

Lambeth's Strategy for tackling housing benefit and tenancy fraud investigations

The Council is committed to protecting the public funds to which it has been entrusted and, in particular, developing and implementing measures to prevent and detect benefit fraud.

We will ensure that Housing Benefit and/or Council Tax Benefit is awarded only to those claimants who have an entitlement and that reasonable procedures and processes are in place to verify the circumstances of claimants before making any awards.

The Strategy will be subject to regular review and we expect that the strategy will evolve over time, as there is a change in emphasis between different counter fraud initiatives. We will be supplementing its distribution with regular training for those staff for whom it is particularly relevant.

Measures taken in the fight against fraud

1. We have a dedicated Benefit Fraud Investigation Team
2. We have established a Prosecution which will support this strategy
3. We take part in National Fraud Initiative Schemes
4. We participate in HBMS
5. We work with other organisations such as the Police, Department for Works and Pensions, Immigration Services on joint fraud investigations.
6. We will adopt of the Verification Framework this year

The Council has invested resources in establishing a team of Investigating Officers dedicated to the identification, investigation and prevention of benefit fraud. That Team works with and, where appropriate under the terms of the 1992 Social Security Administration Act, the subsequent Social Security Fraud Acts 1997 and 2001, Police and Criminal Evidence act 1984, Data Protection Act, Criminal Procedures and Investigation Act 1996. Make use of information available from other agencies such as the Department of Work and Pensions (DWP), the Inland Revenue, Immigration Services as well as other departments of the Council to detect and prevent benefit fraud.

The re-organised Lambeth's Benefit Investigation Team (LBIT) has been operational since September 2002. This team is responsible for the investigation of Housing Benefit and Council Tax benefit fraud. Lambeth's Housing Investigation Team (LHIT) has been operational since July 2003 and is responsible for the investigation of tenancy related fraud. They share the same aims and mission, which are to:

- Minimise levels of fraud through quality investigations and fraud prevention measures
- The provision of an effective investigation service to Lambeth promoting a culture of honesty, openness and accountability,
- The publication of policies that clearly indicate zero tolerance of fraud and abuse of services
- The prosecution and sanctioning of benefit offenders
- The retrieval and retention of housing stock within Lambeth
- Continued development of working partnerships with our internal and external partners

All Council staff involved in the administration of benefits will periodically be given fraud awareness training with a view to them having a role in the identification of potentially fraudulent claims which must be passed to the team of Investigating Officers for investigation.

STAFF INTEGRITY

A number of actions are taken by the Council to ensure the integrity of its staff. Checks into benefit status are undertaken before staff are employed.

All staff work within a general code of conduct, with a supplementary code for Benefit Service staff to include guidance on the processing of their own or their relative's claims. Benefit Service staff are also required to declare interests as landlords.

Detection of Fraud

In order to deliver our objectives, all investigations are carried out in a proficient manner, Investigators have all completed Professionalism in Security training and are accredited through Portsmouth University as Counter Fraud Officers. In addition, they comply with Lambeth's code of conduct for investigation Officers (Appendix A). Investigations are carefully monitored and openly reported. Feedback on the number of investigations and their outcomes are reported back to Members, Audit Board, Housing Department and the Housing Benefit Department.

LBIT will undertake a number of specific pro-active fraud exercises each year. In some instances these will be done in partnership with other organisations. LBIT and LHIT work closely with Internal Audit and PWC to eliminate duplication and to share good practice. When required to do so the officers work closely with other agencies such as the Police, DWP and the Immigration services to provide joined up service delivery whenever practicable.

The Director of Finance has appointed Housing Benefit Investigation officers as Authorised Officers under Section 109/110a of the 1992 Social Security Act. This gives officers the authority to inspect business premises in the course of their investigations. Any such inspections will be in line with the accompanying code of conduct.

The council will subscribe to the London Team Against Fraud (LTAF) in order to ensure that information and exchange of intelligence is done so within the law.

