

# LEGAL & DEMOCRATIC SERVICES

## SERVICE PLAN 2005/08

### 1.0 SERVICE DESCRIPTION AND PURPOSE

1.1 The Division provides a range of administrative and support functions to Members and direct services across the Council. The Head of Legal and Democratic Services, who is also the Council's Monitoring Officer, appointed under the Local Government & Housing Act 1989, is responsible for the Division.

#### □ **Functions of the Monitoring Officer**

- **Maintaining the Constitution** – The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available to Members, Officers and the public.
- **Ensuring lawfulness and fairness of decision making** – After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to Full Council if she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission will or has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- **Supporting the Standards Committee** – The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- **Receiving reports** – The Monitoring Officer will receive and act on reports made by Ethical Standards Officers and decisions of the case tribunals.
- **Conducting Investigations** – The Monitoring Officer will conduct investigations into matters referred by Ethical Standards Officers and make reports or recommendations in respect of them to the Standards Committee.
- **Proper officer for access to information** – The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- **Providing advice** – The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety and probity to all Members.

#### □ **Democratic Services**

This unit is responsible for the management and administration of the Council's modernised committee process. The structure consists of:-

- three policy committees (Finance & Management Committee, Housing & Community Services Committee and Environmental & Development Services Committee)
- two regulatory committees (Development Control Committee and Licensing & Appeals Committee)
- three scrutiny committees (Corporate Scrutiny, Community Scrutiny and Overview)
- a Standards Committee to oversee the conduct of District and Parish Councillors
- six Area Meetings, designed to improve community involvement in decision-making and provide a continuous liaison with members of the public, Parish Councils/Meetings, the voluntary and business sectors and other public utilities and bodies

The unit is also responsible for the following functions:-

- the preparation, dissemination and despatch of reports, agendas, Minutes and action sheets for the Council and its various committees, sub-committees, Working Panels, Area Meetings and Parish Liaison Meetings.
- the arrangement of all Committee Meetings, including the preparation of the annual cycle of Meetings
- duties involving associated law and administrative procedures arising from decisions of the Council, including the making and service of various Orders, Notices and Regulations
- the provision of advice to ensure compliance with the Council's Constitution and the law and procedure of meetings
- assisting the Monitoring Officer on the Ethical Framework introduced by the Local Government Act 2000 by the giving of advice to Members and Parish Councils on the Members' Code of Conduct, including registration and declarations of interest and the registering of gifts and hospitality.
- the Council's representation on outside bodies
- maintaining the Register of Tenders received
- administering the computer based Minute Retrieval system available throughout the authority
- administering the Members' Allowances Scheme
- putting agendas and Minutes on the Council's website for access by the general public
- servicing the South Derbyshire Local Strategic Partnership

The unit provides support for the Chief Executive and Members of the Council, in particular the Chair and Vice-Chair of the Council in the civic role of the organisation. This is achieved by the co-ordination of various civic functions and events and by ensuring that the Chair and Vice-Chair are fully briefed and conveyed to civic functions.

□ **Elections and Electoral Registration Service**

Maintains and updates the register of electors annually and on a rolling basis and administers Parish, District, County, Parliamentary and European elections and referenda. In particular, the section is responsible for the following functions:-

- carrying out a canvass of the District and compiling, publishing and maintaining a Register of Parliamentary and Local Government Electors on 1st December each year for use at all elections
- processing and determining applications through monthly rolling registration to enable the Register to be updated on a continual basis
- registering special category electors e.g. Overseas, European and Service Electors and renewing such registrations annually
- processing and determining applications for absent voters and maintaining a list for use at all elections – this area has seen an enormous increase since the introduction of postal votes on demand

□ **Land Charges**

The Land Charges section maintains all parts of the Local Land Charges Register in accordance with the requirements of various statutes and deals with a wide variety of ancillary activities, which are set out below:-

- Ensures that all Land Charges entries are checked and inputted onto the Register including using specialised software;

- Checks the accuracy of all Local Search Enquiries and ensures the appropriate fee is received;
- Liaises with the various Service Units of the Council, the County Council, Highways Agency and the Environment Agency in response to Local Search Enquiries;
- Ensures that the Service Units and Agency responses are received in a timely manner and that the information supplied is sufficient to enable the completion and return of the Local Search Form within the period prescribed in the statutory guidelines (currently 10 working days);
- Deals with Personal Search enquiries made by Solicitors, members of the public, agents and companies;
- Compiles statistical data on a monthly and annual basis relating to the numbers of Searches received and processed within the statutory guidelines;

### □ **Legal Services**

Work is undertaken in relation to the broad range of Council functions and activities. Although each Officer has an area of specialism, the demands placed upon the Section mean that Officers are required to demonstrate a broad base of knowledge and a considerable degree of flexibility in their work. Officers often deal with time consuming and complex matters for which there is no set of established precedents and practices. All Officers carry a large caseload, in addition to providing a responsive and accessible advice service to Members and colleagues.

