

**To:** City Executive Board

**Date:** 1 September 2010 **Item No:** 18

**Report of:** Head of Customer Services

**Title of Report:** Benefit Administration Policies and Take-up Strategy

### **Summary and Recommendations**

**Purpose of report:** To seek approval of key operational documents relating to the prevention and detection of benefit fraud and the Benefit Take up strategy.

**Key decision?** No

**Executive lead member:** Councillor Bob Price

**Report approved by:**  
**Finance:** Penny Gardner  
**Legal:** Jeremy Thomas

**Policy Framework:**

**Recommendation(s):** City Executive Board is asked to approve:

- 1) The Fraud Strategy (Appendix 1)
- 2) The Welfare Benefit Prosecution and Sanction Policy (Appendix 2)
- 3) Statement of Service Standard for Investigators (Appendix 3)
- 4) Benefit Take up Strategy (Appendix 4)

and note that these documents will be periodically updated to reflect proper practice.

## **Background**

1. The Benefit Service and the Investigation Team work to fulfil the Council's statutory duty to administer claims for Housing Benefit and Council Tax Benefit. These policies represent current working practices, the development of existing policies and have been developed in line with current legislative requirements and accepted best practice.
2. These policies will help fulfil the aim of the Benefit Service that every legitimate claimant receives their full entitlement quickly and efficiently whilst ensuring that robust processes are in place to identify cases of fraud and error.

## **The Fraud Strategy**

3. The purpose of the Fraud Strategy is to minimise the risk of fraud and error and to help secure the Welfare Benefit System and the Benefit Service against fraud. It forms an integral part of the fraud awareness training given to all new staff in the Customer Services department.
4. The Policy has been reviewed and updated to include:
  - Embedding the responsibilities of officers in regard to the Council's Avoiding Fraud and Corruption Policy, the Whistle blowing Policy, Money Laundering Policy and the ICT Security Policy
  - The Officer declaration in regard to any personal interest of a claim or a property and the responsibility to report any change has been incorporated in the body of the Strategy.
  - The inclusion of the responsibility to inform HMRC of any information held which may alter or affect the entitlement to Tax Credits or an individual's immigration status.
  - Officers' responsibilities are incorporated in respect of the security of and the working procedures, as stipulated by the Department for Work and Pension, in regard to the use of the Customer Information System.

## **The Welfare Benefit Prosecution and Sanction Policy**

5. The Benefit Service and the Investigation Team take all reasonable steps to prevent fraud and error entering the system. There is a dedicated team responsible for identifying, investigating and prosecuting benefit fraud. The Welfare Benefit Prosecution and Sanction Policy is designed to deliver a uniform approach to prosecution and sanction decisions.
6. The Welfare Benefit Prosecution and Sanction Policy was last approved by members in 2009. The Policy has now been updated to include the new 'One Strike' sanction. The Department for Work and Pensions continue to develop and enhance their strategy for combating fraud. In particular they aim to strengthen the effective deterrents and punishments currently in place to deter more people from committing benefit fraud in the first place. The new 'One Strike' came into effect as of 01/04/2010 and will be applied to all first benefit fraud offences; if an individual is convicted, accepts a caution or an administrative penalty. This is a four week sanction where

Welfare Benefit entitlement will be either reduced or stopped. The new One Strike sanction will only apply if a relevant offence was committed after the commencement of this provision (01/04/2010).

### **Statement of Service Standards for Investigators**

7. The purpose of the Benefit Investigations Team is to investigate claims, to identify fraud, and to proactively prevent and deter fraud. The Statement of Service Standards defines a uniform approach to investigations, to promote confidence in the integrity of officers within the Investigation Team.
8. This code of conduct has been in place for at least 10 years. It has been regularly reviewed and last updated in January 2009. Originally it was approved by Members but subsequent updates have not been formally approved. This forms an integral part of the Investigation Team's job descriptions.
9. The Statement has been reviewed to include;
  - Embedding the responsibilities of officers in regard to the Council's Avoiding Fraud and Corruption Policy, the Whistle blowing Policy, Money Laundering Policy and the ICT Security Policy
  - Officers' responsibilities are incorporated in respect of the security of and the working procedures, as stipulated by the Department for Work and Pension, in regard to the use of the Customer Information System.

### **Benefit Take up Strategy**

10. The Council has a legal obligation to encourage the take up of Housing Benefit and Council Tax Benefit and benefit take up is one of its key corporate objectives. This strategy sets out the aims for the Benefits Service until March 2012 and highlights the rationale for the activities taken and methods of evaluation together with providing a more strategic view of benefits take-up activity.

### **Level of Risk**

11. A risk assessment has been undertaken and the risk register is attached as Appendix 5. It is considered that there is a low level of risk from the new 'One Strike' sanction, but this has been adopted in line with the legislative requirements of the Welfare Reform Act 2009, and all necessary precautions have been built into the policy.
12. There are no other risks arising as a consequence of this report, as the policies covered are mainly established in current working practices that reflect legislative requirements, national policy and good practice.

### **Climate change / environmental impact**

13. There are no direct implications arising out of the contents of this report.

### **Financial implications**

14. There are no direct implications arising out of the contents of this report.

### **Legal implications**

15. There are no direct implications arising out of the contents of this report. Fraud prosecutions will continue to be pursued in the current manner.

### **Equality implications**

16. Equality impact assessments have been conducted in respect of the Welfare Benefit Prosecution and Sanction Policy (Appendix 6) and the Benefit Take up Strategy (Appendix 7). There are no direct implications arising out of the contents of this report.

### **Recommendations**

17. City Executive Board is asked to approve:

- a. The Fraud Strategy
- b. The Welfare Benefit Prosecution and Sanction Policy
- c. Statement of Service Standard for Investigators
- d. Benefit Take up Strategy

and note that these documents will be periodically updated to reflect proper practice.

