

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

13th June 2007

Benefit Fraud Prosecution Policy

Responsible Portfolio Holder	Cllr Geoff Denaro
Responsible Head of Service	Head of Financial Services – Jayne Pickering

1. SUMMARY

- 1.1 An effective policy is required to ensure the Council has a framework in place to enable prosecution of fraudulent benefit claims.

2. RECOMMENDATION

- 2.1 The policy shown at **Annex A** is approved and adopted.

3. BACKGROUND

- 3.1 Bromsgrove Council has the right to prosecute cases involving fraudulent claims for Housing Benefit and Council Tax Benefit. It does not have legal powers to prosecute National Benefit Offences, as paid by the Department for Work and Pensions. Bromsgrove Council will, however, participate in prosecutions where National Benefit Offences are paid in addition to Housing Benefit/Council Tax Benefit. In these cases the Department for Work and Pensions would act on the Council's behalf.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications as a direct result of this report. The policy will ensure fraud is prosecuted and that overpayments are recovered.

5. LEGAL IMPLICATIONS

- 5.1 Bromsgrove Council has the right to prosecute cases involving fraudulent claims for Housing Benefit and Council Tax Benefit.

6. CORPORATE OBJECTIVES

- 6.1 Approval of this policy contributes to the Council's corporate objectives by ensuring that the Council has clear guidelines in place for the prosecution of fraud.

7. RISK MANAGEMENT

7.1 The main risks associated with the details included in this report are:

7.1.1 Failure to detect fraud

7.1.2 Unsuccessful prosecution of claimant

7.2 These risks are being managed as follows:

7.2.1 Failure to detect fraud and unsuccessful prosecution are both managed within the :

Risk Register: Financial Services

Key Objective Ref.: 5

Key Objective: Effective Anti Fraud Culture

8. CUSTOMER IMPLICATIONS

8.1 The approval of the revised policies ensure that taxpayers are aware that the Council has a robust and appropriate framework in place to prosecute fraudulent benefit claimants.

10. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Acting Chief Executive	Yes
Corporate Director (Services)	Yes
Assistant Chief Executive	Yes
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal & Democratic Services	Yes
Head of Organisational Development & HR	Yes
Corporate Procurement Team	None

11. APPENDICES

Annex A - Benefit Fraud Prosecution Policy

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