### **CATEGORIES OF SERVICE**

#### A. Contentious Work

- Civil Litigation - debt recovery, actions for possession of property, actions protecting or promoting the Council's rights.
- Criminal Litigation - prosecutions for breaches of legislation where the Council is the enforcing authority and defending the Council should it be prosecuted.
- Enforcement - Planning, Environmental Health, Building Control, Housing.
- Tribunals & Inquiries - Planning Appeals, Public Inquiries, Industrial Tribunals, Appeals in the Magistrates' Court.

#### B. Non-Contentious Work

- Conveyancing - buying and selling land, Leases, Right to Buy sales, Licences.
- Contracts - Construction and Works, Supply of Goods and Services.
- Miscellaneous - Service Level Agreements, Planning Agreements, Development Agreements, Adoption Agreements e.g. Highways & Public Open Spaces.

#### C. Legal Advice

- Probity – Members and Officers interests and how they should be dealt with.
- Compliance – ensuring compliance with statutes, regulations, Council Procedure Rules, policy, etc.
- Powers and Duties
  - ensuring awareness of powers and duties and the distinction between them
  - ensuring the Council achieves its corporate aims and objectives whilst acting lawfully within its statutory powers
- Procedure and Decisions – ensuring proper procedure is followed and decisions arrived at on proper grounds; particularly important where the Council is acting in a quasi-judicial capacity.

- **Public Relations**
  - To oversee the public relations and media functions of the authority.
  - To advise and assist Members and Officers of the Council on all aspects of public and media relations.
  - To answer enquiries from the media on behalf of the Council by providing a speedy and reliable service for journalists.
  - To help research articles for journalists on the work of the Council.
  - To provide a service to data sources who wish to publicise the Council.
  - To publicise the work of the Council's Committees, Members and Officers.
  - To encourage media coverage of the Chair and Vice-Chair of the Council's public engagements.
  - To be involved in the production of internal communications.
  - To research, write and distribute news releases and feature articles on Council activities and achievements.
  - To organise photocalls for events involving the Council.
  - Providing a press cuttings service.
  - To assist in developing a high standard of plain English in written communications from the Council.
  - To provide advice on design, presentation and distribution of Council publications.
- 1.2 The Division provides a wide range of services to internal and external customers including Members, officers, the electorate, central government, all levels of local government, national newspapers and publications, national and local broadcasts media and the local press and others including the general public, specifically people buying houses, those involved in legal disputes with the Council, suppliers and contractors.
- 1.3 All services are provided in accordance with the guiding principles and key aims of the Council, as set out in the Corporate Plan 2005-2008. These include:-
  - providing a reliable and responsive level of administrative and professional advice and support to all internal and external customers, promoting equality of opportunity and treating people fairly in everything we do.
  - ensuring the Council is accountable to the people of South Derbyshire for its decisions through effective arrangements for corporate governance, based on open and transparent decision making and through participation in the South Derbyshire Local Strategic Partnership.
  - valuing employees and the essential role they play in service provision.
- 1.4 The specific purposes and objectives vary depending upon the function:-
  - **Democratic Services**

To manage and administer the Council's committee process efficiently and effectively in accordance with the Constitution.

To support and advise Members in the exercise of their committee and constituency functions.

To maximise the involvement of the Chair and Vice-Chair of the Council in the local community and to support them in the performance of their civic functions during their year of office.

To continue to improve public access to Committee agendas and Minutes through the ongoing development of the Council's website.

□ **Elections and Electoral Registration Service**

To maintain an accurate rolling Register of Electors, involving an annual canvass of the District.

To organise the election processes in an efficient and effective manner.

□ **Land Charges**

To deliver an efficient and effective range of Land Charges services to the Council, the County Council, Highways Agency and the Environment Agency in response to Local Search Enquiries.

To maintain an up-to-date knowledge of developments in the realm of Land Charges and to disseminate this knowledge to the relevant bodies, where appropriate.

□ **Legal Services**

To deliver an efficient and effective range of legal services to all service departments and Members of the Council for the benefit of the community.

To work co-operatively and creatively with all service Departments towards the common aim of delivering the Council's Policy Framework.

To maintain an up to date knowledge of legal developments and to disseminate this knowledge to service Departments, arranging training sessions where appropriate.

□ **Public Relations**

To inform the public of the work of the Council, its Members and Officers through proactive media coverage and to prevent erroneous reports appearing in the media.

To ensure the fair representation by the media of the Council's mode of operation.

To raise the profile of the Council through the media and through Council publications, conferences and events.

□ **Committee Responsibilities**

This Division reports to the Finance & Management Committee for all its functions apart from Land Charges, which is under the responsibility of the Environmental & Development Services Committee.

## 2.0 OPPORTUNITIES AND CHALLENGES

2.1 The Government has introduced a range of new legislation and guidance that has and will have a significant impact on the Division. This includes the Local Government Act 2000/and 2003 and the Licensing Act 2003.

2.2 The **Corporate Related Challenges** that impact on the Division are as follows:-

□ **Corporate governance**

The fundamental principles of good corporate governance are openness, integrity and accountability. The challenge will be to ensure that these principles are reflected in the Council's relationship with the local community, in service delivery arrangements, in structures and processes, and in the conduct of councillors and employees. The Division will have a key role in supporting and monitoring this approach.

