

# Anti Fraud Strategy

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## 1. Background

- 1.1 Local authorities have a statutory duty under section 151 of the Local Government Finance Act 1972 to make arrangements for the proper administration of their financial affairs, this includes the prevention and detection of Housing benefit and Council Tax Benefit Fraud.
- 1.2 This strategy will evolve as future legislation, policy and circumstances require, or dictate.

## 2. Introduction

- 2.1 Newark & Sherwood District Council Corporate Anti-Fraud Policy represents a commitment by the Council to implement a robust anti-fraud strategy in order to protect public funds and to ensure, as much as possible, that benefits are correctly paid to those who have true entitlement to them, whilst making every effort, within the confines of resources, finance and legislation, to reduce the amount of benefit that is paid to them.
- 2.2 This strategy will evolve as future legislation, policy and circumstances require, or dictate.

## 3. Strategy

- 3.1 The Council has a team of Officers dedicated to the investigation of all allegations relating to Housing and/or Council Tax Benefit fraud. The recovery of monies deemed to have been overpaid due to such fraudulent activity will be pursued by the Officer appointed by the Council for that purpose.
- 3.2 Included in this activity are Officers who conduct home visits, as part of the Councils Interventions activity. This activity is to ensure as much as possible within resource limitations, that information held by the Council in relation to Housing and/or Council Tax Benefit is as up to date as possible.

- 3.3 The section will consider all allegations of Housing and/or Council Tax Benefit fraud and where possible, investigate appropriate cases and make recommendations about its findings to the Benefits Section for adjudication. In this way it maintains its independence. Such cases that are considered appropriate for investigation, but resource availability/limitations does not allow this, will be forwarded to the Department for Work and Pensions (DWP) as part of the Councils commitment to joint working
- 3.4 The Council will also conduct joint investigations with the DWP in cases relating to Housing and/or Council Tax Benefit and other state benefits administered by the DWP.
- 3.5 It is also the strategy of the section to co-operate with other Government Agencies in cases of fraud and to adopt good practice and Best Value recommendations where appropriate. The unit has devised its own Policies and Procedures Manual, which is updated as required, based on changes in Government legislation and in consideration of recommendations, guidelines and good practice suggestions from Internal/External Audit and/or the Benefit Fraud Inspectorate (BFI).
- 3.6 The unit will also refer for guidance to the Fraud Investigators Manual issued by the Department of Social Security, The Fraud Book issued by the Local Government Association.
- 3.7 All officers will be PINS qualified (or equivalent) and be subject to a code of conduct to ensure suspected benefit fraud can be investigated to the highest standards.

## 4. Section Objectives

- 4.1 The Council is committed to the prevention and detection of benefit fraud and to making every effort to maximise recovery of overpaid housing benefit.
- 4.2 The main objectives are:

**Prevention** - by maintaining systems of control and procedures to seek to

ensure that wherever possible, only genuine claims are processed and paid.

**Detection** - by investigating and, where appropriate, recommending the disallowance or reassessment of fraudulent or irregular applications and existing claims.

**Deterrence** - by recovering in all cases other than those where exceptional circumstances apply, all monies deemed to have been overpaid. This will be supported and strengthened by the [Councils Prosecution Policy](#) and underpinned by the Housing Benefit Prosecution/Sanction Policy.

- 4.3 All investigations will be carried out in a professional, objective, efficient and consistent manner.
- 4.4 The section will liaise with other Service Areas within the Council in order to provide the most effective anti-fraud culture and resource to the Authority.

## 5. Definitions

- 5.1 **Fraud** is the intentional distortion of financial or other statements for personal gain (e.g. failure to declare work or partner)
- 5.2 **Theft** is the physical misappropriation of cash or other tangible assets.

## 6. Section Development

- 6.1 The Unit has established referral and investigation procedures and practices to achieve a consistent approach.
- 6.2 It will constantly monitor, and update as appropriate such procedures and practices to maintain the best possible service at all times.
- 6.3 Liaison will be maintained with other service areas within the Authority to create a culture of fraud awareness and further develop the referral procedure through periodic fraud awareness training.

- 6.4 Current joint working arrangements and co-operation with the DWP will be maintained and individual liaison with external agencies and organizations will be utilised as appropriate.
- 6.5 Full use will be made of the services provided by the National Anti-Fraud Network (NAFN) with regard to obtaining evidence and information relative the individual circumstances of the investigation.
- 6.6 To utilise to best effect any Government initiative to assist the prevention and detection of benefit fraud.

## 7. Target Areas

- 7.1 **Data Matching** - the Council will continue to partake fully in data matching exercises with other official organisations and bodies such as the Housing Benefit Matching Service (HBMS) and National Fraud Initiative (NFI), and the Housing Benefit Review (HBR)
- 7.2 **Fraud Referrals** - all referrals, from Benefit Officers and other sources, will be prioritised, within the limitations of resources, for initial action within 10 working days. Cases that are considered more urgent will be actioned within 5 working days. If further action is considered appropriate but not possible, the case will be referred to the DWP for further action.
- 7.3 **Pro-active operations** - with the DWP or Police may be considered on an individual basis but will be dependant on resource availability.
- 7.4 **Fraudline referrals** “ will be considered for suitability with the minimum of delay but in any case within 5 working days .

**Intervention visiting** - will be undertaken in accordance with current governmental directives

## 8. Targeted Drives

- 8.1 Whilst these may periodically be undertaken, they will only be considered where information exists and/or past records indicate the likelihood that benefit fraud may be committed (eg Taxi Drivers).

## 9 Related Issues

- 9.1 **Surveillance** – will be requested where other methods of obtaining information are not available or cannot be considered due to the specifics of individual investigations. Any such requests will be made by the Investigator, counter signed by the Fraud Investigation Team Leader (or the Principal Benefits Officer if not available) and authorised by the Strategic Director or in his absence by the Head of Finance & Information Systems.
- 9.2 **Health & Safety** – all investigations, enquiries and interviews will be undertaken in accordance with the Councils current Health and Safety policies.
- 9.3 **Code of Conduct** – all investigations and related activities will be undertaken in compliance with the Councils own Code of Conduct and the Police and Criminal Evidence Act 1984.

## 10. Subsequent Action

- 10.1 In such cases where benefit fraud is proven, the Council may take further action as defined within the Prosecution/Sanctions Policy.
- 10.2 Such further action may also be taken against third parties who supply evidence and/or information to support another’s application for Housing and/or Council Tax Benefit as given in Chapter 35 of the Fraud Act 2006.

## 11. Conclusion

- 11.1 This strategy sets out the Councils commitment to take positive action in relation to those whose intent is to obtain Housing and/or Council Tax Benefit to which there is no genuine entitlement.

11.2 This document is an evolving document that will be periodically reviewed as appropriate.