REFERRAL OF BENEFIT FRAUD

Where there is a suspicion of benefit fraud the circumstances should be referred to Lambeth Benefit & Tenancy Investigation Team, based in Olive Morris House. This will normally be on a standard form as attached, but referrals are accepted in any format as long as sufficient information is included.

Referrals are also received via the Benefit Fraud Hotline 020 7926 1111 that is available to the public.

All referrals are scored against a standard referral matrix to decide whether to investigate further, and their relative priority within those cases that are to be investigated.

Prevention of Fraud

The introduction of the Verification Framework will introduce a regime of identifying fraud and error within the housing benefit caseload. LBIT and LHIT will make full use of all the legislative powers available to them in order to close the gateways to fraud and promote measures that will make it difficult for fraud to enter Lambeth's systems. In the course of investigations, they use and apply new technology wherever and whenever possible. Investigation officers share intelligence with other agencies where data protection legislation allows and recommend changes to working practices and procedures. The data gathered in the course of investigations will enable us to identify and deal effectively with risks associated with the administration of both the Housing and Housing Benefits services.

Deterrence of Fraud

Potential fraudsters need to be aware that there is a real risk of detection if they commit fraud within Lambeth. LBIT and LHIT will make full use of publicity opportunities not only to increase fraud awareness, but also to demonstrate the repercussions of being convicted of fraud. LBIT will sanction and prosecute benefit offenders in line with Lambeth's prosecution policy. Properties that are obtained fraudulently will be repossessed and any financial advantage or gain obtained through abuse of systems or fraud will be recovered, through the courts if necessary.

Verification Framework

The impact of the Verification Framework, which the Council is proposing to adopt, is two fold. Firstly to secure the gateway to benefits with the verification of information included on the claim form. Secondly to keep benefit payments correct through the use of in claim visits to check that the claimant does live there and that their circumstances have not changed.

This is further strengthened by compliance checks carried out on all parts of the Verification Framework processes to ensure that these are being followed. Areas of weakness are highlighted and corrective action taken to ensure continued compliance.

We adopt best practice taking advantage of involvement in local and national benchmarking, and joint working with the Department for Work and Pensions.

A FRAUDULENT CLAIM FOR HOUSING AND COUNCIL TAX BENEFIT BY AN EMPLOYEE OR MEMBER OF THE COUNCIL

Any case of benefit fraud which involves an Employee of the Council will, in addition to the actions outlined above, also be the subject of the Council's Disciplinary Procedures. In such instances, the case will be brought to the attention of the Chief Internal Auditor who may consider whether or not to have his/her section participate in the investigation and disciplinary process.

Any identified case of fraud, which involves a Member of the Council, will be referred immediately to the Chief Internal Auditor who will arrange for the participation of Internal Audit Section in the investigation. The Chief Internal Auditor will then refer the case to the Director of Finance and Chief Executive. The Monitoring Officer will refer the matter to the Standards Committee.

It will be the responsibility of the Head of Benefits to advise the Chief Internal Auditor immediately it becomes apparent that a fraudulent act may have been committed by an Employee or Member of the Council.

A FRAUDULENT CLAIM FOR HOUSING AND COUNCIL TAX BENEFIT BY A LANDLORD

Whilst the council recognises that the majority of landlords in the district are both honest and fair, it also recognises that a few landlords do defraud, or attempt to defraud, the Housing Benefit system. The Council will expect the investigation officers to utilise their powers under the (Supply of Information from landlords) Regulations 1997 to obtain information in the course of their investigations. These powers will be exercised with reason and in compliance with the code of conduct.

A FRAUDULENT APPLICATION FOR HOUSING AND THE RIGHT TO BUY

LHIT will assist the Housing Department by fully investigating allegations of abuse of their services. The Council restates a policy of zero tolerance towards activities such as the selling of keys or the unauthorised sub-letting of properties (whether or not for gain) and is determined to ensure that where properties are not occupied by the tenant(s) to whom the tenancy was granted that the unauthorised occupants are evicted unless they have a legal right to succeed to, or be assigned, the tenancy.

The Council will ensure that all persons who are the subject of an investigation into suspected benefit fraud will be treated fairly and courteously at all times,