

# **Anti –Fraud and Corruption Strategy – relating to Housing Benefit and Council Tax Benefit**

## **1. Statement of Intent**

- 1.1 Haringey Council (“The Council”) is responsible for administering public funds. The Benefits and Local Taxation Service has a key role in this function and must ensure that the right benefits go to the right people in accordance with their entitlement.
- 1.2 Our responsibility for administering Housing and Council Tax Benefits includes a duty to ensure that the system is not open to abuse by any person or group.
- 1.3 The Council will ensure that effective policies and procedures are implemented to prevent and detect benefit fraud either internally or externally and we place a high regard on maintaining confidence in our Service and the benefit system as a whole.
- 1.4 The Council will use the criminal and civil powers available to it to take action against those who have committed benefit fraud. Prosecutions may either be undertaken by the Council through its own legal service or in partnership with the Department for Works and Pensions Solicitors Office or the Crown Prosecution Service.

## **2. Measures we will take to tackle benefit fraud**

1. We will employ a dedicated team to investigate suspected benefit fraud
2. We will have a published Sanctions Policy
3. We will inform our customers of their responsibility to tell us about any changes in their circumstances and the standards of evidence that they must provide
4. We will have clear means by which members of the public can refer cases of suspected benefit fraud to us
5. We will participate in data matching schemes, including the National Fraud Initiative and the Housing Benefit Matching Service
6. Benefits and Local Taxation staff and any other staff involved in benefits administration will be expected to attend periodic fraud awareness training
7. We will work with other organisations such as other local authorities, Police and the Department for Work and Pensions on joint investigations
8. We will publicise successful prosecutions in the local media

## **3. Who is affected by this strategy**

- 3.1 This strategy will be applied to anyone who applies for Housing Benefit and, or Council Tax Benefit, or anyone who assists a person to make a claim for benefit which they know is false or dishonest.
- 3.2 It will also apply to any person who receives payments of Housing Benefit

and, or Council Tax Benefit, either in the capacity of claimant, or partner of the claimant, appointed representative, landlord or managing agent or employee of the Council where they are found to be complicit in the commission of an offence.

#### **4. Deterring benefit fraud**

- 4.1 The Council recognises that the vast majority of people who claim Housing Benefit and, or Council Tax Benefit are completely honest.
- 4.2 However, in order to safeguard public funds it will maintain a level of standards necessary to prevent fraud from entering the benefits system when new claims for benefit are made.
- 4.3 The Council also recognises that no system is foolproof and will therefore periodically request anyone in receipt of benefit to confirm their details. It will also participate in regular data-matching exercises with other organisations.
- 4.4 Any person found to be engaged in benefit fraud will be subject to the Council's Sanctions Policy. The Council will also make use of the full range of available opportunities to publicise the details of anyone found guilty of benefit fraud. In this way the Council will seek to increase fraud awareness amongst the community and the consequences of acting dishonestly.

#### **5. Data Protection Act and other relevant legislation**

- 5.1 Those responsible for investigating benefit fraud will be required to comply at all times with the relevant legislation relating to the investigation of criminal offences. Investigators will also be required to obtain the relevant professional qualifications to ensure that they understand the legislation applying to counter fraud activity and act with integrity at all times.
- 5.2 The Council is registered under the Data Protection Act 1998 "the Act" for 'the purposes of preventing and detecting crime, the prosecution of offenders and the collection of any tax'.
- 5.3 Where appropriate the Council will use section 29 of "the act" to exempt those organisation, from the provisions of "the Act", who may have information which will help in the prevention and detection of crime. The appropriate data disclosure forms will be used at all time and a register of disclosures maintained to audit this activity.
- 5.4 The Council will require Investigators to work within the guidelines of the:

- 1. The Police and Criminal Evidence Act (PACE) 1984
- 2. Regulation of Investigatory Powers Act 2000
- 3. Criminal Procedures and Investigations Act 1996
- 4. The Human Rights Act 2000

## 5. The Social Security Administration and Fraud Acts 1992 - 2008

### 6. Staff integrity

- 6.1 Through its existing recruitment and appointment procedure the Council will always seek to maintain the highest standards when appointing staff to the Benefits and Local Taxation Service. In addition to this the vetting of successful candidates will take place to ensure benefit is not being wrongly claimed.
- 6.2 All Benefits and Local Taxation staff are required to work within the Council's general code of conduct. A supplementary code (under development) will also apply to Benefits and Local Taxation to include guidance to staff on declarations regarding the processing of their own, a relatives or close family friends benefit claim. There will also be guidance relating to staff who are a landlord or who have relatives or close family friends who are a landlord.
- 6.3 Any member of Council staff found to be involved in benefit fraud, whether relating to the Council or any other local authority or public body will be subject to the requirements of this strategy and where appropriate the Council's disciplinary procedures.

### 7. Referral of benefit fraud

- 7.1 The Council will have an open referral policy; any person who suspects benefit fraud can refer their suspicion personally or anonymously to the Council's Benefits Fraud Investigation Team.
- In writing to - **Benefits Fraud Investigation Team, PO Box 22727, Wood Green, London, N22 7WS**
  - Fraudwatch Telephone Hotline (24 hours/ 7 days a week) **0500 500 777**
  - Benefit Fraud report line (9.00 – 5.00 Mon-Fri) **020 8489 2868**
  - Councils website - [www.haringey.gov.uk/benefits](http://www.haringey.gov.uk/benefits)
  - E-mail - [benefit.fraud@haringey.gov.uk](mailto:benefit.fraud@haringey.gov.uk)
- 7.2 The Council's Fraud Investigation Team will investigate those cases where there is a reasonable suspicion, based on the available evidence, that fraud is taking place.
- 7.3 Investigations undertaken by the Council's Fraud Investigation Team are confidential. Officers are unable to engage with third parties in discussion about the conduct and nature of their investigations.

## **8. Accountability**

- 8.1 Operational responsibility for the counter benefit fraud function rests with the Head of Benefits and Local Taxation Service. As with any council service the conduct of the Fraud Investigations Team is covered by the Council's Complaints Procedure.
- 8.2 To ensure that the Council is maintaining effective measures to counter benefit fraud performance will be reported to elected members through the Audit Committee on a quarterly basis. These reports will be available on request to members of the public.