

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1	Meeting:	Cabinet Member for Adult Social Care
2	Date:	17th February 2014
3	Title:	Debt Management and Recovery Policy for Adult Social Care Debt
4	Directorate:	Neighbourhoods and Adult Services

5. Summary

5.1. To seek approval of the Debt Management and Recovery Policy for Adult Social Care Debt.

5.2. The Policy provides a high level policy for how debt will be pursued and ensures staff and customers are clear how we take a fair and firm approach to recovery of money owed to the council for the provision of adult social care services.

6 Recommendations

6.1 **Members are requested to receive this report and approve the Debt Management and Recovery Policy for Adult Social Care Debt.**

7 Proposals and Details

- 7.1 The Council charges customers for a range of adult social care services in accordance with statutory requirements and local charging policy:
- 7.2 Whilst the majority of income due is paid on time, the council has a duty to ensure that all revenue owed to the council is collected promptly and effectively for the benefit of all Council Tax payers.
- 7.3 At present the Council does not have any overarching policy framework for the management of adult social care debt.
- 7.4 The policy sets out to formalise best practice and includes guidance to ensure that we have a transparent, consistent and proportionate approach to the recovery of money owed to the council having due regard to minimising arrears whilst not causing undue hardship or consequences to the customer as a result.
- 7.5 The Key Aims of the policy are to:
 - 7.5.1 Collection of all money due; quickly and economically taking into account the financial circumstances and mental capacity of the customer.
 - 7.5.2 Prevention of debt and arrears; by prompt notification of charges, billing and collection of money due and affordable repayment plans and early intervention when a customer is in arrears.
 - 7.5.3 Ensuring that principles protecting the rights of vulnerable customers underpin all actions and that where there are issues of financial mismanagement or exploitation, appropriate investigations are carried out under the Council's Safeguarding Policy.
 - 7.5.4 Provision of a legal framework to enable legal enforcement (where necessary and appropriate) to recover debts.
 - 7.5.5 Compliance with the Council's Financial Regulations and Standing Orders

8 Finance

- 8.1 A debt collection policy for adult social care charges will provide the framework for the council to collect debts owed to it and should contribute to increasing income for the council.

9 Risks and Uncertainties

- 9.1 Adoption of the policy will mitigate the risk of non-recovery of current and new adult social care debts by ensuring that there is a common understanding of our approach to debt collection.

9.2 This is a sensitive area dealing with a most vulnerable section of society in a highly legislated area of work. Inconsistent application of Council policy may lead to poor levels of service and place the Council open to challenge by judicial review

10 Policy and Performance Agenda Implications

10.1 No Implications

11 Background Papers and Consultation

11.1 Debt Management and Recovery Policy for Adult Social Care Debt

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