

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

31 January 2011

Report of the Director of Finance

Part 1- Public

Matters for Recommendation to Council

1 USE OF GRAVESHAM INTELLIGENCE OFFICER

Summary

This report informs Members of the plan to use the Intelligence Officer from Gravesham Council to carry out enquiries under the Social Security Administration (Fraud) Act 1992. In order for the Director of Finance to authorise an officer from another authority to perform this function full Council approval is required so Members of this Committee are requested to recommend that Council approval is given.

1.1 Introduction

- 1.1.1 As part of the benefit investigation process the Social Security Administration (Fraud) Act 1992 and subsequent amendments gave a legal power for the Director of Finance to appoint an Authorised Officer under section 110A of the Act.
- 1.1.2 This officer can make enquiries on behalf of the authority to obtain personnel data such as bank account details where an investigation is in progress. Tonbridge & Malling have used the National Anti-Fraud Network (NAFN) to act as the section 110A officer. There is a cost implication of around £3,000 for using this service.
- 1.1.3 There is a partnership arrangement in place with Gravesham for the provision of a Fraud Manager and this has resulted in a closer working relationship between the two investigation sections. As part of this process best practice at each authority has been shared and the approach to investigation has been standardised where possible.
- 1.1.4 Gravesham appointed a section 110A Authorised Officer from within and have never used NAFN. This has proved to have worked effectively. The Fraud Manager has suggested that there is sufficient time available for this officer to conduct these enquiries on behalf of Tonbridge and Malling as well as Gravesham. In return Tonbridge and Malling could provide an equal amount of interview transcription service in return. This arrangement would have a nil cost and would save Tonbridge and Malling the NAFN subscription fee. The Fraud

Manager also believes that there would be time savings to Tonbridge and Malling for the investigators.

1.2 Need for Council Authority

1.2.1 As previously stated this officer requires authorisation from the Director of Finance to be appointed. The proposed sharing of an Authorised Officer was referred to Legal Services to ensure that it could be undertaken by an officer from another authority.

1.2.2 It was confirmed that this arrangement would be possible but that under section 101 of the Local Government Act 1972 there is the need for the full Council to authorise the Director of Finance to cross-delegate this function. Once this authority has been given by full Council then the Director of Finance can authorise the appointment of an authorised officer from Gravesham Council.

1.3 Legal Implications

1.3.1 Without full Council authority this arrangement cannot take place.

1.4 Financial and Value for Money Considerations

1.4.1 There will be a direct saving of about £3,000 per year on subscription and usage charges currently paid to NAFN for providing this service.

1.5 Risk Assessment

1.5.1 The loss of this officer is the only significant risk identified. However, Gravesham have trained another officer to be able to step in if this situation were to arise.

1.6 Equality Impact Assessment

1.6.1 There are no impacts identified from this proposal.

1.7 Recommendations

1.7.1 Members are asked to consider this proposal and are to RECOMMEND to full Council that authority is given to the Director of Finance to authorise an officer from Gravesham Borough Council to provide the s110A function for Tonbridge & Malling Borough Council.

Background papers:

contact: David Buckley

Nil

Sharon Shelton
Director of Finance

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	There would be no change to the information being sought only a change in the enabler.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	It has a nil effect
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		There are no impacts identified from this proposal

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.