□ **Political Management Arrangements**

In May 2002, the new political management structure was confirmed and an Action Plan agreed to strengthen, consolidate and develop these arrangements. The Division has played a key role in progressing this issue.

Following the election of a new Council in May 2003, all Members received effective induction and awareness training in how the organisation operates and the responsibilities that are placed on them as councillors. The further training needs of Members are continually being reviewed and developed.

□ **Comprehensive Performance Assessment**

Assisting in the implementation of the finalised Comprehensive Performance Assessment Action Plan.

□ **South Derbyshire Local Strategic Partnership**

Servicing meetings of the Board and the Partnership Forum relating to this newly-established body representing the public, private, community and voluntary sectors and involving them in choices about services and local priorities.

□ **Transfer of Liquor Licensing Function**

Servicing a substantial number of meetings of the Licensing Committee, required to be established to consider the liquor licensing function which is to be transferred to local authorities in February 2005 under transitional arrangements. Staff resources will need to be kept under review to establish if additional support will be required to provide the necessary legal advice and guidance to Officers and Members.

□ **Equality of Opportunity and Valuing Diversity**

To ensure that equality and diversity considerations are integrated in all aspects of service planning and delivery.

□ **Better Services to Citizens**

Public expectations about the quality of services provided by their Council have increased. To meet these expectations, it will be necessary to set clear service standards; to consult with, and focus more, on the needs of the customer.

□ **Responding to New Legislation**

The Division has a significant role in assessing the impact of new legislation and developing an appropriate response.

□ **New Ethical Framework**

Following the publication of the Section 66 Regulations relating to the determination by Local Authorities of cases of alleged misconduct referred by the Standards Board for England, further Regulations were issued in late 2004 empowering Monitoring Officers to undertake investigations as well as making determinations. A joint procedure for undertaking determinations has been adopted by the Derbyshire authorities.

□ **Other ways of Delivering Services**

Challenging the way that we deliver services including looking at closer working and partnerships with other councils and the private sector to share knowledge and expertise.

2.3 The **Service Related Challenges** are as follows:-

- In the main, the service related challenges will encompass the various corporate targets and milestones and departmental key tasks contained in the Plan.
- **Land Charges**  
The Land Charges section is heavily involved in the development of 'E-government'. The National Land Information Service (NLIS) initiative involves the transfer of all land and property information and registrations onto a national database to provide, electronically, a one-stop shop for conveyancing searches.
- **Legal Services**  
To undertake a review of the 'Right to Buy' procedure – part of which is currently undertaken by external solicitors – and consider the benefits of a re-organisation of the Legal Services Section with a view to returning this function in-house, provided there are adequate staffing resources.
- **Elections and Electoral Administration**  
To manage the rolling register of electors.  
  
To review the election process in readiness for the County Council Elections in 2005 and the Parliamentary Election in due course and the District Council Elections in 2007. There is also the possibility of a referendum at some stage.
- **Public Relations**  
To continue to raise the profile of the Council through increased public and media relations.

**Opportunities**

- 2.4 Most of the challenges identified in the previous sections will provide independent opportunities to deliver and develop more focused and cost-effective services. However, the key opportunity is that greater flexibility will enable the organisation to consider a wider range of options for service delivery.

**Future Budget Pressures over the next 3 years**

- 2.5 There will be budget implications in connection with the forthcoming transfer of the liquor licensing function and the introduction of the Regulations to empower the Monitoring Officer to undertake investigations into allegations of misconduct referred by the Standards Board for England in relation not only to the 36 Councillors of the Authority but also the Councillors of the 33 Parishes for whom South Derbyshire District Council is the Principal Authority. In relation to investigations involving Parish Councillors, it should be noted that the Authority not only has to bear the direct cost of any investigation and subsequent hearing of a Parish Councillor, but in addition the Parish Council can recover from this Authority the costs of providing any information requested by the Investigating Officer, for instance, minutes of meetings, records of land ownerships, contracts or other activities.

3.0 WORKFORCE PLANNING

ISSUES	POSSIBLE SOLUTIONS	MEASURING SUCCESS
<p><u>Retirement</u> x 2 positions</p> <p>October 2005</p> <p>May 2006</p>	<ul style="list-style-type: none"> <li>Working beyond retirement age</li> <li>Review Job Descriptions and Person Specifications to ensure posts can meet demands of the service.</li> </ul>	<ul style="list-style-type: none"> <li>Permanent appointment to positions when they become vacant</li> <li>No long term absences of established positions</li> </ul>
<p><u>Maternity Leave</u></p> <p>February 2005</p> <p>Position previously vacant for 10 months.</p> <p>Attempted to recruit on 4 separate occasions, which resulted in a lowered experience/qualification standard – career grade implemented.</p>	<ul style="list-style-type: none"> <li>Short term contract for maternity leave period</li> <li>Law student placement for six months</li> </ul>	<ul style="list-style-type: none"> <li>Cover for period of maternity leave</li> <li>Legal Services Performance Indicators maintained at current levels</li> </ul>
<p><u>End of Fixed Term Contract</u></p> <p>September 2005</p>	<p>Position to be made permanent</p>	<p>Being able to fully service meetings of Council, Committees, Sub-Committees, Working Panels, Area Meetings and Parish Liaison Meetings</p>

