

2008 -2009 Performance Report

Audit & Investigations Team



Introduction

Since April 2002 the Council's Revenues Investigation Team has been working under the requirements of the Department for Work and Pensions Security Against Fraud and Error scheme (SAFE).

The aims of this scheme are quite simple, to professionally investigate allegations of fraud and successfully apply penalty based actions against those individuals caught committing fraud.

Luton Borough Council has embraced this approach from the start and continues to work hard to provide a tough and robust response to fraud within the benefits scheme operated by the Council.

Over the last year the team has bolstered its joint working with colleagues from the Department for Work and Pensions and Bedfordshire Police and a number of successful arrest and search operations have been undertaken.

It is hoped that this performance report will be a useful guide to the on going efforts of the Investigations Team in combating fraud and abuse within the benefits system.

Paul Taylor
Investigations Manager

Fraud Hotline

	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Fraud hotline referrals received	134	143	145	103	134	125	127
Cumulative total	134	277	422	525	659	784	911

Source LBC Investigation Team Management Information

To encourage individuals to report allegations of fraud to the Council a confidential fraud hotline number is displayed on benefits correspondence, news releases, and the Councils website.

Detecting and investigating fraud

	08/09
Referrals Received	709
Referrals Rejected	283
Referrals Accepted	390

Source LBC Investigation Team Management Information

All allegations of fraud received by the investigations team are examined and subject to a risk assessment process before being accepted for further investigation. Where appropriate joint working with partner agencies is encouraged to ensure that all aspects of criminal behaviour is addressed at an early stage in the investigation.

Interviews under caution

	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Interviews conducted	152	85	171	243	143	188	192
Cumulative total	152	237	408	651	794	982	1174

Source LBC Investigation Team Management Information

Formal tape recorded interviews are conducted under the Police & Criminal Evidence Act to ensure that evidence is secured through questioning. Customers are advised in writing to seek legal representation should they so wish and where necessary interpreters and appropriate adults are used to facilitate interviews where language or learning difficulties may be present.

Sanction files submitted to Legal Services

	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Total files submitted	29	47	30	80	50	63	71
Cumulative total	29	76	106	186	236	299	370

Source LBC Investigation Team Management Information

At the conclusion of an investigation where fraud has been established, the Investigating Officer will construct a sanction file for submission to the Investigations Manager. Taking into consideration the Council's Sanctions and Prosecutions Policy the Investigations Manager will review the case papers and in the more serious cases pass the file to the Council's legal Service for prosecution action.

The Council's Solicitors will independently review the evidence under the Guide for Crown Prosecutors before they consider instigating proceedings.

Applying Sanctions

	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Cautions	14	7	7	3	11	8	5
Ad Pens	-	-	-	-	-	-	3
Summons	23	33	13	47	27	43	44
Prosecutions	18	22	12	29	30	32	36
Total sanctions	55	62	32	79	68	83	88

Source LBC Investigation Team Management Information

Guidance from the Department for Work and Pensions allows the Investigations Manager in appropriate cases to offer formal cautions and administrative penalties to offenders who commit fraud below £1,500 in certain circumstances. Cautions normally apply to cases where the loss is less than £500 and full admissions are made during an interview under caution. Administrative Penalties are applied where the overpayment is in the range £500 - £1,500 and in these cases the overpayment is required to be repaid as well as 30% of the overpayment value.

The deterrent effect

	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Press Releases	9	8	14	15	27	19	27
Cumulative total	9	17	31	46	73	92	119

Source LBC Investigation Team Management Information

The Investigations Manager seeks in all appropriate cases to issue a press release through the Communications Department to advertise successful convictions as and when they occur. This is viewed as an important means of informing the public of the work of the Council in its efforts to counter fraud within the benefits system. It is also used to advertise the fraud hotline and encourage referrals from individuals who have concerns about fraud within the community.

Sanction Outcomes

	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Imprisonment	2	-	-	1	5	-	1
Suspended Sentence	-	-	-	-	1	4	3
Fine	3	6	1	9	8	10	8
Curfew	-	-	-	-	1	1	-
Community Order	8	8	4	6	2	9	8
Conditional Discharge	5	6	7	13	11	8	15
Absolute Discharge	-	-	-	-	-	-	1
Total Penalties	18	20	12	29	28	32	36

Source LBC Investigation Team Management Information

Court sanctions are decided on the nature of the offending, the amount of the fraud and a person's antecedent history. Sentencing discounts are granted upon an early 'guilty' plea and all of these factors reflect in the statistics detailed above.

Sanctions by Ethnicity

These sanctions include successful prosecution, administrative penalties and formal cautions.

First Quarter 2008-2009							Second Quarter 2008 - 2009							Third Quarter 2008 - 2009							Forth Quarter 2008 - 2009						
WE	DE	AC	AN	O	A	UK	WE	DE	AC	AN	O	A	UK	WE	DE	AC	AN	O	A	UK	WE	DE	AC	AN	O	A	UK
5	-	2	3	-	-	2	5	-	1	1	-	-	-	5	-	2	5	-	-	-	7	-	1	4	-	-	-

Source LBC Investigation Team Management Information

Key: **WE** – White European **DE** – Dark European **AC** – Afro Caribbean **AN** – Asian **O** – Oriental **A** – Arab **UK** - Unknown

Description	<i>Total</i>
White (WE)	22
Dark European (DE)	-
Afro Caribbean (AC)	6
Asian (AN)	13
Oriental (O)	-
Arab (A)	-
Unknown (UK)	2
Total	44

The ethnicity descriptions are taken from the ethnic appearance options displayed on the Non-Police Agencies (notification of proceedings to the police) form that we are required to send to the Police when we issue a summons as part of the prosecution process.

Data Protection Requests

April	May	June	July	August	September	October	November	December	January	February	March
77	57	66	57	42	65	78	44	39	44	36	50
Total											655

Source LBC Investigation Team Management Information

All requests for information must be submitted quoting the relevant section of the Data Protection Act before information is passed onto other law enforcement agencies. The investigations team work on a rota basis within the team to respond in a timely manner to the many requests received.