

MIDDLESBROUGH COUNCIL

Report of:	Director of Finance
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Executive
Date:	4 September 2024
Title:	Vulnerability Policy
Report for:	Decision
Status:	Public
Council Plan priority:	Safe and resilient communities
Key decision:	Yes
Why:	Decision(s) will have a significant impact in two or more wards
Subject to call in?:	Yes
Why:	Non urgent report

Proposed decision(s)

That Executive approves the refresh of the policy to address inconsistencies, updates and presentational issues that require minor amendments. The amendments are as follows:

- An update to the policy to reflect the way in which assistance is provided to those who are hard of hearing / deaf. This will be achieved through the use of British Sign Language interpreters and utilised for the resident via their agreed method of communication e.g. face to face, online etc;
- Reference to the Council's welfare strategy ([Welfare Strategy | Middlesbrough Council Open Data \(arcgis.com\)](#)) as this strategy was not formally in place when the previous Vulnerability policy was agreed;
- Confirmation that vulnerable residents will be signposted to the Benefits or Welfare Rights services to ensure that their income is fully maximised to support the repayment of any outstanding debts.

That delegated authority to approve any future minor revisions/modifications is provided to the Director of Finance and the Executive Member of Finance and Governance to reflect the financial / economic climate as necessary.

Executive summary

Middlesbrough Council has a responsibility to ensure that residents who are considered vulnerable and are experiencing financial difficulties, are supported in a fair and consistent manner in line with the Council's values and through its Vulnerability Policy.

The policy is subject to a regular 3 year review to ensure that it reflects any changes in legislation and provides clarity and guidance. Following the review there are some inconsistencies, updates and presentational issues that require minor amendments to the policy. These are referenced in the recommendations below.

1. Purpose

1.1 Following a review of the policy there are some inconsistencies, updates and presentational issues that require minor amendments to the policy, therefore it has been necessary to undertake a number of minor amendments as outlined above.

2. Recommendations

2.1 That Executive approves the refresh of the policy to address inconsistencies, updates and presentational issues that require minor amendments. The amendments are as follows:

- An update to the policy to reflect the way in which assistance is provided to those who are hard of hearing / deaf. This will be achieved through the use of British Sign Language interpreters and utilised for the resident via their agreed method of communication e.g. face to face, online etc;
- Reference to the Council's welfare strategy ([Welfare Strategy | Middlesbrough Council Open Data \(arcgis.com\)](#)) as this strategy was not formally in place when the previous Vulnerability policy was agreed;
- Confirmation that vulnerable residents will be signposted to the Benefits or Welfare Rights services to ensure that their income is fully maximised to support the repayment of any outstanding debts.

2.2 That delegated authority to approve any future minor revisions/modifications is provided to the Director of Finance and the Executive Member of Finance and Governance to reflect financial / economic climate requirements as necessary.

3. Rationale for the recommended decision(s)

3.1 The policy is a key decision that impacts on two or more wards and as such requires Executive approval.

- 3.2 The updated policy upholds good practice within democratic processes and enables the refreshed policy to maintain visibility with the Executive.
- 3.3 The minor amends will result in no changes to the threshold to services and support provided.
- 3.4 Delegated authority to the Director of Finance and Executive Member of Finance and Governance to approve future minor modifications to the policy maintains service operation levels. As a working policy, failure to keep pace with new legislation or working practices leaves the Council at risk and can result in inconsistent practices.
- 3.5 The proposals provide clarification and ensures vulnerable residents have a clear understanding of the Council's approach to any outstanding debts and the support that they will be provided with.

4. Background and relevant information

- 4.1 The Council recognises that some residents may be regarded as vulnerable for a variety of reasons and require support to repay any debts owed. There is no strict definition of 'vulnerable', although the policy does provide some information around a number of scenarios where this may apply. The list is not exhaustive, and it will be for officers to determine if someone is presenting as vulnerable. Once a resident has been identified as vulnerable and thus requiring support that an alternative approach to debt recovery should be considered.
- 4.2 The 3 year review provides the opportunity to refresh the policy and make the necessary amends. During the operational period of the policy, the Council has implemented the Welfare Strategy which brings together a number of services to provide a wide range of support for residents. This provides further assistance to the most vulnerable and will not only maximise income through the identification of any unclaimed benefit entitlement, but also provide wider opportunity to reduce debts through any free advice or available grant funded opportunities (such as discretionary housing payments or household support funding).
- 4.3 Through early intervention, alternative options for repayment of debt can be discussed and agreed and this may extend to working with a third party or liaising with a relative as and when required.
- 4.4 The minor amendments to the policy as outlined in para 2 will ensure that the current process for recovery remains transparent and consistent. This policy will continue with the principle that residents should only be required to pay what they can afford, whilst ensuring the debt is repaid in the long term.

5. Other potential alternative(s) and why these have not been recommended

- 5.1 Leave the policy unaltered: although the policy does not make any reference to the Welfare Strategy which is pivotal to the way in which debt recovery is now undertaken.
- 5.2 The current policy does not make any reference as to how those who are hard of hearing or deaf would be treated which should be a consideration. In addition, the existing policy

does not provide confirmation of how the Council can support residents to maximise benefit entitlement through the identification of any unclaimed benefits.

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

6.1.1 There is no additional cost to the Council in respect of the proposed minor changes to the policy as the changes relate to how vulnerable residents will be assisted.

6.2 *Legal*

6.2.1 It is best practice for the Council to have a Vulnerability Policy, however, it is not a legislative requirement. Middlesbrough Council has designed a suitable policy under which to assess those residents considered to be vulnerable in respect of owing debts to the Council.

6.2.2 There are no other legal implications around this policy.

6.3 *Risk*

6.3.1 The review of the Vulnerability policy ensures that there is adequate governance in place, and the Council does not breach governance requirements or fail to deliver organisational priorities (Risk 08-054). In addition, by now reviewing the scheme every 3 years, the Council continues to effectively review and amend the scheme to comply with any new legislative changes (Risk 08-055).

6.4 *Human Rights, Public Sector Equality Duty and Community Cohesion*

6.4.1 There are no disproportionate adverse impacts on any group or individuals with characteristics protected in UK equity law.

6.5 *Climate Change / Environmental*

6.5.1 There are no disproportionate adverse impacts on the aspirations of the Council to achieve net zero, net carbon neutral or be the lead authority on environmental issues.

6.6 *Children and Young People Cared for by the Authority and Care Leavers*

6.6.1 This policy will have no impact on children and young people cared for by the Authority and Care Leavers.

6.7 *Data Protection*

6.7.1 The collation and use of personal data will be managed in accordance with the Council's Data Protection policy, the Central Debt Management Data Protection Impact Assessment (DPIA080) and the Council's relevant Privacy Notices

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
<p>The Vulnerability Policy will be updated as outlined above, subject to Executive approval.</p> <p>Publish updated policy and information on the Council’s website by 9 September 2024.</p>	<p>Janette Savage</p>	<p>9 September 2024</p>

Appendices

Appendix A – Final Vulnerability Policy

Appendix B – Initial Impact Assessment Vulnerability Policy

Background papers

No background papers were used in the preparation of this report.

Contact: Janette Savage (Head of Residents and Business Support)

Email: Janette_Savage@middlesbrough.gov.uk