

Investigation Officers' Code of Conduct

General guidance

Benefit Fraud Investigation work must be carried out in accordance with the guidance contained in the Local Authority Benefit Fraud Investigator's Manual published by the DWP, general guidance set out in the DWP Housing Benefit/Council Tax Benefit Guidance Manual and internal procedures.

Investigators must comply with all appropriate legislation (Criminal Procedure and Investigations Act 1996, Regulation of Investigatory Powers Act 2000, Data Protection Act 1999, Police and Criminal Evidence Act 1984).

Investigators are employed by Winchester City Council on behalf of the Secretary of State, and are answerable for their actions to the elected Members.

Investigators must recognise that the vast majority of claimants are honest. When carrying out their duties, investigators must at all times keep in mind that their primary function is to establish the facts, and must as far as possible retain an open mind when carrying out investigations.

Claimants must be given every opportunity to explain the facts, and must only be required to provide information where it can be shown to be reasonable that they should do so.

Guidance on particular operational matters

1. Investigators are required to identify themselves to claimants as Benefits Visiting Officers, state where they are from, produce their official identification badge, and state the purpose of the visit.
2. Investigators must not enter a claimant's home when the person is not present, or enter premises if not invited, as there is no legal right of entry and if the customer refuses the Investigator must not insist.
3. Investigators must not carry out visits before 8.30am and after 5.00pm without the approval of the Benefits Manager or Head of Revenues. This will only be appropriate when it is difficult to contact people or organise visits during the normal working week.

4. Male investigators must not enter premises occupied by a woman who answers the door not fully dressed. Officers must always arrange to return to the property.
5. Male investigators, when visiting single women, must consider in each case, whether they should be accompanied, or whether it would be appropriate to arrange an interview at the offices.
6. (4) and (5) to apply to female investigators in reverse.
7. Investigators must deal sensitively with suspected cases of living together as husband and wife.
8. When seeking information from third parties, Investigators must take care not to divulge anything to suggest that a claimant is being investigated for benefit fraud.
9. Information received from third parties must not form the only basis on which to justify taking action against a claimant, information received must only be considered in relation to other corroborative known facts.
10. Elderly persons, people with learning difficulties or with mental health problems, must only be interviewed in the presence of a third party.
11. Statements taken from people in (10) must be witnessed by third parties.
12. Reports on all interviews carried out with people in (10) must be referred to the Benefits Manager.
13. In cases where it is known that claimants are potentially violent, investigators must visit in pairs.
14. Reports on all interviews with aggressive or distressed claimants must be referred to the Benefits Manager.
15. Investigators must inform the Benefits Manager immediately of situations likely to lead to a complaint from a claimant.
16. Investigators must refer all cases requiring decisions for the withdrawal of benefit entitlement to the Benefits Manager.
17. Investigators must refer all cases where fraud has been proven to the Benefits Manager for decisions on further action to be taken.
18. Detailed records of visits and investigations must be kept on the office's approved stationery, and filed with case papers.
19. Records of visits and investigations must be entered onto the Authority's systems within 24 hours of carrying out a visit or investigation.
20. Investigators must log all visits in desk diaries prior to leaving the offices. This must include name, address and claim number of customer and estimated time of visit.
21. All journeys must be planned economically in both time and mileage.

22. During normal office hours, time out of the office, and places to be visited, to be recorded on the in/out board (for example In, Out, areas to be visited etc).
23. Investigators must email The Benefits Manager (with a copy to the Admin Assistant) when leaving the office and again on return.
24. If there is no intention to return to the office Investigators must telephone the office when the last visit is complete and when they arrive home. If there is no one in the office a message must be left on the answer-phone.
25. Investigators must ensure that mobile phones are switched on at all times.
26. Investigators must not use mobile phones for personal calls.
27. All paperwork will be prepared in advance of the visits by the Administrator. Investigators must make themselves aware of all aspects of the claim before approaching a property.
28. Investigators must request the identity of all persons present in the property at the time of the visit.
29. Investigators must be observant and make a mental note of anything that indicates that the claim may be suspicious.
30. If a customer declares a change in circumstances or in the course of an interview an undisclosed change of circumstances is discovered a statement must be completed and signed by the customer.
31. Investigators must always be aware of their personal safety. When entering a property Investigators must identify the exits, have mobile phones to hand and leave immediately if feeling vulnerable. Investigators must arrange to visit with a colleague if concerns arise prior to a visit.
32. Investigators must be aware of the potentially violent list and check cases against it.
33. Investigators physically assaulted, if not badly injured, must:-
 - contact the offices immediately;
 - report the incident to the Police;
 - return to the offices;
 - obtain a medical check-up;
 - file a report of the incident to the Benefits Manager within 24 hours.
34. If investigators are injured, they must:-
 - seek immediately medical assistance;
 - report the incident to the offices as soon as possible;
 - contact the Police as soon as possible;
 - file a report of the incident to the Benefits Manager as soon as possible.

35. All incidents of verbal abuse and threats must be reported to the Benefits Manager within 24 hours of the incident.
36. Officers must read the Council's Health and Safety Policy, Violence to Staff Policy, Safety Guidance and Lone Working Policy and follow the advice contained in them.