### **Name and contact details of author:**

**Name and contact details of author:**  
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### **List of background papers:**

**Version number: 2.0**

## **Appendix 1**

### **FRAUD STRATEGY**

#### **Customer Services and the Investigation Team, Finance**

##### **Purpose of the Strategy:**

To minimise the risk of fraud and error and to help secure the Welfare Benefit System and the Benefit Service against fraud.

##### **Aim of the Strategy:**

To define a uniform approach to the security of the Benefit Service and to promote confidence in the integrity of the conduct of employees within Customer Services, the Investigation Team our Internal Auditors and partners.

##### **Strategy**

1. Officers will administer benefits in accordance with the all Welfare Benefit, legislation, regulations and official guidance.
2. Officers will be appropriately trained to undertake their duties.
3. Officers will receive training on fraud awareness as part of their initial training and annual fraud awareness training thereafter
4. Officers will not proceed with the assessment of a claim where there is any cause to question the validity of the claim.
5. Officers will act with integrity and report all knowledge of suspected fraud in accordance with the Council's Avoiding Fraud and Corruption Policy, the Whistle blowing Policy and the Money Laundering Policy. Officers will have knowledge of and access to these Policies. Officers acknowledge that these Policies are an integral part of the Council's Employee Code of Conduct and Employment conditions.
6. Officers will be aware of compromising their integrity and will declare any personal interest relevant to a claim or property. All officers will act within the Strategy and will disclose any personal interest and changes to those interests to the Head of Customer Services or the Head of Finance.
7. Officers will refer any benefit claim where there is reason to suspect fraud to the Investigation Team.
8. Officers will inform the Department for Work and Pensions of any information held that may alter the entitlement to IS, JSA(IB), JSA(C), ESA, DLA and other Welfare Benefits.
9. Officers will inform Her Majesty's Revenue and Customs of any information held that may alter or affect the entitlement to Tax Credits and any information held that may affect an individual's immigration status.

10. Working procedures will be documented and reviewed to ensure best practise. Officers will have knowledge of and access to the procedures.
11. Officers will work to the security and working procedures in regard to the Department for Work and Pensions Customer Information System (CIS aka SEF). The use of this system will be monitored in accordance with the Department for Work and Pensions requirements.
12. The Benefit Application forms as 'Living Documents' will be regularly updated to reflect change in policy and legislation
13. Customer Services and other Council Services who work in conjunction with the Benefit Service will;
  - have effective Management checks to provide assurance on the integrity and security of the Benefit process and quality of performance.
  - ensure that officers with checking responsibilities do not have operational duties.
  - be committed to regular liaison meetings to work towards continuous service improvement.
14. Customer Services, Benefit Service and the Investigation Team will work in accordance to the Department for Work and Pensions National Service Level Agreement. Officers will have knowledge of and access to the agreement and monitor the compliance
15. The Investigation Team will carry out their duties in accordance to their Statement of Service Standards.
16. The Authority has a Prosecution Policy detailing the circumstances in which cases are considered for Prosecution, Formal Caution or Administrative Penalty. Officers will have knowledge of and access to this policy.
17. The Authority is committed to publicising the details of all successful prosecution cases on the Council's Intranet, the Oxford City Council Website and in the local press.
18. The Authority is committed to operating the Royal Mail Service to return re-direct benefit mail, the Housing Benefit Matching Service and the National Fraud Initiative.
19. The member approved Whistle blowing Policy is included in the Oxford City Council Constitution. Officers will have knowledge of, access to and abide by this Policy.
20. The member approved Avoiding Fraud and Corruption Policy is included in the Employee Code of Conduct and is subject to all employees conditions of employment. Officers will have knowledge of, access to and abide by this Policy.

21. There is a member approved Money Laundering Policy. Officers will have knowledge of, access to and abide by this Policy.
22. The member approved ICT Security Policy is included in the Employee Code of Conduct and is subject to all employees' conditions of employment. Officers will have knowledge of, access to and abide by this Policy.
23. All information relating to an applicant and their claim for benefit will be treated as confidential and disclosed only in accordance with the Data Protection Act 1998 and the Freedom of Information Act 2000.
24. All officers and teams will comply with the Authorities Conditions of Employment, Corporate Aims, Constitution, Policies and Procedures in order to protect the public purse and meet the needs of their customers.
25. Officers act with fairness and impartiality, do not discriminate against any individual or organisation and work in accordance with the Human Rights Act 1998.

## **Appendix 2**

### **WELFARE BENEFIT PROSECUTION AND SANCTIONS POLICY**

#### **1. INTRODUCTION**

1.1 The Council is aware of the high risk within the Welfare Benefit system for fraud, error or irregularity and the necessity to protect the public purse from abuse. It has invested resources in establishing a team of Officers dedicated to identifying, investigating and preventing benefit fraud.

1.2 The Council recognises that deliberate abuse of the Welfare Benefit schemes by an individual or individuals in order to obtain money from the Council, Job Centre Plus or the Pension Service to which there is no legal entitlement is a criminal offence.

1.3 The Council recognises the need to adopt a policy for determining which offences are dealt with through a criminal prosecution and a procedure for managing the process.

1.4 Where a landlord, a claimant, the partner of the claimant or a third party has allegedly committed a fraud against the Council, and the Investigators consider that there is sufficient evidence to sustain a prosecution, then the Council will first consider whether it is in the Council's and public interest to undertake the prosecution.

1.5 The Council recognises the alternative to Prosecution, which is to consider imposing an Administrative Penalty as defined under the Social Security Administration (Fraud) Act 1997 or offering an Official Caution.

