

NORTH LANARKSHIRE COUNCIL

REPORT

TO: Social Work Committee Housing Committee	Subject: Joint Social Work and Housing Operational Procedures (Rent Arrears)
FROM: Jim Dickie Director of Social Work Gavin Whitefield Director of Housing	
DATE OF SOCIAL WORK COMMITTEE: 6th October 1998 DATE OF HOUSING COMMITTEE: 21st October 1998	
REPORT AUTHOR: Stephen Rankin	
REF: JD/SR	

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Committee approval for Joint Operational Procedures (Rent Arrears) which are aimed at improving liaison arrangements between the Housing and Social Work departments.
- 1.2 The report is presented for consideration of Housing and Social Work Committees.

2 BACKGROUND

- 2.1 North Lanarkshire Housing and Social Work Departments are committed to working in partnership. The aims of joint working on the issue of rent arrears are to:
- ◆ Ensure effective liaison between both departments to achieve recovery of rent arrears;
 - ◆ Ensure timeous claims of Housing Benefit;
 - ◆ Ensure early identification of those having difficulty in completing benefit claims and determine joint action to address this issue;
 - ◆ Develop training programmes which encourage all Council staff to maximise incomes of all residents of North Lanarkshire and;
 - ◆ Avoid eviction and homelessness whenever possible for all tenants, particularly those who are vulnerable.

3 OPERATIONAL PROCEDURES

3.1 The operational procedures describe the:

- ◆ Legislative background;
- ◆ Roles and responsibilities of each Department;
- ◆ Objectives of joint working;
- ◆ Definitions of people who are vulnerable;
- ◆ Liaison procedures; and
- ◆ Monitoring arrangements.

3.2 The procedures introduce:

- ◆ Monthly operational meetings at an area level between first line managers and their staff. These meetings will progress cases and find positive solutions to prevent eviction facing vulnerable people wherever possible;
- ◆ Regular systems for timing of notifications and appropriate timescales for actions such as case conferences where a case cannot be resolved at first line of operational management and;
- ◆ Joint practices recommended in the Scottish Office's Guidance on Homelessness.

4 RECOMMENDATIONS

4.1 Committee is asked to:

- a) approve the Joint Social Work and Housing Operational Procedures (Rent Arrears) which are appended to this report
- b) note that the implementation of the protocol will be the subject of further reports; and
- c) otherwise note the contents of the report;



Jim Dickie
Director of Social Work

3rd September 1998

For further information on this report please contact George McNally, Principal Officer, Strategy Section (TEL: 01698 332063)

North Lanarkshire Council

Joint Housing/Social Work

**Operational Procedures
(Rent Arrears)**

September 1998

North Lanarkshire Council

Joint Housing/Social Work Operational Procedure

Title:

Ref No:

Issued By:

Implementation Date:

Legislation and other source material

Housing (Scotland) Act 1987 Part I of Schedule 3 (Prevention)
 Housing (Scotland) Act 1987 Part II Homeless Persons
 Code of Guidance on Homelessness (September 1997)
 Community Care - The Housing Dimension (Act 1994)
 Children (Scotland) Act 1995
 The National Health Service & Community Care Act 1990
 Social Work (Scotland) Act 1968
 Mental Health (Patients) in the Community Act 1995
 Care Programme Approach for people with serious mental illness - staff procedural document
 Sex Offenders - Social Work/Strathclyde Police Protocol
 Mental Health (Scotland) Act 1984
 Disabled Persons (Services, Consultation & Representations) Act 1986
 Chronically Sick & Disabled Persons (Scotland) Act 1972
 National Assistance Act 1948
 North Lanarkshire Council Rent Arrears Procedures

Circulation

For advice on implementation contact

Aileen Gormley, District Housing Manager (North) Kilsyth Area Housing Office
 George McNally, Principal Officer Strategy, Social Work HQ, Scott House, Motherwell
 Jackie Donnelly, Area Services Manager, Coatbridge Area Social Work Office

Joint Operational Procedures (Rent Arrears)

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1. Introduction

- 1.1** North Lanarkshire Housing and Social Work Department are committed to working in partnership in a range of matters of common concern which will in turn benefit the Council and the communities it serves.
- 1.2** Rent Arrears is an area of considerable concern to the Council in general and to both Departments in particular, in respect of lost revenue and the consequential human costs.
- 1.3** These procedures describe a process whereby both North Lanarkshire Housing and Social Work Department will establish a structure which encourages a joint approach through sharing relevant information identifying the most vulnerable in the community and pooling of resources to tackle the problems.
- 1.4** Whilst these procedures are primarily concerned with Rent Arrears, it is envisaged that similar procedures will be introduced to deal with those people labelled "Anti-Social" and any other individuals or groups where a common interest between Departments apply.
- 1.5** The procedures introduce a monthly operational meeting at area housing level between first line managers and their respective staff. The main objective of the meeting will be to discuss all vulnerable people facing the prospect of eviction and to find positive solutions to prevention of eviction wherever possible.
- 1.6** The procedures also introduce agreed or regular systems for timing of notifications and appropriate timescales for actions and other mechanisms such as case conferences where a particular case cannot be resolved at first line level of operational management.
- 1.7** The procedures reflect the Councils new commitments as a result of recent legislation and endorse the joint practices recommended in the code of guidance on Homelessness (September 1997).

