

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Portfolio Holder for Finance and the Executive Director Commercialisation (S151)

To: Cabinet – 22 March 2016

(Author: Sharon Hammond, Head of Strategy, Revenues and Benefits)

Subject: Council Tax Support Anti-Fraud Policy

Purpose: To approve the anti-fraud policy in relation to the Council Tax Support scheme.

Recommendation:

- 1) To approve the Council Tax Support Anti-Fraud Policy.

1.0 BACKGROUND

- 1.1 Council Tax Support replaced the national Council Tax Benefit system in April 2013 under the Welfare Reform Act 2012 and local authorities are required to have in place a locally determined scheme for working age residents.
- 1.2 It is a legislative requirement that those who receive state pension will continue to receive support under the Council Tax Support Scheme on the same terms as would have applied under the old Council Tax Benefit scheme
- 1.3 Activities outlined in the policy are carried out in practice by trained and experienced Officers, with compliance to relevant legislation and governance. To ensure transparency, and to act as a deterrent, the process has been brought together in a Council Tax Support Anti-Fraud Policy, attached as Appendix A to this report.
- 1.4 The Policy has been considered by the Governance and Audit Committee, and the Policy Development Panel (PDP). Amendments following PDP feedback are reflected in the Policy at Appendix A.

2.0 OPTIONS

- 2.1 To consider the Policy and make no comment.
- 2.2 To consider the Policy and make comments where applicable.
- 2.3 To do nothing.

3.0 REASONS FOR RECOMMENDATION

- 3.1 Approval and publication of the policy will ensure the Council is transparent and pro-active in its approach to tackling Council Tax Support fraud. This could act as a deterrent to potential fraudsters.

4.0 EXPECTED BENEFITS

4.1 Publicity of fraud prevention, deterrent and detection activities will help to reduce incidents of fraud in the local Council Tax Support system, whilst ensuring funding for CTS is maximised for genuine recipients.

5.0 **IMPLICATIONS**

5.1 **Constitution & Legal**

5.1.1 All Officers engaged in fraud prevention, deterrent and detection activities are trained to comply with appropriate legislation, codes of practice and corporate policies. These are listed in more detail in the policy at Appendix A.

5.1.2 Authorised powers are set out in The Council Tax Reduction scheme (Detection of Fraud and Enforcement) (England) Regulations 2013 and in accordance with section 14A of the Local Government Finance Act 1992.

5.2 **Corporate Priorities**

5.2.1 The adoption of the Council Tax Support Anti-Fraud Policy would support council priorities in respect of crime prevention.

5.3 **Crime and Disorder**

5.3.1 This policy outlines how the Council tackles fraud against its Council Tax Support scheme, and the approach to sanctions and prosecutions.

5.4 **Equality and Diversity / Human Rights**

5.4.1 The Investigations team are trained to ensure that anyone suspected of fraud receives clear and understandable information in particular to ensure awareness of legal rights.

5.5 **Financial**

5.5.1 From April 2013 funding and responsibility for Council Tax Support transferred to local government and is now administered as part of the collection fund arrangements.

5.5.2 The impact on council tax income based on the 31 January 2016 position is shown below

	Number	Amount of Council Tax Support (CTS)
Elderly	3,500	£2,729,521
Working Age	2,891	£1,662,487
Total	6,391	£4,392,008

5.5.3 The local council tax reduction scheme is to be examined in 2016/17 to further understand this position and any amendments will be incorporated into this policy as appropriate.

5.5.4 Transitional funding was introduced in 2013/14 for this activity and it was included in the Revenue support grant for that year at £397,000. At the same time the Business rates

retention scheme was also introduced which is placing greater emphasis on local income generation.

5.5.5 In line with local authorities statutory duty to administer and arrange their financial affairs appropriately in accordance with Section 151 of the Local Government Act 1972, this policy sets out the approach this Council takes to ensure an appropriate and effective anti-fraud process is in place in relation to Council Tax Support.

5.6 Reputation

5.6.1 The adoption of a policy to support the practice and processes in place will demonstrate the Council commitment and approach to protect public funds in respect of Council Tax Support.

5.7 Staffing

5.7.1 Fraud investigation is carried out by appropriately trained and authorised personnel.

6.0 WARDS/COMMUNITIES AFFECTED

6.1 All

7.0 ACRONYMS

7.1 CTS – Council Tax Support

7.2 PDP – Policy Development Panel

Background papers:- None

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Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A Council Tax Support Anti-Fraud Policy