



Chester-le-Street

District Council

Additional Code of Conduct for Fraud Investigators, Intervention Officers and Auditors

Introduction

The purpose of this document is to outline clear behavioural expectations for employees involved in Fraud Investigations, Benefits Interventions and Internal Audit and will also apply to any employees seconded to the team.

The main aim is to set certain expected and acceptable standards and to protect officers from allegations of impropriety.

In order for Fraud Investigators, Intervention Officers and Auditors to sustain credibility it is essential that they conduct themselves in an appropriate manner maintaining the highest possible standards, and remain beyond reproach at all times.

A breach of the conditions outlined in this procedure will be treated as a disciplinary matter and will be dealt with in accordance with the Council's current disciplinary procedure.

All relevant employees are required to ensure that they are fully familiar and comply with this in addition to Council's Code of Conduct for Employees.

As employees are responsible for the quality of service delivered to customers it is essential that they comply with this procedure so that service standards are maintained and improved.

Employees will be expected to sign a declaration which confirms receipt of this document and details the consequences of non compliance.



Working together to fulfil the needs of our communities



Chester-le-Street

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Additional Code of Conduct for Fraud Investigators, Intervention Officers and Auditors

1. Application

- 1.1 This Code applies to all employees engaged in or acting on behalf of Chester-le-Street District Council in carrying out duties involving the investigation of benefit fraud, intervention on benefit claims and internal audit.
- 1.2 This Code will be read together with any relevant legal requirements and any relevant employee rules, in particular the Council's Disciplinary and Dismissal Policy and Procedure.
- 1.3 Employees should be aware that at all times they represent the Council whilst carrying out their duties.
- 1.4 As decisions regarding benefit entitlement directly impact on customers' lives, employees are expected to maintain the highest standards of probity and accountability in the decision making process.
- 1.5 Employees should treat any person accused of benefit fraud with courtesy and respect at all times.

2. Breach of Code of Conduct

- 2.1 A breach in this Code of Conduct may be treated as misconduct and will be dealt with under the current Disciplinary Procedures.
- 2.2 Proven breaches under the Code may be classed as minor, serious or gross misconduct.
- 2.3 Listed below are examples of factors taken into account when deciding the seriousness of misconduct, and determine the level of disciplinary: -
 - whether in the view of the decision maker, the misconduct resulted from a negligent or deliberate breach of the Code
 - the effect of such a breach on any current or anticipated civil or criminal proceedings
 - the effect of the breach on a current or anticipated investigation

- the extent to which a breach results in the unlawful interference with the rights of any individual as set out in the Human Rights Act or any amending or repealing legislation

3. Provisions

3.1 General conduct

Employees to whom the Code applies must not: -

- exceed their actual authority or hold themselves out as having any authority not provided by legislation
- act in any way which exceeds the actual limits of their powers
- imply that they could act in any way which exceeds the actual limits of their powers
- misuse their official position for any benefit or gain for themselves or another

3.2 Legislation, other Codes of Practice and other Guidance

Employees to whom the Code applies must: -

- pursue all reasonable lines of enquiry (including those which point away from a suspects guilt)
- ensure that all material which may be relevant is recorded and retained and that such material is revealed to the prosecutor in accordance with the provisions of the Criminal Procedure and Investigations Act and the Codes of Practice
- ensure that all provisions of the Police and Criminal Evidence Act and the Codes of Practice are observed in relation to the gathering of evidence, seizure of property or information, searches and the interviewing and treatment of suspects
- ensure that all applicable provisions of the Regulation of Investigatory Powers Act and the Codes of Practice and Guidance thereto are observed in relation to directed covert surveillance
- observe all other applicable legislation, Codes of Practice and internal and external guidance

3.3 Evidence, Witnesses and Suspects

Employees to whom the Code applies must not under any circumstances: -

- conceal or fabricate evidence or knowingly allow any evidence to be fabricated or concealed
- discriminate or exercise any bias on the grounds of race, sex, marital status, sexual orientation, disability, age or religion.
- accept or offer any inducement, bribe or other advantage from or to any witness, suspect or informant
- use any information gathered in the course of their duties for personal gain or coercion or otherwise misuse such information
- do or fail to do anything which may result in a miscarriage of justice

3.4 Disclosure of Interests

Employees to whom the Code applies must declare any circumstances or interests which may affect their ability to conduct an investigation objectively including, but not limited to: -

- any relationship to or with a suspect or witness or informant
- any personal interest in the outcome of an investigation or other civil or criminal proceedings
- dependency on drugs or alcohol

This is **in** addition to disclosures of interest required from all employees already recorded on the corporate register.

3.5 Criminal Matters outside the Workplace

Employees to whom the Code applies must notify their Line Manger within 7 days of any Summons, Charge, Arrest or Conviction for which they are aware they are under investigation for having been interviewed or charged.

This should be confirmed in writing as soon as possible thereafter.

Failure to declare circumstances set out in paragraphs 3.4 and 3.5 within 7 days may undermine the ability to secure a criminal conviction, by adversely affecting the ability to continue proceedings.

In such circumstances further action may be considered, in accordance with the Disciplinary Procedure, where the failure to report circumstances in paragraphs 3.4 and 3.5 are considered to be a breach of this Code.

3.5 Safeguarding Information

Employees to whom the Code applies must treat all information gathered or received during the course of an investigation as confidential and must not deliberately or negligently: -

- disclose such information to an unauthorised third party
- reveal the source of information to an unauthorised third party

3.6 Personal Injury and Damage to Property

Employees to whom the Code applies must exercise all reasonable care to prevent injury to the person, or loss or damage to public and private property and must not: -

- forcibly enter public or private property except to save life or prevent serious injury or on the invitation of the occupier or other responsible person or constable
- deliberately or negligently destroy or damage any property
- seize or retain any property without lawful authority
- use or threaten physical violence towards a colleague or member of the public.

3.7 Clarification on the application of this Code of Practice may be sought from the following people in cases of doubt or difficulty.

Revenues & Benefits Manager	Jayne Henderson
Benefits Manager	Catherine Loftus
Fraud & Intervention Team Leader	Steven Graham
Chief Internal Auditor	Jacqueline McConnell

The above people will liaise with Human Resources where appropriate to interpret the application of other procedures when required.



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**Additional Code of Conduct for Fraud Investigators,
Intervention Officers and Auditors**

I confirm that I have received a copy of the Additional Code of Conduct and Good Practice for Fraud Investigators, Intervention Officers and Auditors.

I confirm I have read this document fully and have sought guidance, if needed.

I confirm that I fully understand this document and I am aware that a breach of the conditions will be treated as a disciplinary matter and dealt with in line with current disciplinary procedure as issued corporately by Chester-le-Street District Council.

Signed :

Print Name :

Date :