

APPENDIX B 2

LOCAL AUTHORITY QUESTIONS

No.	Question	Yes/No where appropriate	Additional requested information - Response
1	Do you have a standalone Benefit Fraud team or is it combined with Corporate Fraud work?	Yes	
2	How many Benefit Fraud Managers do you employ? Please provide your response as both a Full Time Equivalent (FTE) and number of people.	2 People, full time	
3	Do those Benefit Fraud Managers listed above also undertake other duties (eg Blue Badge, Tenancy etc)?	N/A	
4	How many of the Benefit Fraud Managers listed above are also Fraud Investigators? (It is important that staff are only counted once) .	N/A	
5	How many Benefit Fraud Investigators do you employ? (Do NOT include any Managers/Team Leaders counted above) . Please provide your response as both a Full Time Equivalent (FTE) and number of people?	8 people, full time	
6	How many of those Benefit Fraud Investigators listed above also undertake other Fraud activity (eg Blue Badge, Tenancy etc.)	N/A	
7	Do you have any staff who support Benefit Fraud Investigators in an Admin capacity, and if so, how many? Please provide your response as both a FTE and number of people.	2 people, full time	
8	Do any of your benefit fraud staff work from home and if yes, is this within the terms of their contract	No	

	or an "unofficial arrangement"?		
9	What is your average HB/CTB fraud referral rate received per week? Where do referrals come from? (ie source)	22 per week average. From a variety of sources	
10	Approximately what percentage of cases are HB/CTB only and approximately what percentage also involve other (non HB) DWP benefits?	Appx 60%	
11	On average, what percentage of HB/CTB fraud referrals are accepted for investigation?	Approx 50%	
12	What is your current HB/CTB fraud file caseload? - ie Live cases being investigated	458	
13	Have you contracted out/set up a shared service for your fraud services? With whom?	No	
14	Does your contracted out/shared service fraud service cover more than just HB/CTB Fraud activity? (eg Does the contract cover all HB admin activity including Fraud).	N/A	
15	Will this contract require re-negotiation following the introduction of SFIS and cases being passed to SFIS? Have you started to take steps towards doing this?	N/A	
16	Do you believe the introduction of SFIS will affect any contractual agreements? If so, with whom and to what extent. (Please only include anything relating to HB fraud and not corporate fraud) Examples - Credit Reference Agencies/Membership of Professional organisations/Mobile phone contracts/Vehicle costs/Typing transcription costs/Agency workers		Fraud Case Management System Investigative work tools such as: Experian, Companies House access, Tape transcription contract Temporary Contract Investigators

17	If yes to above, what steps are you taking to mitigate any impact?		Not knowing exact date the change is going to happen makes this extremely difficult.
18	Which case management IT system/Fraud database do you use for fraud work? Is this supported by a contract?	Fims	Yes it is supported by a contract.
19	Is your Case Management system or Fraud database used solely for HB fraud or will this continue to be used for other areas (eg HB admin or corporate fraud)	Yes	Corporate & Tenancy held on separate contract.
20	Do you have your own Financial Investigation Unit? If so how many staff does this involve and how much of their work is HB/CTB only?	No	
21	Do you use NAFN for HB/CTB fraud cases?	Yes	
22	Do you use NAFN for other services in the council (eg corporate fraud or trading standards)	Yes	
23	Do you undertake your own Authorised Officer function within the fraud team? If not, who do you use?	Yes	
24	Do you currently conduct joint investigations with DWP?	Yes	
25	Do you work with one or more DWP FIS teams and if so which one(s)	Yes	City A & City B teams
26	Do you undertake any work for other LA sites. If so, to what extent and which ones?	No	
27	Does your LA run their own hotline or advertise a Fraud hotline number?	Yes	
28	How many Employee Pension schemes does your LA have?	1	
29	Please provide any other information about your HB fraud service which you feel would be helpful	N/A	
30	Please provide Single Point of Contact details for future implementation engagement. (Name, address, tel number, e-mail address)		Mr T Qayum. LBTH, Mulberry Place, 5 Clove Crescent, London E14 2BG Tony.qayum@towerhamlets.gov.uk Tony.qayum@towerhamlets.gcsx.gov.uk

31	Please provide name & contact details of the person completing this form		As above
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Example Activities Transferring from LAs to DWP SFIS

