

## CODE OF CONDUCT FOR BENEFIT FRAUD INVESTIGATION STAFF

### Code of Conduct & Good Practice for Investigation Staff

This code applies to all officers engaged in carrying out duties involving the investigation of Benefit Fraud.

The code should be read in conjunction with the legal requirements of the post and current staff rules.

The Service Manager – Audit and Fraud will deal with a breach of The Code of Conduct and Good Practice.

Inefficiency is a breach of this Code, and falls short of the expected standard and may require remedial training.

### General Conduct

Officers of Tonbridge & Malling Borough Council will not:

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

### Legislation

- Officers must pursue all reasonable lines of enquiry even if it points away from a suspect's guilt
- Ensure that all material that is gathered during the investigation is recorded and retained and that all relevant material is revealed to the prosecutor in accordance with The Criminal Procedure and Investigations Act and the Codes of Practice
- Ensure that the Codes of Practice are observed in accordance with The Police and Criminal Evidence Act.
- Ensure that applicable provisions of The Regulation of Investigatory Powers Act and the Codes of Practice and guidance in relation to directed surveillance are adhered to.
- Observe all other applicable legislation and internal and external guidance

### Evidence (witness and suspects)

Officers to whom the Code applies must not under any circumstances:

- Conceal or fabricate evidence or knowingly allow any evidence to be concealed or fabricated.
- Discriminate or exercise any bias on the grounds of race sex, marital status, sexual orientation, or disability.
- Accept or offer any inducement, bribe or other advantage from or to any witness or suspect.
- 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 that may result in a miscarriage of justice.

### Disclosure of Interests

- Officers must declare any circumstances or interests which may affect their ability to conduct an investigation objectively.
- 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.

- Their dependency on alcohol or drugs other than those prescribed.
- Officers should disclose to their line manager if they are or have been subject to any: summons, charge, or arrest.

### **Information**

- Officers must treat all information gathered for evidential purposes during an investigation as confidential and, must not deliberately or negligently:
  - Disclose such information to an unauthorised third party.
  - Reveal the source of the information to an authorised third party.
- Personal Injury and Damage to Property
  - Officers, must exercise all reasonable care to prevent injury to the person, loss or damage to the 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 threatening physical violence towards a colleague or member of the public.