1.6 The Council recognises that any of its employees or elected Members may claim Welfare Benefits and could become the subject of a criminal investigation if they make a fraudulent claim.

#### **2. THE POLICY**

2.1 Where a payment of benefit is considered to have been fraudulently obtained, the Investigation Manager and the Senior Investigations Officer will use the following criteria to decide whether to pursue a deterrent action;

- The facts of the case
- A good prima facie case has been established
- The proof that it was the offenders intention to defraud
- The proof that the offender had knowledge about the benefit scheme
- The admissible evidence
- The quality of the investigation
- Voluntary disclosure
- The financial burden to the customer



- The health and social consequences to the customer
- Any known communication problem
- The length of time the fraud has been ongoing
- The overpayment amount
- Administrative delay & time constraints
- Any previous fraud history
- The cost of the proceedings

2.2 Consideration will also be given to the public interest of each case. Factors in support of a prosecution may be that;

- a conviction is likely to result in a significant sentence
- the defendant was in a position of authority or trust
- there are previous convictions or cautions relevant to the current offence
- there are grounds for believing that the offence is likely to be continued or repeated
- the offence, although not serious in itself, is widespread in the area where it was committed.
- a conviction will act as a deterrent.

2.3 The Investigation Manager and the Senior Investigation Officer will, in accordance with the Criteria for Welfare Benefit Prosecutions (see Appendix B) agree whether the case should proceed as;

- An Official Caution
- An Administration Penalty
- A Prosecution by;
  - \* The Department for Work and Pensions
  - \* The Police
  - \* The Council's Legal Department

### **3. OFFICIAL CAUTION**

3.1 Cases that are to be considered for an Official Caution, as an alternative to prosecution will be referred to the Investigation Manager or the Senior Investigations Officer.

3.2 In these cases the total Welfare Benefit overpayment will be in total less than £5000 and the landlord, claimant, partner or third party will have admitted the offence and will have shown remorse.

3.3 If an Official Caution is not accepted by the offender as an alternative remedy, then the matter will be reconsidered for prosecution under the Social Security Administration Act 1992, the Theft Act 1968 or the Fraud Act 2006.

#### **4. ADMINISTRATION PENALTY**

4.1 An Administrative Penalty, as an alternative to a criminal prosecution, will be offered in cases where the criteria for prosecution has been met but the threshold levels and general criteria indicate that an Administrative Penalty would be a more suitable solution.

4.2 The Social Security Administration (Fraud) Act 1997 allows the authority to administer a penalty (currently 30% of the amount of benefit fraudulently obtained). The Council will recoup the Administrative Penalty in addition to any overpaid benefit.

4.3 If an Administrative Penalty is not accepted by the offender as an alternative remedy, then the matter will be reconsidered for prosecution under the Social Security Administration Act 1992, the Theft Act 1968 or the Fraud Act 2006.

4.4 The officers with the delegated responsibility for authorising Administrative Penalties shall be the Investigation Manager and the Senior Investigations Officer.

#### **5. ONE AND TWO STRIKE SANCTIONS**

5.1 The Department for Work and Pensions will be notified in writing of all successful sanction in order to impose the One and Two strike sanctions.

5.2 The One Strike sanction was introduced by legislation effective as of 01/04/2010. This additional sanction will reduce a person's entitlement to Welfare Benefits for a 4 week period after sanction.

5.3. The Two Strike sanction will reduce a person's entitlement to Welfare Benefits for a period of 13 weeks in cases where an individual has been successfully prosecuted within a 5 year period.

#### **6. A FRAUDULENT CLAIM BY AN EMPLOYEE OR A MEMBER OF THE COUNCIL**

6.1 In cases where an employee or Member of the Council is implicated the case will be considered for deterrent action in accordance with the Prosecution Policy. The Investigation Manager will advise the Chief Executive, Directors and appropriate Heads of Service of the decision taken to prosecute or sanction. The Council's Internal Auditors and the Audit and Governance Committee may also be advised of the outcome of the proceedings.

#### **7. OVERPAYMENT OF BENEFIT**

7.1 The Council will seek to recover any overpayment in accordance with their policies and procedures. This may result in action being taken in the County Court. Alternatively deductions may be taken from ongoing benefit.

## **8. PUBLICITY**

8.1 Where appropriate and making use of the professional services within the Council, details of prosecution cases will be released to the press.

8.2 Alternatively supplying such details as is reasonable in response to a request from a member of the press.

8.3 The decision on this matter will be based on whether such action will assist the objective of deterring fraud.

8.4 All successful prosecution cases will be published on the Council's Intranet and Oxford City Council Web Site.

## **CRITERIA FOR WELFARE BENEFIT PROSECUTIONS AND ALTERNATIVE SANCTIONS**

### **1. OVERPAYMENT LESS THAN £500**

1.1 The Council believes that in most instances it will not be in the public interest to prosecute or to offer an Official Caution or Administrative Penalty if the overpayment is under £500 and;

- the offender has never previously offended
- there was no pre-meditation involved in the process
- there was no other person involved in the fraud
- the person is in genuine hardship, or a single parent, or a pensioner, or under sixteen, or is in need of Social Services assistance or regarded as vulnerable.

1.2 The Council will seek to recover any overpayment in accordance with their policies and procedures. This may result in action being taken in the County Court. Alternatively deductions may be taken from ongoing benefit.

### **2. OVERPAYMENTS GREATER THAN £500 BUT LESS THAN £5,000**

2.1 In other cases where the overpayment is under £5000, but where;

- they have never previously offended
- there is evidence to support an offence has been committed
- there was no other person involved in the fraud

The Council will consider an Official Caution or offer a 30% Administrative Penalty under the Social Security Administration (Fraud) Act 1997. Should the offender refuse an Official Caution or the Administration Penalty, consideration will be given to bringing a prosecution.