- Conducting Housing Benefit / residual Council Tax benefit fraud investigations in line with instructions in user manuals/guidance.
- Conducting Interviews under caution in accordance with The Police and Criminal Evidence Act 1984 (England and Wales) and Common Law (Scotland).
- Conducting interviews with Customers to offer Administrative Penalties, Formal Cautions (England & Wales) and Administrative Cautions (Scotland).
- In respect of welfare benefit fraud, recording the progress of a case on IT/ Case management systems, taking into account the potential for referring appropriate cases to, and liaising with, other teams such as Customer Compliance / visiting officers, DWP Fraud Investigations and Financial Investigation Unit (FIU).
- Maintaining relevant evidence files, annotating appropriate material as sensitive including maintaining an N1 notebook, in respect of fraud.
- Information / Intelligence gathering to ensure suitability of case for fraud investigation
- Information / Intelligence gathering to build case for investigation
- Developing cases into prosecution cases and attending Court as a witness.
- Liaising with other Departments/organisations on fraud matters.
- Making requests for surveillance to the TFI in line with the Regulation of Investigatory Powers Act (RIPA) and the accompanying code of practice.
- Conducting surveillance.
- Making requests to Authorised Officers in line with the Social Security Fraud Act (SSFA) and FPI for information from information providers.
- Requesting information such as employment details from an employer in line with current policy.
- Managing welfare benefit fraud business on behalf of the LA within a specific team.
- Recommending requests for surveillance to the appropriate LA Officer in line with the requirements of the Regulation of Investigatory Powers Act (RIPA) and the accompanying code of practice. This requires the authority of a Magistrate.
- Performing Financial Investigation Recovery activity on welfare benefit fraud cases on behalf of the LA, including conducting this work for other LAs.
- Carrying out instructions set out by the Assets Recovery Agency (ARA) and other user manuals.
- Requesting orders as prescribed within the Proceeds of Crime Act.
- Preparing all submissions relating to Proceeds of Crime action in Court and to attend Court where necessary.

Work NOT Transferring from LAs to DWP SFIS

- Hotlines/ LA call centres that take reports of fraud/suspected fraud
- LA compliance/ visiting staff
- HB/CTB decision makers, benefit processors, overpayment or debt staff
- Solicitors employed / contracted by LAs for the purpose of Fraud Prosecution work

SFIS Project - Questions and Answers

Q: Why doesn't TUPE apply to the transfer of staff into DWP when single investigations are introduced?

A: The transfer of staff in to DWP is considered to be an administrative transfer and is therefore not covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) (1). However, DWP is committed to taking those employees currently assigned to benefit fraud investigation work. In order to effect the transfer of contracts of employment of employees, and provide them with similar employment rights protection to that which they would have under TUPE, the Secretary of State proposes to use powers under the Employment Relations Act 1999 to create a statutory staff transfer scheme (STS) which will be "TUPE-like".

Q: What protections are there for staff transferring to DWP under the Statutory Transfer Scheme?

A: In order to ensure the fair and equitable treatment of employees we are seeking to ensure that the transfer scheme and consultation process mirrors TUPE, as far as practicable. This reflects the approach set out in the Cabinet Office Statement of Practice on Staff Transfers (COSOP).

Q: Can DWP unilaterally change my terms and conditions of employment post transfer?

A: Your terms and conditions of employment will transfer with you. There may be little difference between those on offer in DWP. They could also be more or less favourable. Terms and conditions can only be changed by negotiation and consent.

Q: Will I become a Civil Servant on transfer to DWP?

A: Yes, you will become a Civil Servant on transfer.

Q: Can I object to the transfer?

A: Yes you can. But if you object to transfer you would not transfer over to DWP and your contract of employment will come to an end unless your current employer agrees otherwise.

Q: What happens to my salary?

A: Your salary will be protected. If it is more than the DWP pay scale you will retain your current (higher) salary. If your salary is below the minimum of the DWP pay scales, your salary will be automatically uplifted.

Q: What happens to my pension on transfer?

A: Transferring staff will join the Principal Civil Service Pension Scheme (PCSPS) on their first day with DWP. They will be given the option of transferring their previous pension service into the PCSPS, or leaving it with their current scheme until they are entitled to receive pension payments.

Q: Am I guaranteed a job in SFIS?

A: We expect the vast majority of staff to be allocated to a role in SFIS. Where we are unable to do this, other options will be considered in consultation with those affected. This could include posting you into another DWP role.

Q: How far am I expected to travel to my new location when I move to DWP?

A: All fraud investigations will be delivered from sites where FES employees currently are located but we may also base people in other DWP sites. If this means a longer commute to work, your daily commute will be in line with your employer's current mobility policy. This will be a matter for individual discussion where necessary. There may be isolated cases where individuals will have mobility restrictions which mean they are unable to travel to any DWP site. In these circumstances we will discuss this with your employer before the transfer to explore what options would be available based on individual circumstances.

Q: When will I know which role I will be given and where I will be based?

A: Prior to the transfer, we will look at the transfer propositions from each employer in the vicinity. We will then consider a number of factors which includes the total number of staff available, where they live, and then compare this against the delivery options in DW