

Local Authorities (Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012
Exercise of Delegated Authority in respect of an Executive Function

HOUSING BENEFIT OVERPAYMENT AMOUNTS WRITTEN OFF

1.0 Details of Officers Exercising the Delegated Authority

Name	David Ripley	Brendan Arnold
Title	Revenues, Benefits & Customer Services Business Manager	Financial Services Manager Action (Interim Finance Director / S151 Officer)

2.0 The Delegated Authority Being Exercised

Financial regulation 12.14 states:

Any debt due to the Council may only be written-off with the authorisation of the Executive except, insofar as an individual debt does not exceed £10,000, the initial authority may be given by the Chief Finance Officer who shall be required to publish periodically reports of the debts that have been written off in accordance with the delegated authority.

Debts over £10,000 are reported to the Executive at least annually in the Statement of Accounts and any other delegated reports as.

The Chief Finance officer is exercising this delegated authority and the Revenues, Benefits & Customer Services Business Manager is exercising an authority delegated to him by the CFO for debts up to £5,000.

3.0 The decision made including the date the decision was made

3.1 To write off Housing benefit debts during the month of April 2023

	Number of debts	Value of debts
Under £5,000	10	65.62
Over £5,000	1	7,615.16
Total	11	7,680.78

The reasons for the decision

3.2 The debts are considered uncollectable, all efforts to recover these debts have been pursued, and have been written off for the following reasons

<u>Write off reason</u>	<u>Number of invoices</u>	<u>Total amount</u>
Uneconomical (19U)	2	86.54
Bankruptcy (20B)	8	-20.92

Deceased (29D)	1	7,615.16
Total	11	7,680.78

4.0 Details of any alternative options considered and rejected by the Officer

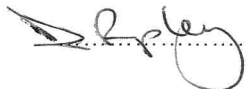
4.1 All efforts to recover these debts have been pursued.

5.0 A record of any conflict of interest declared by an Executive Member consulted by the Officer (and any dispensation granted in respect of such conflict).

5.1 No Executive Member consulted.

6.0 List, and attach copies of, any report considered by the Officer making the decision.

6.1 Supporting details are of a confidential nature and therefore not published.

Signed  (debts < £5,000)

Date 3/5/22

Signed  (Debts > £5,000)

Date 05.05.23

LOG INTO MOD.GOV AND COMPLETE THE DELEGATED AUTHORITY FORM AND ATTACH THE AUTHORISED FORM

Write off Mr James Henley
HB reference 102878993
£7615.16
Period of overpayment 19.07.2021 – 05.12.2022.

Invoice 2662129 for £7615.16 was created following the cancellation of the Housing Benefit claim.

It was confirmed in December 2022 that Mr Henley went into a care home on the 14.07.21 as a permanent resident and we had not been advised of this, and remained in the care home until he passed away on 28.12.22.

Invoices were sent to his daughter and executor to see if the overpayment can be repaid, We received confirmation from his daughter that there was no monies in his estate to repay the overpayment, and therefore passed for write off

INCOMING EMAIL

From: Benefits Inbox
To: Overpayments Inbox
Date: 10/04/2023 13:55:10
Subject: FW: Invoice no. 2662129.

Attachments:

- (1) Local Downlevel Document-WBC_HB_LETTER-021892.pdf(224 B)
- (2) T Capstick.pdf(229 B)
- (3) image001.png(66 B)

Lyndsey Rolfe | Benefit Team Manager | Revenue and Benefit Services

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Phone: 01483 743759 | Web: www.woking.gov.uk
For general enquiries, please call Woking Borough Council's Contact Centre on 01483 755855



From: Tracey <tmcapstick@gmail.com>
Sent: 06 April 2023 15:43
To: Benefits Inbox <Benefits.Services@woking.gov.uk>
Subject: Re: Invoice no. 2662129.

Good afternoon,

I write in response to an ongoing enquiry about invoice number 2662129.

I have attached the letters I received following my last email for your information and understanding.

I can confirm that my late fathers estate has been dealt with as his limited money was spent on a suitable funerary service and associated costs, including both the retention and disposal of his and his wife's ashes, therefore it cannot meet this invoice.

I probably also need to point out, in case you need this information for internal accounting purposes, that he was not a full permanent resident at Woking Homes until it was confirmed that the costs could be permanently met sometime in June 2022. It may well be for simplicity that was the contract, but it did have a notice period if the situation arose. Until then costs were met by the NHS when both he and his late wife were moved there in the last three months of her terminal illness, it was prudent to retain his home at 55 Brookfield so he could return if the following circumstances occurred, either he wanted to return sometime after his wife's death, or funding could not be permanently found. As it happens neither scenario occurred and I am very grateful that funding for care was secured, and he was allowed to stay at Woking Homes.

I think the NHS funding was always for a limited time which may have been longer than the norm due to COVID backlog, but I am not an expert on these matters.

I hope this email clarifies the position and concludes the situation as per the invoice.

Thank you so much for your help.

Tracey Capstick.

Executor.

On Tue, Mar 28, 2023 at 2:13 PM Tracey <tmcapstick@gmail.com> wrote:

----- Forwarded message -----

From: Tracey <tmcapstick@gmail.com>

Date: Tue, Mar 28, 2023 at 2:10 PM

Subject: Invoice no. 2662129.

To: <benefits@woking.gov.uk>

Good afternoon,

I am the daughter and executor for the estate of Mr. James Henley.

I write upon receipt of an Invoice No.2662129 I received last week, although the Invoice date is 09/02/2023.

I would like to seek clarification of how there has been an overpayment of Housing Benefit in connection with his rental property of 55 Brookfield. Ref: 709790047.

In many ways this is a semantic question because after covering his funeral and other related expenses, his estate did not allow for any further expenditure on anything.

He was not a wealthy man and there is no money to actually pay this invoice. Is it your expectation that the next of kin picks up this debt?

Could you furnish me with the exact details on what grounds this has been submitted, of what this is exactly and why there are a number of dates on this bill. I am not at all au fait with the benefits system and associated procedures so you have me at a disadvantage.

I think the random sending of an invoice for nearly £8,000 without a full explanation of how this debt was incurred and what processes are applicable to its existence is probably not a good business model for addressing the problem.

Yours sincerely,

T.M. Capstick.