2.2 A person will not be offered an Administrative Penalty if it is shown that such action will cause financial hardship.

2.3 The Council will seek to recover any overpayment in accordance with their policies and procedures. This may result in action being taken in the County Court. Alternatively deductions may be taken from ongoing benefit.

### **3. OVERPAYMENTS GREATER THAN £5,000**

3.1 The Council will seek to prosecute in most cases if the overpayment is more than £5,000 and;

- it was not the first offence
- there was pre-meditation involved in the process
- there were other people involved in the fraud

3.2 The Council will seek to recover any overpayment in accordance with their policies and procedures. This may result in action being taken in the County Court. Alternatively deductions may be taken from ongoing benefit.

3.3 The Council will apply to the Court for costs in all cases.

**Some cases will not fall readily into any category. Every case will be considered on its merits.**

## **Appendix 3**

### **STATEMENT OF SERVICE STANDARD FOR INVESTIGATORS**

#### **Purpose of the Team:**

To investigate claims, to identify fraud, and to proactively prevent and deter fraud.

#### **Aim of the Statement:**

To define a uniform approach and to promote confidence in the integrity of the conduct of officers within the Investigation Team.

1. Officers will investigate suspected fraud thoroughly and pursue lines of enquiry to establish the facts.
2. Under section 67(9) of the Police and Criminal Evidence Act 1984, Officers are persons charged with the investigation of a crime and are subject to the restraints within the Act.
3. A recommendation to stop or reduce benefits will be supported by findings, facts and evidence.
4. Deterrent action is determined independently of the investigation and in accordance with Council policy.
5. Working Procedures will be documented and reviewed in accordance with the quality process.
6. Officers will be appropriately trained to undertake their duties.
7. Officers will aim to respond to communications within published performance targets.
8. Officers will act with integrity and report all knowledge of fraud in accordance with the Council's Avoiding Fraud and Corruption Policy, Whistle blowing Policy and Money Laundering Policy. Officers will have knowledge of, access to and abide by these Policies.
9. Officers will be aware of compromising their integrity and will declare any personal interest relevant to a case or Welfare Benefit claim
10. Officers will treat the public with courtesy and identify and conduct themselves as Officers of the Council.
11. All information relating to an investigation will be treated as confidential and disclosed only in accordance with the Data Protection Act 1998 and the Freedom of Information Act 2000.
12. Investigating Officers will be appointed Inspectors under Section 110a of the Social Security Administration Act 1992.

13. Evidence will be recorded in accordance with the Criminal Procedure and Investigation Act 1996.
14. Interviews will be conducted in accordance with the Police and Criminal Evidence Act (PACE) 1984.
15. Officers will act within the limits of their designated powers and authority.
16. Officers will act with regard to personal safety and the safety of the public.
17. Officers will comply with the Authorities Conditions of Employment, Corporate Aims, Constitution, Policies and Procedures in order to protect the public purse and meet the needs of their customers.
18. Officers will work to the security and working procedures in regard to the Department for Work and Pensions Customer Information System (CIS aka SEF). The use of this system will be monitored in accordance with the Department for Work and Pensions requirements.
19. Officers act with fairness and impartiality, do not discriminate against any individual or organisation and work in accordance with the Human Rights Act 1998.

## **Appendix 4**

### **BENEFIT TAKE UP STRATEGY**

#### **1.0 Introduction**

Oxford City Council (the Council) has undertaken take-up work over a number of years and has used a variety of methods to aid in the delivery of take-up activities. This work has been carried out year by year and although successes have been achieved, improved results can be obtained by taking a longer-term view.

This strategy aims to set out the aims for Oxford City Council until March 2012 and will highlight the rationale for the activities taken and methods of evaluation together with providing a more strategic view of benefits take-up activity.

This strategy was adopted by members on [INSERT DATE]

Once adopted this document will be circulated to advice agencies around the city by using the Council's Voluntary Groups Liaison meetings and progress will be included as a regular agenda item.

#### **2.0 Legal Requirements**

The Council has a legal obligation to encourage the take-up of Housing Benefit and Council Tax Benefit under Section 123 of the Social Security Contributions & Benefits Act 1992. The Council needs to undertake a structured and progressive campaign to encourage take up of HB/CTB in the local community principally to satisfy the legal obligation to do so:

*“Every authority granting housing benefit—*

*(3) (a) shall take such steps as appear to them appropriate for the purpose of securing that persons who may be entitled to housing benefit from the authority become aware that they may be entitled to it;*

*and*

*(4) Each billing and in Scotland each authority*

*(a) shall take such steps as appear to it appropriate for the purpose of securing that any person who may be entitled to council tax benefit in respect of council tax payable to the authority becomes aware that he may be entitled to it;*

#### **3.0 Links to Corporate Plan 2010-2013 (The Plan)**

As well as meeting the legal obligation work to encourage local residents to claim housing and council tax benefits it is acknowledged that an increase in the take-up of HB/CTB will assist in achieving the following:

- Increase the income of eligible individuals. This has a positive effect on the local economy by increased spending in the community.
- Help alleviate poverty and associated stress which will help take the pressure off health and social services.
- Help maximise the collection of rent on council properties.
- Help maximise the collection of council tax.
- Enable people to meet their rental liability and so increase their choices about where to live.

Although not specifically mentioned as directly contributing to any of the six Corporate Priorities in The Plan, an increase in benefits take-up will contribute to the following:

- More Housing, Better Housing for all

By making more households aware of way that HB/CTB can help them afford to live in reasonable accommodation and removing the restriction to low-standard accommodation that may be imposed by being on a fixed or low income.