4.0 KEY TASKS 2005/08

Corporate Targets and Milestones

Target	2004/05 Milestones	Timescale
<p>Consolidate and develop the Council's political management arrangements</p>	<p>Fully implement the 2002 Constitution Action Plan (including review of support for Councillors)</p>	<p>03/05</p>
<p>Maintain effective arrangements for Corporate Governance</p>	<p>Develop and publish a local Code of Corporate Governance</p>	<p>03/05</p>

CORPORATE TASKS

Action	Timescale
<p><b>Crime and Disorder – Section 17</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Audit existing services and policies</li> <li><input type="checkbox"/> Implement Action Plan</li> </ul>	<p>09/05 onwards</p> <p>09/05 onwards</p>
<p><b>Equal Opportunities and Diversity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Contribute to the development and implementation of the Corporate Equalities Plan,</li> <li><input type="checkbox"/> Contribute to the development and implementation of the Race Equality Scheme</li> </ul>	<p>04/05 onwards</p> <p>04/05 onwards</p>



**DEPARTMENTAL TASKS**

Action	Timescale
<b>Land Charges</b> <input type="checkbox"/> Upgrade systems to achieve e-compliance and links with National Land and Property Gazetteer (NLPG)	03/05
<b>Elections and Electoral Registration</b> <input type="checkbox"/> Prepare for and manage arrangements for the 2005 County Elections <input type="checkbox"/> Prepare for and manage arrangements for the Parliamentary Elections <input type="checkbox"/> Prepare for and manage arrangements for the 2007 District Elections	05/05 05/05 05/07
<b>Legal Services</b> <input type="checkbox"/> Review the Right to Buy procedure, whereby part of the work is dealt with by external solicitors, with a view to returning the function in-house, provided there are adequate staff resources	05/05
<b>Democratic Services</b> <input type="checkbox"/> Amendment to current working practices following issue of laptop computers to all Members	02/05

**5.0 MANAGING RISKS**

Nature of Risk	Likelihood of occurrence	Impact	Existing and Proposed Action to minimise the risk
Covering duties in the absence of a professional member of staff, due to the current level of limited resources	Very High	Critical	Review staffing structure of Legal and Democratic Services
Errors relating to legal agreements and legal advice	Low	Critical	Recruitment and retention of qualified experienced staff and ongoing training
Land Charges – incorrect information on a Search	Extremely Low	Critical	Recruitment and retention of qualified experienced staff and ongoing training
Misinformation reaching the Press and information being published incorrectly	Moderate	Moderate	Ensure all media contact is via the Press Office and is factually correct
Election petition	Extremely Low	Critical	Ensure Election is organised in accordance with prescribed regulations

**6.0 EMPLOYEE STRUCTURE AND WORK ORGANISATION**

- 6.1 The Legal & Democratic Services Division is part of the Chief Executive's department.
- 6.2 The Division is managed by the Head of Legal & Democratic Services and is divided into 5 main sections as follows:-
  - Elections and Electoral Registration Service
  - Land Charges
  - Legal Services
  - Democratic Services (including civic functions)
  - Public Relations
- 6.3 An organisation chart is attached at Annexe A.
- 6.4 Such is the nature of the services provided that all teams within the division rely on working with staff across the Council.

**Development Needs**

<b>Service Plan Reference</b>	<b>Key Development Needs</b>
Targets and Milestones	Time to undertake research, legislation updates, attendance at network and support meetings and conferences. Improving skills on existing IT Raise awareness of divisional issues Continuing professional development training

**7.0 PERFORMANCE INDICATORS AND TARGETS**

**Best Value Performance Indicators**

- 7.1 The table below shows the Best Value Indicators that relate to the service provided within this division.

<b>Best Value Indicator</b>	<b>Estimate 2004/05</b>	<b>Target 2005/06</b>	<b>Target 2006/07</b>	<b>Target 2007/08</b>
The %age of standard searches carried out in 10 working days	97	100	100	100

In order to achieve our target, the Section:-

- Ensures that there are close working relations, and better communications, with both internal and external information providers to increase the overall awareness of the BVPI.
- Holds regular internal departmental meetings to discuss ways in which to remove known obstacles to aid improved service delivery.
- Has recently installed an upgraded SX3 software system, which has allowed progress to NLIS Level 3.

