

Decision Record – Irrecoverable Debts

Cabinet Portfolio Holder taking decision

Councillor Izzi Seccombe – Adult Social Care

**Date of Decision:
(NOT BEFORE – 22nd February 2013)**

27 FEBRUARY 2013

Decision taken

That I, as Portfolio Holder for Adult Social Carer, approve that the six debts, accruing to £20,749.19 as detailed in Appendix A, are written-off as irrecoverable.

Reasons for Decisions

Every endeavour is made to prevent debt arising appropriate action is taken to recover outstanding monies due to the County Council. This includes issuing Court proceedings where necessary and negotiating with customers to pay by instalments. It is only as a last resort that a request for a write-off is made.

The financial arrangements and agreements are discussed with the customer and/or their family or representative at the start to ensure roles and responsibilities for customers and their families are understood.

Work is regularly undertaken to update and review internal procedures and guidance, e.g. 3rd party top-ups and Individual Placement Agreements. Alongside, we arrange services and work with customers and their families to discuss financial issues and ensure that contractual agreements are entered into in a timely way.

All processes are reviewed and improved wherever possible to keep debt levels to a minimum. However it has to be accepted that there are circumstances whereby some debt becomes irrecoverable.

Background Information/ factors considered in arriving at these decisions - (set out below and in the officer report):

Warwickshire County Council is currently pursuing a number of outstanding adult social care debts and, in the case of the 6 debtors listed at Appendix A, it is considered uneconomical to pursue them further. It is therefore proposed that these debts totalling £20,749.19 be written-off.

The cost of writing-off would be set against the provision for bad debts that the County Council sets aside each year. Where a debt has been incurred by a customer or their representative, all reasonable means are used to recover the debt. However, the statutory duty of care towards people assessed as needing services remains, in spite of any debt. Attempts are made, including contact with the customer/representative to ascertain any extenuating circumstances for the accrual of a debt. Instalment plans are agreed and reviewed regularly.

Sustained efforts over the years have been partially successful in recovering outstanding sums. However, these amounts are now proposed for write-off on the grounds described in each case.

In the case of a deceased customer, we request copies of final bank statements, funeral bills and any other supporting documentation which can prove there are no monies to pay outstanding charges. Where we are unsure of a person's finances, we write to the Probate Registry to see if Probate has been granted.

The information collected at the time of the financial assessment gives details of any property, savings or bonds that a person has so we usually know at the start of a package if a customer has any savings and so we rarely have concerns if there is no money at the time of death as the information provided at the relevant time satisfies us that the person has no money left.

Independent verification is sought where someone asks to pay a debt by instalments, when they are offering minimal payments.

Checklist

Urgent matter: yes/no*

No

Confidential or Exempt (state category of exempt information)

No

Is the decision contrary to the budget and policy framework?

No

List of Reports considered [please attach or forward a copy]

Report from author.

List of Background Papers [please include directorate contact names and numbers for access to background papers]

None

Any members and officers consulted or informed and any comments given.

Cllr Izzi Seccombe (Portfolio Holder)
Cllr Claire Watson
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