

# ITEM 18

## COMMUNITY & SOCIAL AFFAIRS COMMITTEE

19 SEPTEMBER 2012

### REPORT OF THE HEAD OF COMMUNITIES & NEIGHBOURHOODS

#### BENEFIT FRAUD SECURITY STRATEGY

##### 1.0 PURPOSE OF REPORT

- 1.1 To seek Members approval for the updated Benefit Fraud Security Strategy (September 2012). The strategy has been updated to align with organisational structures and business needs and to incorporate new Government Guidance and legislation.

##### 2.0 RECOMMENDATIONS

###### 2.1 Members to approve the following;

- (1) Members to approve the new updated Benefit Fraud Security Strategy to ensure it meets the guidelines and legislation as set by Government (Appendix A).**

##### 3.0 KEY ISSUES

###### Background

- 3.1 The Department of Works and Pensions (DWP) regularly updates their fraud guidance manual to reflect new best practice as well as incorporating any new legislation. New legislation has been introduced regarding the sanctions that we are able to enforce upon those who have committed benefit fraud and the guidance manual has also been recently updated which now requires Melton Borough Council to review and adjust our policies accordingly.
- 3.2 Due to difficulties that the Council are starting to experience in getting people we have suspicions about regarding benefit fraud to attend interviews under caution we now need a robust arrest policy that enables us to use the Police to arrest people on our behalf in order to ensure they attend the interview. This new policy is included in the revised strategy.

##### 4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 The new strategy also sets down new clear requirements for Melton Borough Council Staff and family members who claim housing and council tax benefit as to what their responsibilities are during the period of any relevant claim. This will also impact upon employment policies and procedures.
- 4.2 The new updated strategy gives Melton Borough Council more powers and increased sanctions but we do not envisage an increased demand on resources.

**5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 The revised administration penalties sanction will now mean that Melton Borough Council can claim back the higher of an additional 50% of any overpaid monies (compared to 30% previously) or a minimum of £350 costs (no minimum previously) which may be seen as a potential increase of income to the Council.

**6.0 LEGAL IMPLICATIONS/POWERS**

6.1 The main increase in powers is that Melton Borough Council fraud staff can now instruct the police to arrest people to attend an interview under caution where they have sufficient evidence that they may have committed a benefit fraud.

**7.0 COMMUNITY SAFETY**

7.1 The updated strategy will enhance our ability to detect benefit fraud more effectively and bring those who commit fraud to justice.

**8.0 EQUALITIES**

8.1 An equalities impact assessment has been completed and is attached as Appendix B.

**9.0 RISKS**

9.1

Probability



Very High A				
High B				
Significant C			1,2	
Low D				
Very Low E				
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

Impact →

Risk No.	Description
1	Not adopting arrest policy reduces ability to investigate benefit crimes
2	Not adopting the strategy lead to challenges from internal audit about carrying out statutory duties

10.0 **CLIMATE CHANGE**

10.1 There are no direct climate change issues affected by this strategy.

11.0 **CONSULTATION**

11.1 Consultation has taken place internally within Melton Borough Council, Leicestershire Police & Melton Tenants Forum Executive Committee.

12.0 **WARDS AFFECTED**

12.1 All wards are affected.

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Date: 31 August 2012

Appendices: Appendix A: Benefit Fraud Security Strategy  
Appendix B: Equalities Impact Assessment

Background Papers: None

Reference: X/C'ttees, Council & Sub-C'tees/CSA/2013-13/19-09-12/HR- Benefit Fraud Security Strategy