THIS PAPER RELATES TO ITEM 11 ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 23 June 2016

Subject: Annual Review of Debtors 2015-16

Report by: Head of Housing & Community Safety

1.0 Purpose

- 1.1. The purpose of this report is to provide Council with an update on income collection and to propose the "write off" of those arrears considered irrecoverable or 'bad debts'. The report also sets out the main improvement actions being undertaken to either sustain or improve performance.
- 1.2. The presentation of this report is a key milestone in the preparation of the Council's financial statements which needs to be approved by end of June each year.

2.0 Recommendations;

- 2.1. It is recommended that Council:
- 2.1.1 Note the trends in income collection levels and related arrears positions,
- 2.1.2 Amend the Corporate Recovery and Write Off Policy, to allow the Service Manager to approve the write off of small council tax balances under £20, where the debt is over two financial years old and all recovery action has been exhausted (paragraph 5.5)
- 2.1.3 Approve the write off of 252 Council tax accounts, totalling £5,941 (paragraph 5.6)
- 2.1.4 Approve the proposed write off of £774,444, which represents 1.06% of the total Council income raised in the year (Table 2)
- 2.1.5 Note and comment as appropriate on the matters raised in the report.

3.0 Background

- 3.1. This report provides the annual update of the income and debtors position during 2015/16. It proposes the write off for the financial year 2015/16 and updates members on the improvement actions being undertaken within the Revenues service.
- 3.2. The Revenues team within the Housing & Community Safety Service collects income and arrears for council tax, sundry income/debtors and some council house rents. The management of rent for current tenants is gradually being

integrated into the tenancy management function. This work will be concluded later in the financial year. The revenues team also collects Non Domestic Rates (NDR) on behalf of the Scottish Government under the current rates pooling system and Water Service Charges (collected with the Council Tax) are collected on behalf of Scottish Water under direction from the Scottish Government. The team also invoices for the local Business Improvement Districts (BIDs).

- 3.3. During 2015/16, £72.899m of charges were raised in total by the Council, which is an increase from £72.260m in 2014/15.
- 3.4. The value and volume of billing has increased across all main income streams throughout 2015/16. This has been as a result of a reduction in the amount of council tax discounts given, for example through the targeted work on reviewing single persons discounts and a reduction in discounts given to properties classed as a second home or a long term empty property.

4.0 Collection Position and Debt Position

Council Tax

- 4.1. Council Tax and Water Service charges are levied on each domestic dwelling within Clackmannanshire. There are 24,138 such dwellings and the annual charge levied against these residential properties amounts to £30.57 million, an increase from £30.07 million for 2014/15.
- 4.2. One key performance indicator used to measure the council tax collection rates performance is the in-year collection rate. This represents the amount of council tax collected in the year as a percentage of the amount raised in the same year. For 2015/16, the Council's collection rate was 95.77%, an increase of 0.8%, from 94.97% in 2014/15. This represents the highest in year collection rate since 2009. This is the result of a greater focus on recovery processes, improvements made to the IT system, and better engagement with new sheriff officers.

Table 1 Debt Trend over Three Years

Debtor	2013-14 £000 ¹	2014-15 £000 ¹	2015-16 £000 ²
Council Tax	9,576	10,302	10,531
Sundry Debtors	2,381	3,063	3,358
Rent Arrears	2,124	2,477	2,710
Total Gross Debtor	14,081	15,883	16,599
Total Provision	(8,645)	(9,562)	(10,612)
Total Net debt	5,436	6,321	5,987

¹ These figures are post audit figures and reflect the position on the Council's Financial Statement

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² These figures are draft and are still subject to change as part of the 2015/16 external audit of the Council's Financial Statements