2. Objectives of Joint Working

- 2.1 Ensure effective liaison between both departments to achieve recovery of rent arrears in North Lanarkshire.
- 2.2 Ensure timeous claims of housing benefit.
- 2.3 Ensure early identification of those having difficulty in completing claims and determine joint actions to address same.
- 2.4 Develop training programmes which encourage all Council staff to maximise incomes of all residents in North Lanarkshire.
- 2.5 Avoid eviction and homelessness whenever possible for all tenants and in particular those deemed vulnerable.

3. Definition of Vulnerability

3.1 The following groups are defined as vulnerable within the terms of these joint procedures:

- a) Families with dependent children
- b) Young people up to the age of 21 where they have been deemed vulnerable in terms of Children (Scotland) Act 1995 and/or the Housing (Scotland) Act 1987
- c) Pregnant women and women fleeing violent situations
- d) Elderly people
- e) People with a diagnosed mental illness, both acute and chronic and those suffering from a recognised personality disorder
- f) People with a significant learning disability
- g) People with a physical disability
- h) People with HIV/AIDS
- i) People with assessed community care needs arising from addiction to alcohol or drugs who are committed to a planned course of treatment and/or residential rehabilitation programme. This will be determined on the basis of a community care assessment with appropriate housing and health input.
- j) People experiencing racial harassment.

4. Roles and Responsibilities

- 4.1 Rent arrears is of considerable concern to the Council in terms of lost revenue and in respect to the hardship experienced by the individual.
- 4.2 The primary responsibility for rent collection and the prevention and reduction of rent arrears lies with the Housing Department.
- 4.3 The Housing Department's commitment to the uptake of Housing Benefit and sustained effect to continually maximise the Council's income through this route is crucial.
- 4.4 Within each Housing Office the Housing Officers have primary responsibility for rent arrears control and will closely consult with the Housing Benefit staff to maximise the uptake of Housing Benefit.
- 4.5 When making enquiries in relation to rent arrears the Housing Officer should be the first point of contact. Each Housing Officer works within "patch" areas, therefore enquiries should be directed to the Housing Officer for the area of residence. An outline of the Housing Office structure and named Housing Officers for each sub area is given in Appendix 1.
- 4.6 The Social Work Department has a secondary but important role to play in regard to Welfare Benefits advice. Equally there can be a role for Social Work to work alongside Housing colleagues with people who have difficulties meeting deadlines, say, for example, with Housing Benefit review resubmissions.
- 4.7 The Social Work Department clearly have a role where people have other problems which suggest they need additional supports.
- 4.8 If assistance is required from Social Work for a tenant who has rent arrears the initial enquiry/request will be dealt with by a duty worker. Following the referral being received a decision will be made by the Senior Social Worker as to whether the tenant's case should be allocated to a specific worker for further assistance.
- 4.9 If a tenant in rent arrears is an "open case" to a social worker then the referrer should pursue their enquiries with the named social worker.
- 4.10 If issues pertaining to rent arrears cannot be resolved through the points of contact given for Housing and Social Work staff the case should be referred to the appropriate District Manager and Area Social Work Manager.

5. Liaison Procedures

- 5.1 As a preventative measure the Housing Department will notify the Social Work Department at Court notification stage of tenants facing this level of action. Standard contact letter to be issued by Social Work Department to the tenant (Appendices 1 & 2).
- 5.2 Monthly meetings will be established involving Assistant Area Housing Manager/Senior Housing Officer and link Senior Social Worker with a small number of relevant staff in attendance. Its core function will be to deal with all vulnerable cases, particularly those facing potential eviction. (The meeting can deal with cases at any stage but must include final warning list). The meeting will determine, monitor and review joint collaborative actions. Issues pertaining to anti-social tenants, aids and adaptations* and other common areas affecting vulnerable people can also be addressed in this forum.
(* It may be desirable to have a separate meeting for this).
- 5.3 Prior to meeting, Assistant Area Housing Manager/Senior Housing Officer will determine housing benefit position and will involve link Senior Social Worker at meeting in plan of action for those failing to return claims/facing potential evictions.
- 5.4 Assistant Area Housing Manager will formally notify the relevant Senior Social Worker using standard letter (copy to link Senior Social Worker) of all pending evictions at final warning letter stage or rescheduled evictions where arrangements have been broken. The Social Work Department will again attempt to engage the tenant (Appendices 3 & 4).
- 5.5 It is anticipated that the above procedures will effectively deal with the majority of cases where there is a common interest because of vulnerability of the tenant or members of his/her household. The rest of the procedures are designed to deal with minority of cases which prove difficult to resolve.
- Assistant Area Housing Manager/Senior Housing Officer in consultation with link Senior Social Worker, to advise Area Housing Manager of any cases which cannot be resolved by appropriate joint collaborative actions at first line level.
- 5.6 Area Housing Manager will convene a Case Conference in all pending evictions involving vulnerable people. Housing Benefit Team Leader will be invited. The Area Service Manager, link Senior Social Worker and relevant personnel on social work side will also be invited. A two week period of re-assessment will be agreed if requested at this stage (Appendix 5).
- 5.7 Where resolution cannot be reached the District Housing Manager and the Area Social Work Manager will deal with the matter.
- 5.8 No eviction of vulnerable person(s) should take place without the requirement of 5.6 and 5.7 having been met.
- 5.9 Failure to achieve resolution at District/Area level will result in referral to the individual Heads of Service in either or both Departments, in order to find a resolution.

