APPENDIX 1

Audit & Governance Committee 16th January 2014

Example cases

FF015416

A 72 year old man accepted a caution for failing to declare that he was had been working as a taxi driver on a part time basis for 5 years.

The suspicion in this case was identified by the 2012/13 National Fraud Initiative. In view of the customer's age an Intervention visit was initially requested in order to give the customer the opportunity to confirm whether the suspicion was founded.

The case was referred back to the Investigations Team after details of the work were obtained and the customer was interviewed under caution after evidence had been obtained.

Overpayments of £2,276.56 in Housing Benefit and £670.97 Council Tax Benefit were identified and are being recovered by instalments. A caution was offered as an alternative to prosecution after the customer's mitigating circumstances into consideration.

FF015121

A 29 year old man was prosecuted for failing to declare that he was working as a subcontractor between May 2012 and January 2013 whilst continuing to claim Housing Benefit and Council Tax Benefit along with his Jobseeker's Allowance.

This investigation began as a result of the local knowledge of member of the Benefits Team who raised the suspicion. The DWP were invited to join the investigation in order for all offences to be uncovered.

Overpayments of £1,004.96 Housing Benefit, £474.869 Council Tax Benefit and £964.76 Jobseeker's Allowance were established. An alternative sanction could not be considered in this case because the customer failed to co-operate with the investigation and chose not to attend an interview under caution.

The customer pleaded guilty to the offences and was sentenced to a 120 hour unpaid work community order and ordered to pay a victim surcharge of £60.00. In sentencing Magistrates told him that they had taken in to account his guilty plea however they were mindful that he should have known better as he has previously received a slap on the wrists from the DWP by way of an Administrative Penalty for the same thing.

The overpayments are being recovered through current benefit entitlement.

FF015513

Prosecution of a 28 year old woman was decided to be inappropriate after an investigation into her claim resulted in overpayments of £3,031.86 Housing Benefit, £671.50 Council Tax Benefit and £335.75 Council tax Reduction.

This case was raised after the NFI exercise identified that the customer was receiving a Student Bursary.

The customer co-operated with the investigation by attending an interview under caution during which she said that she had been advised by the Administration Team at the University that Housing Benefit would not be affected by the Bursary. This claim was also made by others in a similar situation. The customer later advised that seven students she knew of were in the same situation. The Administrators have now spoken to all students to inform them correctly.

Arrangements have been made for the overpaid benefit to be repaid.

FF015644

An investigation into an allegation that a 21 year old woman was living with a partner was closed as fraud not proven.

This file was raised as a result of a joint working invitation from the DWP after several financial links had been obtained indicating that the suspicion they had received was founded.

The customer provided reasonable explanations for the evidence when she attended an interview under caution whilst maintaining that her claim was correctly in payment.

The explanations were considered to be sufficient and the file was closed with no further action.