- 4.3. The Council's debtors' position is reported as both a gross and net position. The gross debtor reflects the total amount due to the Council.
- 4.4. The net debtor reflects the amount that the Council realistically expects to recover. The difference between these two figures is the debtor provision which is a prudent calculation of debt that is not expected to be recovered. The net debtor position is recognised as the best reflection of debts that can be recovered.
- 4.5. For 2015/16, the figures are draft and still subject to audit. They also incorporate the proposed write off of £774,444 to show a comparable position of the gross and net debtors over the three years. Each year there is adequate provision made against the debtor. The key indicator for debtor performance is that of net debtor, which is not affected by any write off.
- 4.6. Collection for Sundry debtors showed a slight decline from 73.95% to 73.84% at the end of the year. Performance was adversely affected by the significant proportion of invoices raised in quarter 4 which results in insufficient time for collection and / or recovery activity. Improvements in corporate processes will be made to avoid a repeat of this. NDR collection showed an increase from 97.26% to 98.15% due in part to a more pro-active approach being taken to eligibility for business reliefs.
- 4.7. As members noted in previous reports, a significant area of concern during the year was declining housing benefit performance. Audit Scotland also sought assurances during the year that appropriate action was being taken. These assurances were provided and performance greatly improved during quarter four. The new Service Manager led the team on a 'Vanguard' review of processes which resulted in significant improvements in the last two quarters of the year. These improvements now need to be fully embedded into working practices, and Members will be updated on performance during the course of the financial year.

	Q4	Pre/post	Overall
		intervention 12.10.15	Year 15/16
New Claims Clackmannanshire	14	43 / 19	34
Scottish Average	24		24
Change of Circumstances Clackmannanshire	3	30 / 4	14
Scottish Average	10		10

4.8. The service has also completed a Vanguard review of the Council tax process and the team are looking to start experimenting with new ways of working in July this year. This will involve removing the separation between the billing process and recovery to make the process more streamlined for the customer.

5.0 Annual Write Off

5.1. As part of the Corporate Recovery and Write Off Policy that was approved by Council in January 2012, all debt that is deemed as irrecoverable will be identified

- and presented to members annually to be written off. In doing so, the Council follows general accounting principles ensuring that all reasonable recovery actions have been undertaken prior to the identifying a debt for write off.
- 5.2. The Corporate Recovery and Write Off Policy also provides that the Section 95 officer will make adequate provision for such irrecoverable debts. All the debts as detailed below have been fully provided for.
- 5.3. The following table identifies the proposed write offs for each income stream for 2015/16, together with a comparison for the write off approved for 2014/15. The 2015/16 Statement of Accounts reflects the net debt position. More detail for each income stream along with the reasons for the write off are set out in Appendix B.

Table 2 Proposed Write-offs for 2015/16

	Approved 2014/15	Write Off	Proposed 2015/16	Write Off
Type of Debt	Number of accounts	Value	Number of accounts	Value
Council Tax	726	285,604	1,056	348,233
NDR	37	76,438	48	218,816
Sundry Debt	129	41,098	253	96,948
Former Tenant Arrears	41	33,652	111	110,447
Total	933	436,793	1,468	774,444

- 5.4. The write off for each category of income represents the following percentage of total debt raised:-
 - Council Tax write off represents 0.48% of the total charges raised,
 - Non Domestic Rates represents 0.3% of the total charges raised.
 - Sundry Debt represents 0.13% of the charges raised,
 - Former Tenant Arrears represents less than 0.6% of the total rent raised in year.
- 5.5. Following the work with Vanguard Scotland and the team, there are a considerable number of Council Tax accounts where there are penny and/ or very small balances. The team have reviewed accounts which are older than 2 financial years old, the balance is under £20 and all recovery action has been exhausted. Some of these low balances have been caused by back year benefit adjustments that in most occasions the Council Tax System carries out automatically, following DWP benefit updates. Given that it would be a significant challenge to explain these balances to customers who may feel they have complete clear balances, then it is felt prudent to write these accounts off, especially since the sheriff officers don't pursue individual debts under £20. There are 3,922 accounts which have a value of £22,617 and the average write off is therefore £5.77.
- 5.6. Moreover, the work that we have carried out with Vanguard identified in 252 accounts, where customers have been informed that their balance our amount due will be written off. The value of these accounts is £5,941. These balances were not brought forward in those years for Council approval. Given

that the average balance is £23.58 and we have notes detailing the decision and customer being informed of a clear balance it is felt prudent to bring these accounts forward for write off at this stage. The highest balance affected is £825. To decide to not write off these accounts could cause significant customer service challenges.