Making full use of HB/CTB as well as Discretionary Housing Payments to improve homelessness prevention and help keep families in settled accommodation

- Tackling Inequalities and Supporting Communities

By increasing the income of communities and helping both in-work and out of work households and individuals.

Contributing to the economic well-being of a community by benefits being re-invested and helping to overcome social exclusion through poverty.

- Transforming the Council by improving value for money and service performance.

By making sure that more households receive sufficient income to pay their rent and council tax bills will reduce the amount of time spent pursuing “can’t payers” and enabling a focus on “won’t payers”.

#### **4.0 The City and Current Caseload**

Oxford is often considered to be an affluent City but local statistics show there are areas of high unemployment and deprivation. The Index of Multiple Deprivation 2007 ranks Oxford 155<sup>th</sup> out of 354, placing it in the top half most deprived local authority areas in England. Of 85 areas in Oxford, ten are among the 20% most deprived areas in England. 26% of under 16s in Oxford live in low income households.

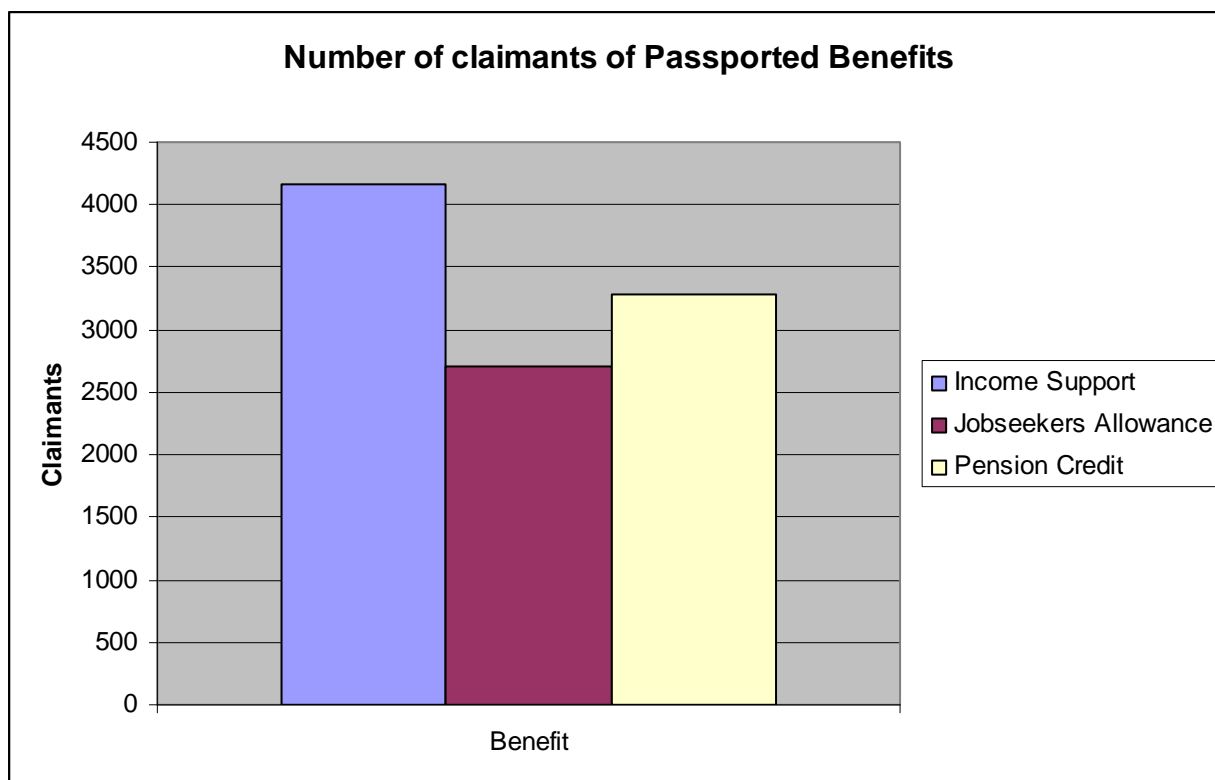
In Oxford a high proportion of the population are aware of their benefit rights. By comparing figures obtained from the Department for Work and Pensions (DWP) web site regarding the number of people in Oxford claiming Income Support (IS), Jobseekers Allowance (both types) (JSA), and Guarantee Pension Credit (GPC) against the number of



people claiming Housing Benefit (HB) and/or Council Tax Benefit (CTB) in Oxford who are in receipt of these benefits it has been estimated that only 13% of people in receipt of a passported benefit are not claiming HB/CTB.

This has been reinforced by the conclusion of research undertaken by the Social Research Officer at OCC in 2008.

Data obtained from the DWP shows that in November 2009 (the most recent figures available) there were 4160 people in Oxford in receipt of Income Support, 2700 in receipt of Jobseekers Allowance and 3280 in receipt of Guarantee Pension Credit. A total of 10,140 people who would potentially be entitled to full HB/CTB.

