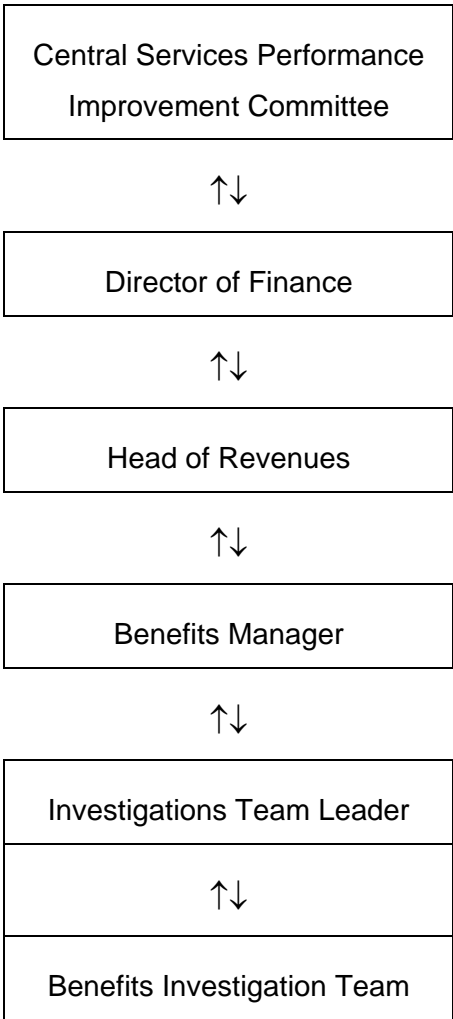


**Benefits Investigation
Terms of Reference**

Winchester City Council has approved a Benefits Fraud Strategy. This document sets out the terms of reference for the Benefits Investigation Team.

Reporting Structure

The reporting structure for the Team is as follows –



Performance report

The Benefits Manager will compile a monthly performance report for the Head of Revenues. This report will show activity, volumes, targets and performance indicators for the Investigations Team.

The Head of Revenues will report to the Director of Finance and Committee, at least twice a year, on the performance of the Benefits Investigations Team.

Types of fraud

The Team will investigate the following types of external fraud:

- council tax benefit claims;
- housing benefit claims (rent allowance);
- housing benefit claim (rent rebate);
- income support and job seekers allowance claims where council tax or housing benefit is also in payment
- other types of fraud as directed by the Director of Finance.

If an Investigations Officer has evidence of, or suspects that, an internal benefit fraud has been committed the matter must be reported to the Head of Revenues immediately.

If the case involves an elected Member the Head of Revenues will inform the Chief Executive, the Director of Finance, the Monitoring Officer and the head of Internal Audit. The matters will then become the responsibility of the head of Internal Audit and the Internal Audit Section will undertake any further investigation work. The Council will either refer the case to the Police or give serious consideration to prosecution itself.

If the case involves an officer the Head of Revenues will inform the Director of Finance, the Monitoring Officer, the Chief Personnel Officer and the head of Internal Audit. The matter will then become the responsibility of the head of Internal Audit and any further investigation work will be undertaken by the Internal Audit Section. If the officer is employed in the Internal Audit Section the case will remain with the Investigation Team. If the case concerns a Senior Officer the Council will either refer the case to the Police or give serious consideration to prosecution itself.

Types of investigation

The Team will undertake both pro-active and reactive investigations.

Pro-active work will include checks on

- properties that have a transient population e.g. houses in multiple occupation and hostels
- uncashed cheques.

Reactive work will include

- referrals from Benefits Officers
- referrals from Visiting Officers
- referrals from other departments
- referrals from external agencies
- results of data matching exercises.

Internal liaison

Investigations Officers are part of the Benefits Section and must maintain close links with the Benefits Officers and the Visiting Officers.

The role of the Investigations Officer is to collect evidence. This evidence must be presented to the Benefits Manager who will make a decision on each case. All decisions will be made in accordance with the benefit regulations having regard to the circumstances of the case and evidence obtained by the Investigations Officer. The case will then be passed to a Benefits Officer for reassessment and processing as necessary. This will include one of the following -

- award benefit
- suspend payment
- cancel benefit
- reduce the amount in payment.

The Benefits Officers, or the Benefits Manager, will deal with any enquiries or appeals received following such decisions. The Investigations Officer will carry out further enquiries as requested by the Benefits Assessors.

It is important that a good working relationship is maintained with officers from other internal departments to ensure that any relevant information that is held within the Council is available to the Investigations Officer.

External liaison

Investigations Officers will come into contact with several external agencies during the course of an investigation. These agencies will include the Police, the Department for Work & Pensions, Job Centre Plus, the Home Office, and the Inland Revenue. This is not an exhaustive list and Investigations Officers must not exchange information with any organisation unless they are confident that it is appropriate to do so. If there is any doubt Investigations Officers must not exchange information until they have confirmed with the Benefits Manager that it is appropriate to do so.

Investigations Officers must comply with the principles of the Data Protection Act and respect the confidentiality of the information that is available to them.

Investigation priorities

Priority must be given to investigating cases as follows:

1. information supplied by members of the public
2. referrals by visiting officers
3. referrals by benefits officers
4. anonymous information
5. referrals from internal departments
6. referrals from external agencies