5.7. In accordance with the Corporate Recovery and Write off Policy a full record of each write off is retained by the Revenue Team to allow the debt to be written back and pursued in the future, if new information comes to light on the debtor.

6.0 Actions Taken and Conclusion

6.1. The overall collection levels of the Council continue to be closely monitored. The service has implemented Vanguard supported reviews in Housing Benefits and Council tax with early results. During the course of 2016/17 the service will be carrying out further reviews to eliminate waste, reduce duplication and improve process for the customer.

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7.0	Sustainability Implications	
7.1.	None	
8.0	Resource Implications	
8.1.	Financial Details	
8.2.	The full financial implications of the recommendations are set out in the rep This includes a reference to full life cycle costs where appropriate. Yes	
8.3.	Finance have been consulted and have agreed the financial implications set out in the report.	
8.4.	Staffing	
8.5.	There are no staffing implications arising from this report	
9.0	Exempt Reports	
9.1.	Is this report exempt? Yes \square (please detail the reasons for exemption below) No	$\overline{\checkmark}$
10.0	Declarations	
	The recommendations contained within this report support or implement ou Corporate Priorities and Council Policies.	r
(1)	Our Priorities (Please double click on the check box ☑)	
	Our communities are more cohesive and inclusive People are better skilled, trained and ready for learning and employment Our communities are safer	
	Substance misuse and its effects are reduced	ш

	Health is improving and health inequalities are reducing The environment is protected and enhanced for all The Council is effective, efficient and recognised for excellence						
(2)	Coun	cil Policies (Pl	ease detail)				
	Corp	orate Recovery	and Write Off Policy	,			
11.0	Equa	Equalities Impact					
11.1.		•	n the required equality lversely affected by the			ent to ensure	
			Yes □			No 🗹	
12.0	Lega	lity					
12.1.			d that in adopting the acting within its legal p			tained in this Yes 🗹	
13.0	Appe	ndices					
13.1.		e list any apper e state "none".	dices attached to this	report.	If there are no	appendices,	
	• •		of Income collection		ance		
			erable Debt for Write C d Debtors Position to N		016		
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14.1.	be ke	pt available by	documents to compile the author for public nich the report is consider	inspec	•		
			Yes \Box (please list t	he docum	nents below)	No 🗹	
Author	r(s)						
NAME	E DESIGNATION		TEL NO / EXTENSION				
Murray	Sharp	Service Manager	- Strategy and Revenues	5113			
Appro	ved by						
NAME			DESIGNATION		SIGNATURE		
		Head of Housing and Community Safety		Signed: A Khan			

Signed: N Bridle

Depute Chief Executive

Nikki Bridle

1.0 Introduction

- 1.1 During 2015/16, £72.899 million of total income was charged by the Council, an increase from £72.260 million in 2014/15. In accordance with the Corporate Recovery and Write Off policy, responsibility for the collection and recovery of this income lies with the Housing and Community Safety Service.
- 1.2 The total income charged only increased by £640k due to the fact although some areas have seen an increase in billing (Council Tax, Rent), some other areas such as NDR have seen a reduction. The reduction in Non Domestic Rates (NDR) was in excess of £550k, this was due to the team being more proactive with business claiming appropriate reliefs.

2.0 Council Tax Collection

- 2.1 Council Tax and Water Service charges are levied on each domestic dwelling within Clackmannanshire. There are 24,138 such dwellings and the annual charge levied against these residential properties amounts to £30.57 million, an increase from £30.07 million for 2014/15.
- 2.2 The level of Council Tax debt (excluding water service charge debt) is £10.5M.
- 2.3 One key performance indicator used to measure the council tax collection rates performance is the in-year collection rate. This represents the amount of council tax collected in the year as a percentage of the amount raised in the same year. For 2015/16, the Council's collection rate was 95.77%, an increase from 94.97% in 2014/15. This represents the highest in year collection rates since 2009/10. It is the result of a greater focus on recovery processes, improvements made to the IT system, and better engagement with new sheriff officers.