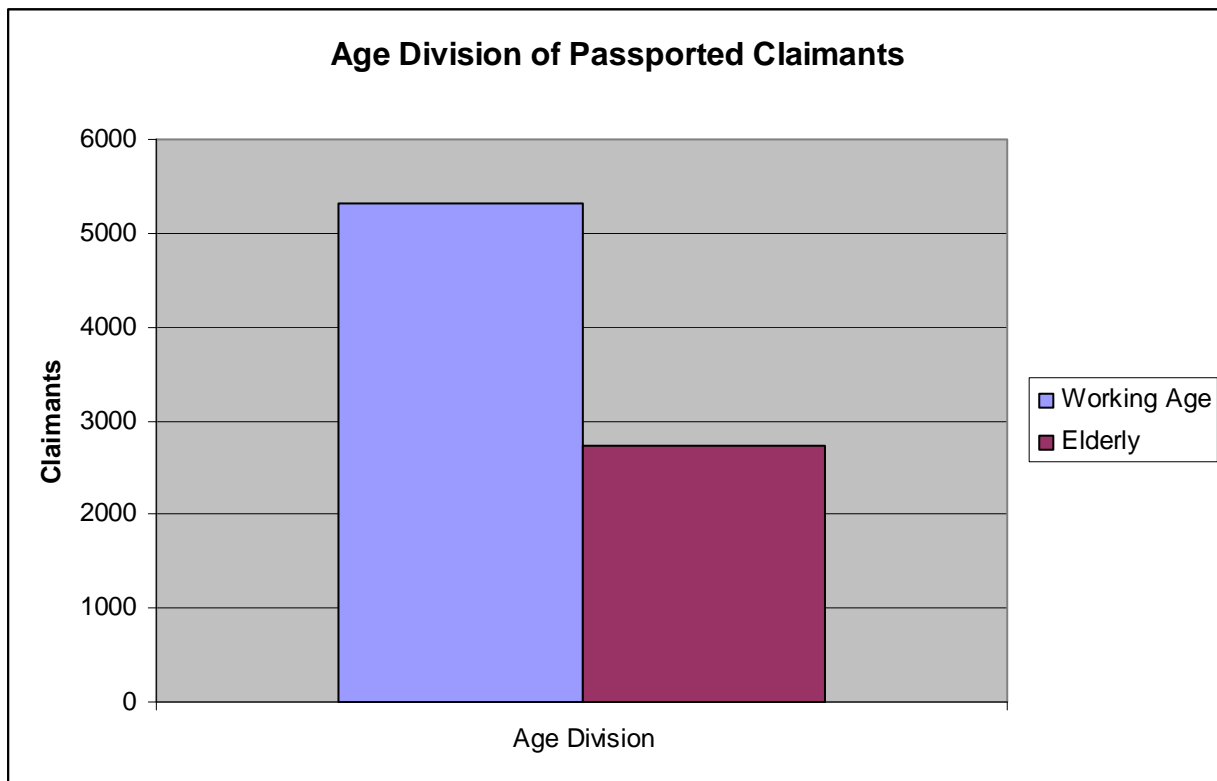


In recent years Oxford has had an increasing caseload for HB/CTB. In June 2010 this had increased to 12,261, an increase of 3.4% in the first three months of the year. Of these 8,054 were in receipt of Income Support, Guarantee Pension Credit or Jobseekers Allowance.

Although there were potentially 3280 pensioners who should be receiving HB/CTB in November 2009, 2700 were actually in receipt, a figure that has remained constant. Whilst some of the difference could be attributed to the fact that not all pensioners will have a Council Tax or Rental liability, annual submissions from the Pension Service indicate that there are still pensioners who have not claimed HB/CTB.

It is a similar story with working age claimants in that there were 6860 claimants of Income Support or Jobseekers Allowance in November 2009, there were 4900 actually in receipt of HB/CTB.

This figure has increased to 5300 in May 2010 although it is anticipated that a corresponding increase will be seen in Income Support or Jobseekers Allowance claimants



This strategy sets out how we propose to increase take up of HB/CTB among all under claiming sections of the community. We have based activities on reports produced by the Council's Policy Culture & Communications Unit together with guidance published by the DWP and published good practice.

## 5.0 Our Partners and Stakeholders

We intend to work closely with our partners and stakeholders in promoting take-up of benefits and will adapt our approach accordingly. We recognise the valuable work that advice agencies undertake in ensuring that many people receive the necessary support to claim the benefits they are entitled to and will reflect this in the allocation of grant support in the next grant settlement from April 2011.

We also acknowledge that key stakeholders such as Housing Associations play an important role in ensuring their tenants receive the help and support needed and this fact is recognised in the formation of Service Level Agreements which all Housing Associations are encouraged to sign up to.

We will also work closer with Housing Associations and our own Oxford City Homes' staff so that they can obtain and verify the information and evidence needed to support a claim for HB/CTB to help overcome some of the barriers to claiming and also with their rent collection.

## 6.0 Benefits Take-up Strategy Proposed Actions

Objective	Proposed Action	Target Date	Owner
Increase take-up amongst Chinese and East Asian residents by 10%	Produce translation of Housing Benefit advice leaflet for use by community groups	30 June 2010	Projects & Improvements Team
	Mailshot to Oxford Chinese Community Association members	31 July 2010	
	Article in Chinese Language Newsletter	31 July 2010	
	Increase usage of Language Line by Mandarin and Cantonese speakers	31 March 2011	
Increase involvement of Community Advice Agencies in take-up activities	Make grant support conditional on the agencies' support of benefit take-up	30 April 2011	Communities & Neighbourhood Manager
	Introduce method of recording applications received via Advice Agency intervention	30 April 2011	Benefits Manager
Increase awareness of Benefits	Issue Benefits Take-up leaflet & mini application with annual bills	1 March 2011	Benefits Manager / Revenues Manager
Increase take-up of benefits by pensioners	Issue applications and make home visits to pensioners as identified on Pension Service Scan	31 August 2010	Projects & Improvements Team
Obtain Plain English Crystal Mark on application forms	Application form to be crystal marked to help overcome barrier to understanding	30 September 2010	Projects & Improvements Team
Increase the number of customer contact opportunities to help potential claimants submit a claim	Make use of Mobile Solutions to be delivered in new Benefits Software contract and portable scanners to set up advice surgeries	31 January 2011	Benefits Manager / Customer Contact Manager

## **7.0 Methods of Evaluation**

The Capita Revenues & Benefits Operating System used by the Council has the facility to mark certain claims with an indicator or “work area”. This was originally designed for authorities who divided the work into “patches” and can enable claims to be easily identified and reports run.