## Legal & Democratic Services Division

### Local Performance Indicators

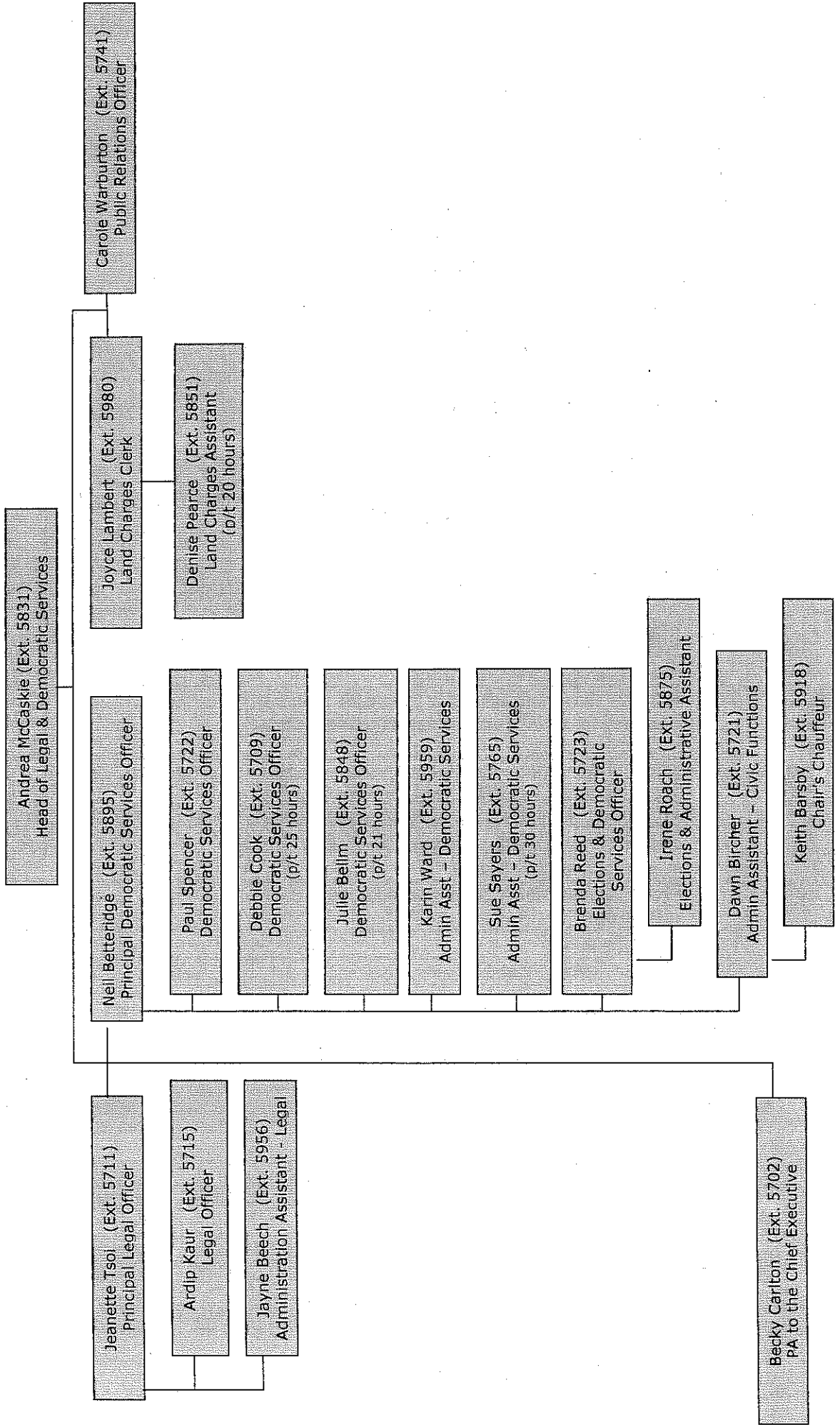
7.2 The table below shows the local indicators that the Division has developed to measure its performance.

No.	Local Indicator	Estimate 2004/05	Target 2005/06	Target 2006/07	Target 2007/08
<b>Democratic Services</b>					
L.1	% of agendas despatched 5 clear days before meeting	100	100	100	100
L.2	% of decisions that are recorded accurately in Minutes	99	100	100	100
L.3	To provide public notice of all Council Meetings and make available agendas for the public	100	100	100	100
L.4	% of decision/action sheets issued within deadlines	100	100	100	100
L.5	To make Tree Preservation Orders within 5 working days of receipt	95	95	95	95
L.6	% of events where the Chair arrives punctually	100	100	100	100
L.7	% of civic invitations responded to within 5 working days	95	95	95	95
<b>Elections and Electoral Registration</b>					
L.8	% of households returning the Electoral Registration Form	99	100	100	100
L.9	Compliance with prescribed election timetables	100	100	100	100
L.10	User satisfaction – lack of election petitions/complaints	Nil	Nil	Nil	Nil
<b>Legal Services</b>					
L.11	% of draft contracts sent out within 15 working days of receipt of proper detailed instructions	90	90	90	90
L.12	% of draft shop leases sent out to prospective tenants or their solicitors within 15 working days of receipt of proper detailed instructions	90	90	90	90
L.13	Within 25 working days of receipt of an initial instructing memorandum requesting the initiation of prosecution proceedings, to confirm to the instructing officer that their instructions are adequate or to advise what further information or action is required	75	90	90	90
L.14	% of written communications responded to within 10 working days	85	97	97	97
<b>Public Relations</b>					
L.15	To issue 4 press releases per week	6	6	6	6