3.0 Non Domestic Rates Collection

- 3.1 NDR income is billed and collected by Clackmannanshire Council on behalf of the Scottish Government under the rates pooling system. In 2015/16 the Council billed £14.720 million to over 1550 business premises in the Council area (a decrease from £15.274m in 2014/15). This is due to an uptake of rates relief and changes to rateable value.
- 3.2 The Collection Team will continue to proactively approach rate payers who fail to pay their rates with early interventions to ensure debt is minimised. They will also continue to undertake closer working with internal services and external partners to ensure debtors are billed in a timeous manner and recovery action is taken, when appropriate, as soon as legislation allows.

4.0 Sundry Debtors Collection

- 4.1 Sundry debtors are billed by invoices raised to a customer or members of the community in respect of services provided. In 2015/16 £9,807million (up from £9.674million in 2014/15) value of invoices were raised for services.
- 4.2 The net debt position has decreased from £2.610m to £2.525m in 2015/16, in year collection decreased from 73.95% in 2014/15 to 73.84% in 2015/16. Performance was adversely affected by the significant proportion of invoices raised in quarter 4, which results in insufficient time for collection and / or recovery activity. Improvements in corporate processes will be made to avoid a repeat of this.
- 4.3 The second performance measure for sundry debtors relations to the value of debts outstanding over 90 days. This illustrates how long it is taking to debt accounts to be cleared. This figure is currently being skewed by a number of large invoices which are the service is working with legal services on obtaining appropriate payment arrangements. Due to value of these invoices being pursued by legal services the provision for sundry debts has been increased. If legal services are successful in pursuing these cases, then the provision can be reduced next financial year.

5.0 Housing

5.1 The Housing debtor relates to all income collected in relation to the housing service, including residential, lock up and garage rents, re-chargeable repairs and housing benefit overpayments. The housing debtor can be broken into the following different categories.

Table 3
HRA arrears position 2013/14 to 2015/16

	2013-14 £000	2014-15 £000	2015-16 £000
Current tenant arrears	526	589	634
Former tenant arrears	569	622	727
HB Overpayments	912	1,038	1,139
Rechargeable Repair	181	182	197
Other Misc	-64 ^a	46	13
Total Gross Debtor	2,124	2,477	2,710
Provision	(1,635)	(1,960)	(2,220)
Total Net Debtor	424	517	490

^a In year adjustment for bad debt write off relating to financial year 2012-13

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- 5.2 The majority of this debt is accounted for within the Housing Revenues Account with the exception of Housing Benefit Overpayments which are included in the general fund account.
- 5.3 The gross debt has increased £586k (27.6%) in the three years to 2015/16. This has arisen due to all housing debts increasing over the period. This has been recognised by the increase in provision for bad debt. The net debt position has increased £66k over the three years ending at £490k at end 2015/16

Current Tenant Arrears

- 5.4 Total gross rental income for 2015/16 payable by the Council's almost 5,000 tenants and associated lock-ups was £17.792 million (up from £17.243 million in 2014/15) an increase of £550,000.
- 5.5 The key measure of performance for current tenant rent arrears is expressed as the percentage of gross rent arrears as measured by the Housing Charter. For 2015/16 this was 7.95% an increase from 2014/15 performance of 7.39%. Rent management is part of the Tenancy Management Vanguard experiment and improvements are expected in the coming year.
- 5.6 The management of rent is being rolled in to tenancy management and not all areas were covered by the year end. Staff measure the number of increasing and decreasing arrears cases on a weekly basis while individual rent accounts are managed by officers along as part of the management of the tenancy. For the areas that had been rolled in to the new way of working by the year end, the cash arrears figure had reduced by £18,575.