The following codes could be used to identify the source of the claim and determine the effectiveness of the particular campaign:

“CC” – Chinese Community Association / Promotion in Chinese-speaking areas

“Bill 2011” – Take-up leaflet as issued with Council Tax bills March 2011

“PS” – Claims prompted by activity in response to Pension Service Scans

“Mobile” – Claims taken using mobile technology

Where there are more than one possible code, the initial referral will be the one that is used.

In all cases, the ethnic group “Chinese” will be recorded where appropriate

## Appendix 5

### CEB Report Risk Register

Risk Score Impact Score:1=Insignificant; 2=Minor; 3=Moderate; 4= Major; 5=Catastrophic Probability Score: 1=Rare; 2=Unlikely; 3=Possible; 4=Likely; 5=Almost Certain

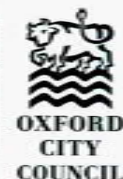
No.	Risk Description Link to Corporate Obj.	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid		Monitoring Effectiveness				Current Risk	
		I	P			I	P	Action:	Outcome Required:	Q 1	Q 2	Q 3	Q 4	I	P
1	Customers will not be aware of the new benefit 'one strike' sanction.  Corporate Objective: Reduce crime and anti-social behaviour	2	2	Not educating customers	Amended declaration on application form  Notification letters and fraud posters updated	1	1	Action:  Action Owner:  Mitigating Control:  Control Owner:	Outcome Required:  Milestone Date:	Q 1	Q 2	Q 3	Q 4	I	P
2.	Risk of increase in number of complaints / appeals against 'one strike' sanction  Corporate Objective: Transform The Council by improving value for money and service performance	1	1	Customers wishing to dispute the sanction	Decisions will be made in line with legislative requirements and guidance	1	1	Action:  Action Owner:  Mitigating Control:  Control Owner:	Outcome Required:  Milestone Date:	Q 1	Q 2	Q 3	Q 4	I	P

3.	<p>Financial risk of increase in legal costs</p> <p>Corporate Objective: Transform The Council by improving value for money and service performance</p>	I 1	P 2	<p>Increase in prosecution of customers who decline either an administrative penalty or simple caution because of loss of benefit due to 'one strike' sanction</p>	<p>Decisions will be made in line with Welfare Benefit Prosecution and Sanction policy</p>	I 1	P 2	<p>Action:</p> <p>Action Owner:</p> <p>Mitigating Control:</p> <p>Control Owner:</p>	<p>Outcome Required:</p> <p>Milestone Date:</p>	Q 1	Q 2	Q 3	Q 4	I	P
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## Appendix 6



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### Form to be used for the initial assessment

<b>Service Area:</b> Finance	<b>Section:</b> Investigation	<b>Key person responsible for the assessment:</b> Carol Quanton	<b>Date of Assessment:</b> 02/08/2010	
<b>Is this assessment in the Corporate Equality Impact assessment Timetable for 2008-11?</b>				No
<b>Name of the Policy to be assessed:</b> Welfare Benefit Prosecution and Sanction policy			<b>Is this a new or existing policy</b>	existing
<b>1. Briefly describe the aims, objectives and purpose of the policy</b>		A policy that ensures that we take a professional and fair decision making process in regard to the prosecution of offenders in relation to cases of benefit fraud.		
<b>2. Are there any associated objectives of the policy, please explain</b>		No		

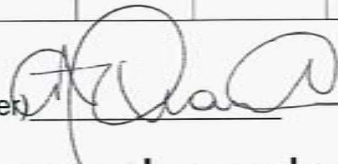
<b>3. Who is intended to benefit from the policy and in what way</b>	The wider public by protecting the public purse through the prevention of fraud and error by acting as an active deterrent.		
<b>4. What outcomes are wanted from this policy?</b>  By applying the policy very few of our customers refuse to accept an administrative penalty or simple caution and we have an extremely high success rate of prosecution cases.			
<b>5. What factors/forces could contribute/detract from the outcomes?</b>	Whether it is cost effective and in the public interest to pursue a case through to prosecution		
<b>6. Who are the main stakeholders in relation to the policy</b>	DWP, The customer, Customer Service department	<b>7. Who implements the policy and who is responsible for the policy?</b>	Carol Quainton
<b>8. Are there concerns that the policy <i>could</i> have a differential impact on racial groups.</b>	N	No	
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	All cases referred for investigation are risk assessed which supports the fact the no minority or racial group is targeted, as the decision is based on the merits of the individual case		
<b>9. Are there concerns that the policy <i>could</i> have a differential impact due to gender</b>	N	no	
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	All cases referred for investigation are risk assessed which supports the fact the no minority or racial group is targeted, as the decision is based on the merits of the individual case		



<b>10. Are there concerns that the policy <u>could</u> have a differential impact due disability</b>		N	No
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	All cases referred for investigation are risk assessed which supports the fact the no minority or racial group is targeted, as the decision is based on the merits of the individual case		
<b>11. Are there concerns that the policy <u>could</u> have a differential impact on people due to sexual orientation</b>		N	No
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	All cases referred for investigation are risk assessed which supports the fact the no minority or racial group is targeted, as the decision is based on the merits of the individual case		
<b>12. Are there concerns that the policy <u>could</u> have a differential impact on people due to their age</b>		N	No
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	All cases referred for investigation are risk assessed which supports the fact the no minority or racial group is targeted, as the decision is based on the merits of the individual case		
<b>13. Are there concerns that the policy <u>could</u> have a differential impact on people due to their religious belief</b>		N	No
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	All cases referred for investigation are risk assessed which supports the fact the no minority or racial group is targeted, as the decision is based on the merits of the individual case		