### 8.0 USEFUL CONTACTS

Name	Job Title	Telephone Number	E-mail address
Andrea McCaskie	Head of Legal & Democratic Services	(01283) 595831	andrea.mccaskie@south-derbys.gov.uk
Jeanette Tsoi	Principal Legal Officer	(01283) 595711	jeanette.tsoi@south-derbys.gov.uk
Neil Betteridge	Principal Democratic Services Officer	(01283) 595895	neil.betteridge@south-derbys.gov.uk
Joyce Lambert	Land Charges Officer	(01283) 595835	joyce.lambert@south-derbys.gov.uk
Carole Warburton	Public Relations Officer	(01283) 595741	carole.warburton@south-derbys.gov.uk
Rebecca Carlton	PA to the Chief Executive and Leader	(01283) 595702	rebecca.carlton@south-derbys.gov.uk

# LEGAL & DEMOCRATIC SERVICES DIVISION



# REVENUE SERVICES SERVICE PLAN 2005/08

## 1. SERVICE DESCRIPTION AND PURPOSE

- 1.1 The Division is responsible for the collection and recovery of Council Tax and the National Non-Domestic Rate, the administration of the Housing and Council Tax Benefit Scheme along with the provision of remittance processing facilities along with the administration of the Concessionary Fares Scheme.

### Revenues

There are almost 36,650 properties banded for Council Tax purposes.

In addition, there are almost 1,900 National Non-Domestic Rate properties.

Accounts are despatched to all liable persons and amendments are carried out to reflect the various discounts and exemptions which are available. The recovery of amounts outstanding is governed by a Code of Practice which includes action in the Magistrates' Court, the use of two firms of Bailiffs and the use of attachments of earnings or benefits.

### Benefits

The caseload for Housing and Council Tax Benefit claimants is almost 4,950. Of these, 2,020 also receive Rent Rebate (paid to Council Tenants) and 1,290 receive Rent Allowance (paid to private tenants and tenants of Registered Social Landlords).

Applications are received from claimants and claims are reviewed in accordance with the intervention process. Payment of Council Tax Benefit is made direct to the Council Tax account, whilst Rent Rebate is paid to the Rent Account and crossed cheques are issued in respect of Rent Allowance payments.

The division also carries out any necessary Fraud Investigations to ensure that benefits are paid only to those who have an entitlement.

### Cash Collection

The Cash Office in the Civic Offices provides a remittance processing centre for the authority dealing not only with personal callers but also with the processing and reconciliation of remittances received from other sources such as the Post Office, Banks, Debit/Credit Cards and Internet payments.

### Concessionary Fares

The Division is responsible for the issuing of passes in connection with the Concessionary Fares Scheme. The Gold Card scheme is a joint venture with Derbyshire County Council and the councils within the county, including Derby City. The scheme provides reduced fares for the elderly and certain disabled persons.

- 1.2 The service is currently involved in the joint working with the Derbyshire and Staffordshire Revenues and Benefits Consortium. There is also joint working with other Derbyshire and neighbouring authorities to produce benefit information leaflets.
- 1.3 Work is progressing to achieve the implementation of the Benefit Verification Framework.
- 1.4 A number of initiatives are in progress to reach the e-government targets for December 2005. Some of these involve joint bids and working with the other authorities in Derbyshire.
- 1.5 The Revenue Division provides a service to a wide range of external customers. A Council Tax bill is sent to every household in the district and a National Non-Domestic Rate bill to every business. Some of the occupiers of domestic properties are benefit claimants and many payers use the services offered by the cash office, including those who wish to obtain a Gold Card Travel Permit.
- 1.6 The purpose of the Division is to provide an effective and efficient service to the Council and our customers in relation delivery of the Revenues and Benefits Service.
- 1.7 The Finance and Management Committee is responsible for the formulation of the delegated scheme for the granting of Rate Reliefs and the delegation of the Housing and Council Tax Benefit Scheme. Information is also supplied to the committee concerning the activities of the Benefit Fraud Section. Other ad-hoc issues surrounding the duties of the Revenue Division are also reported to Committee as appropriate.

## **2. OPPORTUNITIES AND CHALLENGES**

2.1 The **Corporate Related Challenges** are as follows:-

- **E-government** – offers the opportunity and prospect of government funding to change the way we deliver services to our customers using IT. The introduction of e-payments has been achieved and this will be followed by e-benefits (on-line benefit information and application), e-balances (balances of Council Tax and NNDR available on-line) and e-billing.
- **Other ways of delivering services** – we need to be open to other ways of delivering services if this means lower costs and a better service. We are now involved with closer working/partnerships with other councils so that we can share knowledge and expertise. The introduction of the “Customer First” project is having a significant impact on the service and other ways of reaching our customers are being investigated.

