administration
- Council Tax Law
- Housing and Council Tax Benefits Law
- Non-Domestic Rating Law

Benefits Pathway
- Revenues and Benefits Administration
- Council Tax Law
- Housing and Council Tax Benefits Law
- The Prevention and Detection of Housing and Council Tax Benefit Fraud

Valuation Tribunal Pathway
- Valuation Tribunal Administration
- Valuation for Rating
- Council Tax Law
- Non-Domestic Rating Law

The Certificate in Local Taxation and Benefits is for Local Revenues and Benefits staff up to middle management level. It has been accredited in England, Wales and Northern Ireland by the QCA, and it may be taken as a freestanding qualification or as a stepping stone to study for the Full Professional Qualification.

QCA
Qualifications and Curriculum Authority

Spotlight on studying by Distance Learning

Who? ....... Local Revenues and Benefits staff wishing to obtain a professional qualification
How? ....... Electronic Distance Learning
Where? ....... Throughout the UK (wherever you have internet access)
When? ...... Enrol at any time of the year
Price? ...... £315 plus VAT per subject


Spotlight on studying by Day Release in London

Who? ....... Local Revenues and Benefits staff wishing to obtain a professional qualification
Where? ....... Central London
When? .... October 2009 until May 2010
Price? ...... £895 plus VAT


For more information regarding studying in other locations throughout the UK call 020 7691 0980 or visit www.irrv.org.uk/courses
Do You Manage Performance?

If you don’t - we can help. If you do - we can help you improve.

We are the LEADING SUPPLIER of remote processing services for Revenues & Benefits, and our clients expect EFFECTIVE MANAGEMENT AND REPORTING of our staff performance and quality levels.

To meet our clients’ expectations we have a fully functional Performance Management & Quality Checking system that -

- Is now available to all Local Authorities
- Has the ability to set targets and monitor performance
- Identifies the strengths & weaknesses of individual staff
- Control how many QA checks are selected for each person
- Automatically notifies the results to relevant users and team leaders/managers
- Can drill down, analyse vital information and produce reports in real time.

Interested to learn more?

If you would like an on-site demonstration or a no obligation trial contact us at RB Solutions on:

0161 3317400 or sales@rbsolutions.uk.com
or visit our website at www.rbsolutions.uk.com