

---

**Meeting:** Customer & Central Services Overview & Scrutiny Committee

**Date:** 6 September 2010

**Subject:** **Housing & Council Tax Benefit Anti Fraud Strategy & Policy**  
**Housing & Council Tax Benefit Prosecutions & Sanctions Policy**

**Report of:** Cllr Maurice Jones, Portfolio Holder for Finance, Governance and People

**Summary:** The report proposes the adoption of:

- The Housing & Council Tax Benefit Anti Fraud Strategy & Policy to provide the framework on which the Council will combat and detect fraud.
- The Housing & Council Tax Benefit Prosecutions and Sanctions Policy to provide the framework on which the Council will decide when it is appropriate to prosecute fraudsters.

---

**Advising Officer:** Richard Ellis, Director of Customer and Shared Services

**Contact Officer:** Matt Bowmer, Assistant Director Financial Services

**Public/Exempt:** Public

**Wards Affected:** All

**Function of:** Executive

**Key Decision** Yes

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

Taking positive and proactive steps to tackle Housing and Council Tax Benefit fraud and prosecuting offenders, demonstrates a commitment to preventing criminal offences and supports the Councils and Community Safety Partnerships priorities to reduce crime.

### **Financial:**

There are no specific financial implications relating to the production or publication of the policies or strategy. However, the Council administers the award of £69m per annum in Housing and Council Tax Benefit and these policies play an important role in helping to protect the public purse and ensuring that benefit payments go to those who are genuinely entitled to them.

**Legal:**

When investigating fraud, council benefit investigators will work within the guidelines of the Police and Criminal Evidence Act 1984, Criminal Procedures Investigation Act 1996, Human Rights Act 2000, Social Security Administration Act 1992.

**Risk Management:**

Risk management is a key part of the service delivery plan for the fraud team and any risks will be managed through this process.

**Staffing (including Trades Unions):**

There are no specific implications for staffing associated with the production or publication of these policies or strategy.

**Equalities/Human Rights:**

An equality impact assessment of the potential effects of these policies and strategy is being undertaken to establish whether they have a different impact on identifiable groups of people segmented by age, race, disability, gender, sexual orientation, religion or belief.

**Community Safety:**

These policies support the Councils priority to tackle crime.

**Sustainability:**

There are no sustainability implications contained in these policies or strategy.

**RECOMMENDATION(S):**

1. **that the Customer and Central Services Overview and Scrutiny Committee considers the report and submits comments to the Executive on the draft Housing & Council Tax Benefit Anti Fraud Strategy & Policy and the Housing & Council Tax Benefit Prosecutions & Sanctions Policy.**

**Background**

1. Central Bedfordshire Council is the appropriate authority for the purposes of the Social Security Administration Act 1992 and other associated legislation for the assessment of entitlement to Housing Benefit and Council Tax Benefit, the recovery of overpayments and the taking of enforcement action in respect of fraud.

2. The Council is committed to the prevention, detection, correction, investigation and, where appropriate, the application of sanctions including prosecution in respect of fraudulent benefit claims.
3. The documents in the attached appendices set out the Council's strategy and policy towards the investigation of fraudulent benefit claims and the sanctions which may be applied in respect of them.
4. The purpose of this report is to ensure that there is a clearly understood policy framework in place for the prevention, detection, correction and investigation of fraudulent benefit claims and to inform the decision making process as to the appropriate sanction, including prosecution as appropriate, where fraudulent claims are discovered.

### **Context**

5. Central Bedfordshire Council has 17,500 benefit claimants and awards £69m per year in Council Tax and Housing Benefits.
6. The Benefit Fraud Investigators working in the Customer Accounts Team have successfully been detecting fraud and taking sanctions against fraudulent claimants, and have been working to the guidelines in the attached policy documents since the inception of Central Bedfordshire Council.
7. During the last 12 months £68,000 of fraudulent overpaid benefit has been detected and 42 sanctions and 9 prosecutions have taken place. Since April 2010 194 investigations have been completed, of which 40 resulted in a reduction or non-payment of benefit.

### **Conclusion and Next Steps**

8. The Customer and Central Services Overview and Scrutiny Committee is asked to consider the report and submit comments to the Executive meeting on 28 September 2010 relating to the draft Housing & Council Tax Benefit Anti Fraud Strategy & Policy and the Housing & Council Tax Benefit Prosecutions & Sanctions Policy.

### **Appendices:**

**Appendix A** – Housing & Council Tax Benefit Anti Fraud Strategy & Policy

**Appendix B** – Housing & Council Tax Benefit Prosecutions & Sanctions Policy

**Background Papers:** None

**Location of papers:** N/A