

## **APPENDIX B**

### **HOUSING / COUNCIL TAX BENEFITS - FRAUD REPORTING AND RESPONSE PLAN**

#### **Introduction**

Members of the public, Council Members and Officers are positively encouraged to raise any concerns about fraud, bribery, theft and corruption that they may have on these issues where they are associated with the Council's Housing/Council Tax benefit activities.

Concerns may be raised when it is reasonably believed that one or more of the following has occurred is in the process of occurring or is likely to occur

- A criminal offence
- A failure to comply with a statutory or legal obligation
- Improper unauthorised use of public or other funds
- A miscarriage of justice
- Maladministration, misconduct or malpractice
- Endangering of an individual's health and safety
- A deliberate concealment of any of the above.

They can do this in the knowledge that such concerns will be treated in confidence and properly investigated.

#### **Procedures for reporting suspected fraud and corruption on the part of Members or Officers in respect of claims for Housing and / or Council Tax benefit**

The actions that are taken at the early stages when fraud is suspected can affect the success of any investigation. It is important that officers follow the guidelines set out as follows.

**Action by the public, Members and Officers if the matter refers to a member of the public**

**Report your concerns immediately**

- Note all relevant details such as what has been seen, said etc; when and by whom.
- Refer to the “useful pages” on the Fraud pages of Mendip’s website or SharePoint.

**Inform the Fraud Investigation Officer in the Revenues and Benefits Client Team**

- Do not tell anyone your suspicions.
- Contact one of the Fraud Investigation Officers direct on 01749 341528 or 01749 341571.
- Phone Mendip’s fraud hotline on 0800 389 3130 or the national hotline on 0800 328 6340 or (if outside Mendip) 0800 328 6341 for text phone.
- Complete an online fraud referral form by visiting [www.mendip.gov.uk](http://www.mendip.gov.uk).

**If you wish to report anonymously**

- You do not have to give your name or any other details.

**In response**

- Within 10 working days of the concerns being raised the case will be passed to the Department of Work and Pensions who took over the investigation remit in June 2015.

**Action by the Fraud Investigation Officer in the Revenues, Benefits and Fraud Client Unit**

**Receive the allegation**

- The referral will be recorded on the Council's restricted and secure data recording system and forwarded to the Department of Work and Pensions



**Action by the public, Members and Officers if the matter refers to a Mendip District Council Officer or Councilor**

- The procedure is the same as if the matter refers to a member of the public except;

**If the matter involves an Officer**

- If an allegation is received and the individual concerned is an Officer, the Monitoring Officer, Section 151 Officer and Strategic HR Advisor should be notified of the allegation) by the Principal Revenues, Benefits and Fraud Officer. The Monitoring Officer and Strategic HR Advisor will outline what steps are needed in relation to the Officer identified in the allegation.

**If a matter involves a Member**

- The Councils Monitoring Officer and Section 151 Officer should be advised immediately.
- If the individual concerned is a Member the person making the allegation will be asked if they wish to make a complaint under the Code of Conduct for Members..

## After the investigation

### The Investigator reports back

- If the case involves a Member or Officer of Mendip District Council, a copy of investigator's report will be handed to the Monitoring Officer and Section 151 Officer. The Monitoring Officer or Section 151 Officer will present the report to Strategic Leadership Team or Corporate Management Team as appropriate (and the Strategic HR Advisor if the subject of the allegation is an Officer)
- The report will be reviewed and the next steps agreed.

### If the report is conclusive

- The Monitoring Officer or Section 151 Officer will where necessary seek agreement to refer the matter to the Police.
- If the matter is to be dealt with internally the Strategic Leadership Team or Corporate Management Team will agree the way ahead which if an Officer is involved may mean disciplinary action or if a Member is involved, a referral to the Standards Committee.

### If the report is inconclusive

- The Section 151 Officer will take a follow up report back to Corporate Management Team identifying any lessons learnt from the investigation.
- The Monitoring Officer/ Strategic HR Advisor will review the employment/ governance implications of the decision.

### Actions

- A report on the outcome and lessons learnt will be prepared by The Principal Revenues, Benefits and Fraud Officer and disseminated amongst the Benefits Officers and passed to the Section 151 Officer to be included in the annual report to Audit Committee.