Former Tenant Arrears

- 5.7 Former tenant arrears occur when a tenant gives up a Council tenancy for various reasons including death, abandonment or evictions and any outstanding rent has not been paid.
- 5.8 For all Housing providers, this debt continues to be challenging to collect, as after a tenant leaves there are few sanctions that can be imposed. With the movement of current tenant rent moving to tenancy management, this will allow the revenues team to focus on targeting this specific debt. This will include passing these debts to our Sheriff Officer for further recovery action when we have exhausted all reasonable actions in line with our recovery policy.

Housing Benefit Overpayments

5.9 Overpayments of housing benefit occurs where benefit has been received by an individual yet the DWP assesses that the individual was not entitled to receive benefit. This can occur for a variety of reasons such as fraud, claimant error or backdated change in circumstances. Where overpayments are

- identified, these are recovered immediately by DWP, which can result in a considerable amount being owed by the individual to the landlord.
- 5.10 Housing benefit overpayment relating to Council tenants, known as public sector overpayments increased from £1,038,000 in 2014/15 to £1,139,000 in 2015/16. These are being passed to our Sheriff Officer incrementally as we exhaust all other means of recovery.
- 5.11 The greater focus of tenancy management staff in their patch to keep the benefits team up to date with any change in individual or family circumstances should also mitigate in as far as possible tenants facing overpayment charges.

Rechargeable Repairs

- 5.12 Rechargeable repairs outstanding invoices have increased in 2015/16 with outstanding invoices totalling £197,000 from £182,000 in 2014/15. Rechargeable repairs relates to repairs which are recharged to tenants where there has been malicious or negligent damage.
- 5.13 In line with the corporate approach rechargeable repairs will soon be issued from the Councils finance system Tech 1. This will ensure that customers can pay for works using the included Paypoint Barcode that the current solution doesn't allow.

ANNUAL DEBTORS REVIEW 2015-16 IRRECOVERABLE DEBT FOR WRITE OFF

1.0 Introduction

1.1 The following table identifies the proposed write offs for each income stream for 2015/16, together with a comparison of the write off approved for 2014/15 The 2015/16 Statement of Accounts reflects the net debt position.

Proposed write-offs for 2015-16

	Approved 2014		Proposed Write Of 2015/16	
Type of Debt	Number of Value accounts		Number of accounts	Value
Council Tax	726	£285,604	3,922	£348,233
NDR	37	£76,438	48	£218,816
Sundry Debt	129	£41,098	253	£96,948
Former Tenant Arrears	41	£33,652	111	£110,447
Total	933	£436,793	4,334	£774,444

Council Tax and Water Charges

1.2 The following tables split the proposed write off's for Council Tax and Water Charges by reason for the write off.

	2014	2014-15		5-16
Reason	No of Accounts	Total £	No of Accounts	Total £
Deceased	389	87,100	353	94,021
Sequestration	295	190,245	393	197,767
Untraceable	42	8,259	45	27,888
Small Balance	0	0	3,922	22,617
Management W/O	0	0	252	5,941
TOTAL	726	285,604	4,965	348,234

1.3 The proposed write off for Council tax compared with 2014-15 has increased due to a number of factors. Firstly an increase in the value of accounts where despite all reasonable efforts, the debtors cannot be traced either by the Council or our partner external agencies. Following the work with Vanguard Scotland and the team, there is considerable number of accounts where there is penny and very small balances. The average write off for these small balance accounts is £5.77. These are accounts where balances are under

ANNUAL DEBTORS REVIEW 2015-16 IRRECOVERABLE DEBT FOR WRITE OFF

£20 and some of the low balances have been caused by back year benefit adjustments that in most occasions the system carries out automatically following DWP benefit updates. Given that it would be a significant challenge to explain these balances to customers who may feel they have complete clear balances, then it is felt prudent to write these amounts off.

1.4 In addition, the work that we have carried out with Vanguard identified in 252 accounts, where customers have been informed that their balance our amount due will be written off. These balances were not brought forward in those years for Council approval. Given that the average balance is £23.58 and we have notes detailing the decision and customer being informed of a clear balance it is felt prudent to bring these accounts forward for write off at this stage. To decide to not write off these accounts could cause significant customer service challenges.

