Northern Health and Social Care Trust

Trust Board Briefing Paper	
Reference Number:	TB146/19/P
Date of Meeting:	27th October 2022
Presenting Director:	Owen Harkin
Subject:	Write off of Losses
Purpose: Approval/Noting	For noting
Background:	29563 – Debt arose in 2017/18 and 2019/20 and relates to unpaid Client Contributions in respect of care home fees. 348411 – Debt arose in 2014/15 and relates to unpaid Client Contributions in respect of care home fees.

Proposed Write off for 29563 WS - £14,844.69

- This debt has accrued as the client did not pay invoices raised for his care in Benbradagh, Weavers House or Fairfields.
  The client was deemed to be incapable of managing his financial affairs in October 2019 and a referral made for the Trust to become Corporate Appointee.
- Referral was made to the Office of Care & Protection (OCP) to request search certificates to investigate the client income and assets.
- The Trust received the client's State Retirement Pension from 11 November 2019.
- From the search certificate the Trust established that the client had two occupational pensions from Canada. In March 2020 the OCP issued an order to the Canadian Pensions provider to requesting that these incomes are redirected as payable to the Trust and once the Trust is in receipt of these income the OCP will transfer the balance of the client's bank account to the Trust to manage.
- However, the client passed away on 09 December 2020 before the occupational pension and balance of his account was transferred to the Trust.
- The client had no next of kin therefore case referred to Department of Legal Services (DLS) who contacted the Crown Solicitors Office who confirmed the client had a number of debts including Canadian Credit Card balance of $36,398.00 which was required to be paid from his Estate.

DLS have advised that there is no further avenues for the Trust to pursue and no possibility of recovery of this debt therefore it is recommended for write off.

Proposed Write off for 34811 ML - £24,257.85

- This debt arose as a result of the Financial Assessment being finalised as Full Cost due to Non-Disclosure and invoice raised for payment. However no payments were received from Debtor.
- The Trust made an application to be appointed as Corporate Appointee for the clients benefit to reduce the debt accruing, however the Social Security Agency advised the Trust the client already had an appointee who would not agree to relinquish their role.
- The client deceased on the 07 August 2015.
- A referral was made to Directorate of Legal Services (DLS) on 01 December 2015.
- The Debtor made contact with DLS to advise that she had provided full disclosure to the home and that all the client’s incomes including occupational pension was paid directly to the Care Home. She suffers from depression due to the loss of family members and has had to give up employment.
- Ratheane PNH confirmed they received no statements or income for this client.
- Enforcement of Judgement Office (EJO) and Bankruptcy searches established that the debtors previous property was repossessed and EJO showed a number of judgements which resulted in a Certificate of Unenforceability being issued against the debtor.
- DLS confirmed that the daughter is not a mark for recovery and that the debt was likely to be over inflated but the Trust has no evidence to enable a reassessment of this debt.

DLS have advised the Trust has exhausted all attempts at recovery and debt is statute barred over 6 years old, therefore it is recommended for write off.

Given that the value of both debts was above the Trust Board’s limit of £10,000, approval for write off was sought and received from the Department of Health.

Trust Board are asked to note. Documentation is available, on request, from Chief Executive’s office.

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