14. Could the differential impact identified in 8-13 amount to there being the potential for adverse impact in this policy		N	Please explain No – no differential impact identified			
15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason		N	No – no differential impact identified			
16. Should the policy proceed to a partial impact assessment		N	If Yes, is there enough evidence to proceed to a full EIA	Y	N	
			Date on which Partial or Full impact assessment to be completed by	N/A		
17. Are there implications for the Service Plans?		NO	18. Date the Service Plan will be updated		19. Date copy sent to Equalities Officer in Policy, Performance and Communication	
20. Date reported to Equalities Board:			Date to Scrutiny and EB		21. Date published	

Signed (completing officer)



Signed (Lead Officer)

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**Please list the team members and service areas that were involved in this process:**

Carol Quinton, Investigation Manager, Finance

Peter Joyce, Performance and Improvements Manager (Interim), Customer Services

## Appendix 7



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### Form to be used for the initial assessment

<b>Service Area:</b> Customer Services	<b>Section:</b> Benefits	Key person responsible for the assessment: <b>Phil Adlard</b>	<b>Date of Assessment:</b> November 2008	
<b>Is this assessment in the Corporate Equality Impact assessment Timetable for 2008-11?</b>			<b>Yes</b>	<b>No</b>
<b>Name of the Policy to be assessed:</b> Benefit Take-up Strategy			<b>Is this a new or existing policy</b>	Existing
<b>1. Briefly describe the aims, objectives and purpose of the policy</b>	The policy aims to ensure equality of access to Housing and Council Tax Benefit to all in the community, removing barriers to claiming benefits, and contributing to the financial well-being of recipients.			
<b>2. Are there any associated objectives of the policy, please explain</b>	1. Meeting the legal requirements imposed by s123 of Social Security Contributions & Benefits Act 1992 2. Meeting targets of improving access to affordable housing and improving the local economy as set out in the Corporate Plan 2008 - 2011			

<b>3. Who is intended to benefit from the policy and in what way</b>	1. Any residents having difficulty in accessing benefits through ignorance or lack of opportunity. 2. Indirect benefit to landlords and RSL's through payments made to tenants. 3. Indirect benefit to Council Tax collection by means of reduction in Council Tax debt.		
<b>4. What outcomes are wanted from this policy?</b>  1. Increase in the number of recipients of Housing Benefit and Council Tax Benefit. 2. Increase in awareness of Housing Benefit and Council Tax Benefit			
<b>5. What factors/forces could contribute/detract from the outcomes?</b>	1. The commitment of the Benefit Service to continually pursue equal access to benefits for all groups. 2. Budget pressures limit the activities required to promote awareness.		
<b>6. Who are the main stakeholders in relation to the policy</b>	1. Oxford City residents 2. Landlords / RSL 3. Council Tax 4. Advice Groups		<b>7. Who implements the policy and who is responsible for the policy?</b>  1. Responsibility – Performance & Quality Manager. 2. Implementation – Quality team and all Customer Service Staff
<b>8. Are there concerns that the policy <i>could</i> have a differential impact on racial groups.</b>	Y	N	The policy positively targets local ethnic minority groups to ensure they have equal accessibility to benefits.
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	Activities to focus on under claiming in ethnic groups, e.g. Asian Women's Lunch Club		
<b>9. Are there concerns that the policy <i>could</i> have a differential impact due to gender</b>	Y	N	The policy reflects the additional assistance that has been given to lone parents, often mothers, in the strive towards eliminating child poverty.
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	Activities to focus on maximisation of benefits for lone parents.		

<b>10. Are there concerns that the policy <u>could</u> have a differential impact due disability</b>	<b>Y</b>	<b>N</b>	The policy seeks to involve disability advice groups which RNID and RNIB named as sources of assistance.
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	Identification of disability interest groups mentioned in strategy		
<b>11. Are there concerns that the policy <u>could</u> have a differential impact on people due to sexual orientation</b>	<b>Y</b>	<b>N</b>	
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	The policy is sexual orientation neutral.		
<b>12. Are there concerns that the policy <u>could</u> have a differential impact on people due to their age</b>	<b>Y</b>	<b>N</b>	The policy reflects DWP research showing significant under claiming in pensioner client groups.
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	Department for Work and Pensions Council Tax Benefit Take-up: A Best Practice Guide		
<b>13. Are there concerns that the policy <u>could</u> have a differential impact on people due to their religious belief</b>	<b>Y</b>	<b>N</b>	
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	The policy is religion neutral.		

<b>14. Could the differential impact identified in 8-13 amount to there being the potential for adverse impact in this policy</b>	Y	N	The impact in all groups identified is positive in order to ensure that no individual is disadvantaged through lack of knowledge.			
<b>15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason</b>	Y	N	N/A			
<b>16. Should the policy proceed to a partial impact assessment</b>	Y	N	<b>If Yes, is there enough evidence to proceed to a full EIA</b>	Y	N	
			<b>Date on which Partial or Full impact assessment to be completed by</b>			
<b>17. Are there implications for the Service Plans?</b>	YES	NO	<b>18. Date the Service Plan will be updated</b>		<b>19. Date copy sent to Equalities Officer in Policy, Performance and Communication</b>	10/08/09
<b>20. Date reported to Equalities Board:</b>			<b>Date to Scrutiny and EB</b>		<b>21. Date published</b>	

Signed (completing officer)\_Phil Adlard\_\_      Signed (Lead Officer) \_\_\_\_\_

**Please list the team members and service areas that were involved in this process:**