## 2.2 The **service related challenges** are as follows:-

- **Replacement of Computer Systems** – it had been identified that the computer systems used in Revenue Services are now outdated and are in need of replacement. The Derbyshire and Staffordshire Revenue and Benefits Consortium, of which we are one of the five councils involved, was formed to acquire modern, e-government compatible systems which will lead to the service being delivered in an imaginative way.  
The work on the conversion to the new system is continuing and the scheduled “go live” date is now December 2005. The period beyond will be used to develop the service around the facilities available following the introduction of the system.
- **Legislation Changes** – there are constant changes to the regulations governing the administration of the Housing and Council Tax Benefit scheme. These changes have to be introduced to strict timescales and have a direct impact on many claimants. The main proposals for further changes include changing the scheme to:
  - Introduce a flat standard local housing allowance
  - Make Housing Benefit payments direct to claimants
  - Speed Housing Benefit claims processing
  - Introduce a scheme of “interventions” for Housing and Council Tax Benefit applications
  - Allow for a service that enables claiming over the telephone and once only with other agencies (such as Job Centre Plus)Further developments will, no doubt, take place in the period to 2008.
- **Performance Standards** – work is continuing to introduce practices and procedures to increase the number of HB/CTB Performance Standards achieved by the service. The Performance Standards scheme is being altered with effect from April 2005 providing a new approach to the focus and assessment of the service.
- **Verification Framework** – The verification framework involves the confirmation of identity and the verification of income and capital with key documentation in all cases. There is also a complex system of recording such actions. However, the framework is designed to prevent fraud entering the system and at the moment councils have discretion to decide whether to adopt this framework. A complete review of the Framework has taken place and revised arrangements were introduced with effect from April 2004. Work has commenced to move introduce the Framework and full implementation is scheduled for April 2005.
- **Fraud Initiatives** – there will be a continuing requirement during the period to adopt various initiatives to attempt to combat benefit fraud. Some of these initiatives will be carried out jointly with the local DWP office.
- **Preparation to extend joint working with other Councils** – This will continue to develop during the period to 2008. This will build on the work already carried out following the acquisition of computer software and the work done on the design of leaflets and forms. Other developments will be the sharing of expertise (e.g. recovery of Council Tax) and the possible sharing of workload between authorities.

### 2.3 Other changes –

- Work is currently being carried out by the Valuation Officer for the next non-domestic rate revaluation. This will come into effect on 1 April 2005 and is accompanied by a Transitional Relief Scheme and a Small Business Rate Relief Scheme.
- A “revaluation” of bands for Council Tax will take place before 1 April 2007. The date on which this exercise will be based is April 2005. Further details will be announced over the coming months.

### 2.4 Opportunities

The key opportunities that flow from the above challenges are as follows:-

- **A wider range of options** – the above challenges do bring opportunities to deliver services in a different and innovative way.
- **Greater flexibility across the Council to consider alternative methods of delivery** – a number of the challenges outlined above will require decision makers to consider and accept alternative ways of delivering services.

## 3. WORKFORCE PLANNING

3.1 The following issues have been identified:

Issues	Possible solutions	Measuring Success
The implementation of the new computer system – difficulties with the conversion of the data	Additional temporary resources may be required to “key in” data on the conversion.	Successful implementation of the new computer system
The implementation of the new computer system – difficulties with using a different system	There may be a need for additional resources in the short term to overcome any difficulties	Successful implementation of the new computer system
Age profile of Benefit Manager and Head of Revenues	Review the management of the service and consider succession management	Smooth transition of the development and delivery of service
Changing shape in the delivery of the service (i.e. New computer system, “Customer First” and e-government initiatives)	Work closely with other services and investigate all joint working opportunities	Smooth development and delivery of service along with sustained performance



#### 4. KEY TASKS

Ref. No.	Actions	Timescale
Rev1	Implement the new Revenues and Benefit Software	To December 2005
Rev2	Plan developments to follow the introduction of the new software (eg. Further joint working arrangements)	To December 2005 (and beyond)
Rev3	Continue to develop the joint working arrangements with other authorities for the production of leaflets and standards	Throughout the period to March 2008
Rev4	Implementation Plan following the work carried out on the HB/CTB Performance Standards (as part of the BFI inspection for the CPA) and new Performance Standards	Covers the period until 30 September 2005
Rev5	Continue to enhance the fraud investigation function as a result of the CPA inspection and the HB/CTB Performance Standards	Covers the period until 30 September 2005
Rev6	Introduce the provisions of the Verification Framework	To April 2005
Rev7	Prepare for and Implement the National Non-Domestic Rate revaluation	To April 2005
Rev8	Prepare for and Implement the Council Tax re-banding	To April 2007
Rev9	Introduce e-government facilities for Council Tax, the National Non-Domestic Rate and Housing and Council Tax Benefit	To December 2005
Rev10	Investigate and make bids (either as an individual authority, or jointly with other authorities and organisations) for funding for various projects	Throughout the period to March 2008
Rev11	Crime and disorder - Section 17: <ul style="list-style-type: none"> <li>• Audit existing services and policies</li> <li>• Implement action plan</li> </ul>	September 2005 (onwards)
Rev12	Equal Opportunities and Diversity <ul style="list-style-type: none"> <li>• Annual Audit of services and policies in the light of the Race Equality Scheme</li> </ul>	September 2005/06/07

## 5. MANAGING RISKS

Nature of risk	Likelihood of occurrence	Impact	Existing and Proposed Action to minimise the risk
Substantial changes to the Benefit scheme prior to the implementation of the new Revenue and Benefits computer system	Very High	Critical	Continue to update and amend the current in-house computer systems
Substantial changes to the Council Tax and Non-Domestic Rates schemes prior to the implementation of the new Revenues and Benefits computer system	Very High	Critical	Continue to update and amend the current in-house computer systems
Substantial delay (or non-delivery) of the new Revenues and Benefits computer system	Very High	Catastrophic	Regular meeting of the Implementation Team and Project Board to ensure adherence to timetables
Non-delivery of required legislative changes to the new system	Very High	Catastrophic	Involvement in user groups to endeavour to ensure all requirements are met

