

Part 5.10 Guidance for Members and Staff in relation to Members' Involvement in Housing and Council Tax Benefits Work

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GUIDANCE FOR MEMBERS AND STAFF IN RELATION TO MEMBERS' INVOLVEMENT IN HOUSING AND COUNCIL TAX BENEFITS WORK

1. Introduction

This Guidance is issued to Members and staff in accordance with the Council resolution of 28th April 1999 that requires detailed involvement by Members in individual housing and council tax benefits cases to cease. At the same time, the guidance seeks to recognise Members' legitimate role in representing constituents, whether they are claimants or landlords, in their dealings with the Council.

This guidance supplements the declaration/registration of interest requirements contained in the Local Code of Conduct for Members and the requirement that Members should register services they, or close members of their family, have applied for or received from the Council which was agreed by Council in October 1999.

There is a parallel requirement for all officers involved in the administration of benefits to declare their interest in the Register of Employee Interests (Paragraph 5 of the Local Code of Conduct for Employees refers).

2. Members' case work

In the first instance constituents who approach a Member for help should be invited to contact the 'My Council' Customer Service Centre or the Revenue and Benefits Helpline service, or to use the corporate complaints procedure.

If the Member has concerns about the case or the constituent is insistent the Member takes up the issue, the Member should immediately refer the matter in writing, to the Director concerned. All such enquiries must be accompanied by a consent form signed by the constituent and countersigned by the Member, which gives authority for information about the case to be released to that Member.

Only in exceptional circumstances, or emergencies where the constituent is facing hardship, should Members make personal contact and then it should be to the Director or head of service (currently the Service Manager – Benefits, Council Tax and NNDR).

3. Members and their household who are benefits claimants

All Members, their family and other members of their household who claim housing and/or council tax benefits must declare that fact to the head of service (currently the Service Manager – Benefits, Council Tax and NNDR). Confidentiality will be respected, and the head of service will arrange for a senior benefits officer to check the claim is properly administered and processed.

If a member has an inquiry about his or her benefits or entitlements, this should always be raised in writing to the Director concerned.

4. Members with other interests in the benefits systems e.g. as landlords

Members who are landlords of properties where their tenants are claiming benefits or who have some other pecuniary interest in the benefits system, must declare the details to the Council's Monitoring Officer for inclusion in the statutory Register of Interests.

All enquiries from such Members in relation to their interest should be addressed in writing to the Director concerned.

5. Appeals

The Appeals Service is independent of the Council and Members may represent or advocate on behalf of a claimant, provided a consent form signed by the constituent and countersigned by the member has been submitted.

6. Circulation and review of guidance

This guidance will be issued to all existing and new Members and to all officers involved in the administration of benefits.

The guidance will be reviewed every two years by the head of service for the housing and council tax benefits service.