6. Monitoring

- 6.1 Monitoring is the process of supporting and controlling the effectiveness of local joint Housing/Social Work liaison procedures. It can also be used as a tool in measuring performance.
- 6.2 The information required in the monitoring form should be completed jointly on a quarterly basis by the Assistant Area Housing Manager and relevant Senior Social Worker (Appendix 6).
- 6.3 There is space in the form for additional comments which may assist the future effectiveness of joint working relations/actions.
- 6.4 The form should be submitted as directed to the named individuals with copies to the local Area Housing Manager and local Social Work Area Service Manager.

Appendix 1

**Joint Housing Social Work Procedures
(Cross Reference Appendix 8 Rent Arrears Protocol)**

NORTH LANARKSHIRE COUNCIL

INTERNAL MEMORANDUM

To: Senior Social Worker (Housing/Social Work Liaison)	From: Assistant Area Housing Manager/ Senior Housing Officer
Your Ref:	Ask for: Phone:
Our Ref: NLC HH	Date: 1998
Filed To: File	Subject: Cases Passed to Court Officer

Please find below details of cases which have been passed to the Court Officer to initiate legal action for non-payment of rent.

Case 1:

Case 2:

Case 3:

Case 4:

If you require any further information, please contact the above Area Housing Office

(Housing → Social Work)

Department of Social Work*(Address)*

Our Ref: JD/EF Contact: Duty Social Worker
Your Ref: Telephone:
Date: Fax:

Jim Dickie
Director of Social Work

Dear Sir/Madam

North Lanarkshire Council, Housing Department have advised of notification to raise proceedings against you with regards to rent arrears.

The Social Work Department can offer advice and support to people who are:

- a) about to be taken to court with a view to eviction or
- b) about to be evicted from their home.

It may well be that you have paid the arrears or have come to an arrangement in which case please ignore this letter.

If you would like some advice or assistance with your situation please contact the duty worker at your local Social Work Department (address and telephone number above) to make an appointment. It should be pointed out that evictions can be avoided and that the duty worker would be pleased to offer you advice and possibly negotiate on your behalf with the Housing Department to come to a realistic arrangement.

If the duty social worker thinks that you require a full benefit check to maximise your income, they will assist you with this.

I would advise you not to wait until the last minute before contacting this department as often reasonable arrangements can be made with the Housing Department if there is sufficient time to do so. Please get in touch if you need our assistance.

Yours faithfully

AREA SERVICE MANAGER

(Social Work → Tenant)

Appendix 3

Joint Housing/Social Work Procedures
(Cross Reference Appendix 20 Rent Arrears)

NORTH LANARKSHIRE COUNCIL

INTERNAL MEMORANDUM

To: Senior Social Worker (Housing/Social Work Liaison)	From: Assistant Area Housing Manager/ Senior Housing Officer
Your Ref:	Ask for: Phone:
Our Ref: NLC HH	Date: 1998
Filed To: File	Subject: Proposed Evictions

Please find below details of cases which have been passed to the Sheriff Officer to arrange an eviction date.

Case 1:

Case 2:

Case 3:

Case 4:

If you require any further information please contact the above Area Office.

(Housing → Social Work)

Department of Social Work

(Address)

Our Ref: JD/AF/SS
Your Ref:
Date:

Contact: Duty Social Worker
Telephone:
Fax:

*Jim Dickie
Director of Social Work*

Dear Sir/Madam

The Housing Department have advised us that you are at risk of being evicted on

Please contact the duty social worker in this office as a matter of **URGENCY.**

Yours faithfully

AREA SERVICE MANAGER

(Social Work → Tenant)



Joint Housing/Social Work Liaison Meetings

Monitoring Form

For the Period Ending:

Area Covered:

1. Number of cases in last quarter:
2. Total number cases discussed:

Categories	Total Number of Ongoing Cases From When Referred		
	1 - 3 months	3 - 6 months	over 6 months
Homelessness			
Rent Arrears			
Anti-Social Behaviour			
Aids & Adaptations			
Others			

3. Please outline in the space below any additional comments you may have regarding the effective operation of the Joint Housing/Social Work Liaison Meeting:

4. Please return this form to:

Aileen Gormley, District Housing Manager, Kilsyth Area Housing Office

George McNally, P.O. Strategy, Scott House, Social Work H.Q.

Please return by: 31st of Month (quarterly cycle)