Non Domestic Rates (NDR)

1.5 The following tables split the proposed write offs by reason for the write off. Full case records are retained by the Revenues Team for audit purposes.

	2014-15		2015-16	
Year	No of Total Accounts £		No of Accounts	Total £
Moved away/Untraceable	16	26,664	38	149,049
Deceased	1	4,094	0	0
Sequestration/liquidation	11	43,400	8	68,088
Immaterial Balances	8	2,233	0	0
Trust Deed	1	47	2	1,679
TOTAL	37	76,438	48	218,816

1.6 The largest increase in the proposed NDR write off has been from untraceable/unknown and ceased trading tenants. This is not a phenomenon exclusive to Clackmannanshire but is being experienced across Scotland. This area is being discussed at officer practice forums to see if legislation can be altered to place responsibility onto owners to inform local authority of business tenant changes.

Sundry Debt

1.7 The following tables split the proposed write offs by originating service. It should be noted that the split by service reflects the current structure of the Council. Case level records have been retained by Revenues Service for audit purposes.

ANNUAL DEBTORS REVIEW 2015-16 IRRECOVERABLE DEBT FOR WRITE OFF

	2014-15		2015-16	
		Total		Total
Reason	Number	£	Number	£
Deceased	20	1,940	66	31,124
Sequestration	5	850	37	14,247
Untraceable	104	38,309	150	51,577
TOTALS	129	41,098	253	96,948

	2014-15		2015-16	
Service	Number	Total	Number	Total
		£		£
Community & Regulatory	10	11,237	23	17,726
Education	12	741	22	3,973
Facilities Management	14	2,750	54	12,893
Housing	27	12,315	45	24,776
Social Services	43	4,229	93	31,553
Support Services	22	9,826	16	6,027
TOTALS	129	41,098	253	96,948

Former Tenant Rent Arrears

- 1.8 The following tables show the proposed write offs for Former Tenant Arrears for dwellings and lock-ups showing the write offs split into each reason type.
- 1.9 Members should note that given the move of Current rent management to tenancy management has ensured a greater focus on FTA's. Every account over £500 has been reviewed to identify the best way to pro-actively reduce this debt. Unfortunately this review has meant that there is sizeable proportion of cases that are deemed irrecoverable. A similar exercise will be carried out during 2016/17 on FTA's below £500. This again could highlight similar collection challenges with this particular debt type.

APPENDIX B

ANNUAL DEBTORS REVIEW 2015-16 IRRECOVERABLE DEBT FOR WRITE OFF

	20	2014-15		-16
Reason	Number	Total £	Number	Total £
Deceased	23	17,805	14	13,427
Untraceable	-		55	48,714
Prescribed	13	11,226	35	42,457
Sequestrated	5	4,621	4	2,867
In Prison	-		1	698
Long Term Care			2	2,284
TOTALS	41	33,652	111	110,447

APPENDIX C

ANNUAL DEBTORS REVIEW 2015/16 DETAILED DEBTORS POSITION TO MARCH 2016

Debtor	2012-13 £000 ¹		2013-14 £000 ¹		2014-15 £000 ¹		2015-16 £000 ²	
Council Tax	9,388		9,576		10,302		10,531	
Provision	(6,312)	3,076	(6,477)	3,099	(7,108)	3,194	(7,559)	2,972
Rent	1,847		2,124		2,477		2,710	
Provision	(1,470)	377	(1,700)	424	(1,960)	517	(2,220)	490
Sundry Debtors	1,919		2,381		3,104		3,358	
Provision	(417)	1,502	(468)	1,913	(494)	2,610	(833)	2,525
Total Net Debt		4,955		5,436		6,321		5,987

These figures are post audit and reflect the position on the Council's Financial Statement

These figures are draft and are still subject to change as part of the 2015/16 external audit of the Council's Financial Statements