## 6. EMPLOYEE STRUCTURE AND WORK ORGANISATION

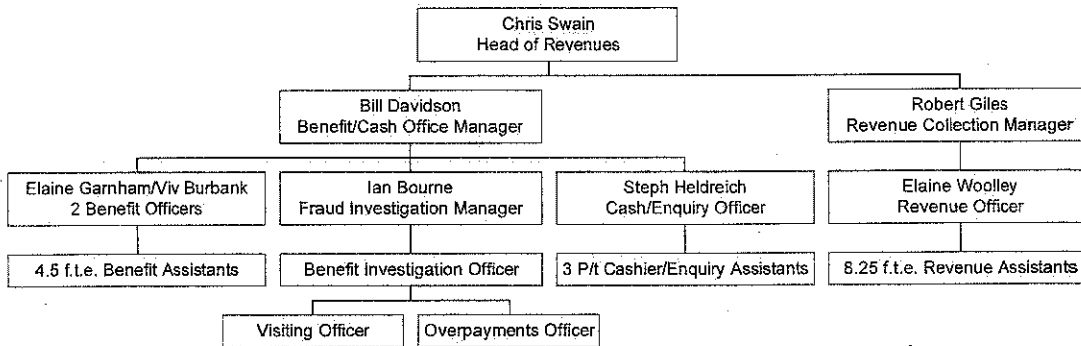
6.1 The Revenue Division is part of Corporate Service Directorate.

6.2 The Division is managed by the Head of Revenues and is divided into two main sections as follows:

- ❖ Revenue Collection
- ❖ Benefits and Cash Office

6.3 An organisation chart is shown below:

### Work organisation – Revenue Services



### Development Needs

Service Plan Reference	Key Development Needs
Implementation of the new Revenues and Benefits System	Training on the implementation of the project. Intensive training on the workings of the new system.
Implement changes in Benefits legislation	Training on the changes to the legislation
Implement the Verification Framework	Working alone training for visiting officers

## 7. PERFORMANCE INDICATORS AND TARGETS

### Best Value Performance Indicators

NB. The targets for 2005/06 have been adjusted to reflect the anticipated effect of the introduction of the new computer systems

Best Value Indicators	Estimate 2004/05	Target 2005/06	Target 2006/07	Target 2007/08
9- Percentage Council Tax Collected in year	98.50%	97.00%	97.50%	98.50%
10- Percentage NNDR collected in year	99.00%	97.00%	98.00%	99.00%
76 Security				
76a- No. of claimants visited per 1,000 caseload	60.0	75.0	80.0	90.0
76b- No. of fraud investigators per 1,000 caseload	0.5	0.6	0.6	0.6
76c- No. of fraud investigations per 1,000 caseload	50.0	50.0	60.0	60.0
76d- No of prosecutions and sanctions per 1,000 caseload	2.5	3.0	3.0	3.0
78a- Average number of days to process new benefit claims	16 days	30 days	25 days	15 days
78b- Average number of days to process changes of circumstances	4 days	10 days	7 days	4 days

79a- Accuracy of processing calculations)	98%	96%	97%	98%
79b- Accuracy of processing (percentage of overpayments recovered)	Unable to measure due to software limitations	Unable to measure due to software limitations	60%	70%

### Local Performance Indicators

NB. The targets for 2004/05 have been adjusted to reflect the anticipated effect of the introduction of the new computer systems

Local Indicator	Estimate 2004/05	Target 2005/06	Target 2006/07	Target 2007/08
Average number of chargeable Council Tax dwellings per Revenue Assistant	3,750	4,400	4,450	4,500
Average number of chargeable NNDR properties per Revenue Assistant	1,200	1,200	1,200	1,200
Average time for paying new claims for Council Tax Benefit	15 days	30 days	25 days	15 days
Average time for paying new claims for Rent Rebate	13 days	30 days	25 days	15 days
Average time for paying new claims for Rent Allowance	16 days	30 days	25 days	15 days
Average time for processing changes of circumstances for Council Tax Benefit	4 days	10 days	7 days	4 days

Average time for processing changes of circumstances for Rent Rebate	4 days	10 days	7 days	4 days
Average time for processing changes of circumstances for Rent Allowance	3 days	10 days	7 days	4 days
Average number of claimants per Benefit Assistant	750	1,000	1,050	1,100
Percentage of claims not processed at the end of the year	2.50%	5.00%	3.00%	2.00%

## 8. USEFUL CONTACTS

Chris Swain	Head of Revenues	01283 595812	<a href="mailto:chris.swain@south-derbys.gov.uk">chris.swain@south-derbys.gov.uk</a>
Bill Davidson	Benefits and Cash Office Manager	01283 595841	<a href="mailto:bill.davidson@south-derbys.gov.uk">bill.davidson@south-derbys.gov.uk</a>
Robert Giles	Revenue Collection Manager	01283 595828	<a href="mailto:robert.giles@south-derbys.gov.uk">robert.giles@south-derbys.gov.uk</a>