

# **THREE RIVERS DISTRICT COUNCIL and WATFORD BOROUGH COUNCIL CODE OF CONDUCT AND PROCEDURES FOR INVESTIGATION OFFICERS**

## **1. Introduction**

- 1.1 The purpose of this Code is to set out the minimum standards expected of all staff employed within the Fraud Investigation Team for Three Rivers District Council (TRDC) and Watford Borough Council (WBC).
- 1.2 You are required to ensure that you are fully familiar and comply with these instructions and also any additional requirements contained in the Council's Code of Conduct for Employees.

## **2. Conduct**

- 2.1 Officers should be aware at all times that they represent the Councils whilst carrying out their duties.
- 2.2 Decisions made by staff with regard to benefit claims have a direct impact on people's lives and the public expects and deserves the maintenance of the highest standards of probity and accountability in the decision making process.
- 2.3 It is not sufficient to be open, fair and honest. It is also necessary to demonstrate all decisions have been reached without bias and undue influence.
- 2.4 To give the public greater confidence that practices and procedures are fair and impartial, local authorities are recommended to draw up local codes of conduct.
- 2.5 Officers must not exceed the limits of their powers through deed or inference, misuse their official position in order to gain for themselves or another, or accept any gift, hospitality, privilege or advantage from any person connected with a benefit claim, suppliers of goods or services to the authority.
- 2.6 All officers are issued with note books commonly known as a QB50. When completing enquiries outside of the office any relevant information or evidence must be recorded as soon as practicable. This information should then be recorded on the case notes, which cross-reference with the notebook entry.

## **3. Declaration of Interest**

- 3.1 In accordance with this Council's policy, all investigating officers must declare to the Chief executive or nominated officer, any financial or non-financial interest that may conflict with the Council's interests.
- 3.2 It is a requirement that staff declare any personal or prejudicial interest when dealing with an investigation. To ensure they act with impartiality at all times, employees should not personally deal with enquiries relating to or submitted by a spouse, partner, relative or friend.
- 3.3 Officers must also declare any case of alleged fraud where they have an interest, i.e. they own the property or have a personal relationship with any persons involved in the benefit claim.

- 3.4 Investigation referrals and planned visits should be checked prior to acceptance to ensure compliance with these requirements.
- 3.5 Staff should never access any secure systems on behalf of, or to gain information about, anyone other than as required for the purposes of carrying out their normal duties.
- 3.6 Failure to comply with the relevant policies and procedures could render an employee liable to disciplinary action.
- 3.7 Officers must notify the Fraud Manager immediately of any investigation into them by any agency; charges brought against them, arrest or conviction, including traffic offences.
- 3.8 Criminal Records Bureau disclosure may be requested at any given time
- 3.9 Officers are required to complete and sign the Declaration of Interest paragraph on this code, detailing honestly, any relatives or close friends whom they are aware claim Benefits or discounts from this Authority. This declaration is required in order to protect the integrity of each individual officer and to prevent allegations of impropriety in dealing with benefit claims.

#### **4. DRESS**

- 4.1 Officers are normally required to dress in a manner that is tidy, reasonable, appropriate and representative of the Council. However, when undertaking surveillance or undercover work, an officer may adopt suitable dress or persona to blend in with their surroundings.

#### **5. COURT ETIQUETTE**

- 5.1 There is a strict code of etiquette that officers must adhere to when attending court as a representative of the Councils.
- 5.2 All officers should be clean and tidy. Male officers should normally wear jackets, shirts and tie and female officers should wear smart formal clothing.
- 5.3 Failure to adopt the appropriate dress code or other breaches of court etiquette can result in the officer being found in contempt of court.
- 5.4 Under no circumstances should you drink (except where water is provided by the court), eat, chew gum, leave a mobile phone switched on or talk unless addressed by an official of the court.
- 5.5 Different court officials must be addressed in a particular way:

|                               |  |
|-------------------------------|--|
| Clerk to the court            | Sir or Madam   |
| Magistrate                    |  |
| If addressing the whole bench | Your Worships or thereafter to an individual magistrate, |
| Sir or Madam                  |  |
| Judge at Crown court          | Your Honour  |
| Judge at High court           | My Lord or My Lady                                       |

#### **6. IDENTIFICATION**

6.1 Officers must at all times carry their official identification cards with them. They should be shown, without being asked, to any person who is being requested to allow access to the premises.

6.2 In exceptional circumstances, where the officer does not wish to be identified as an Investigator, if asked by a member of the public, they should merely state that they work for the Council.

## **7. CONFIDENTIALITY**

7.1 You must not reveal the purpose of your visit to unconnected third parties.

7.2 Confidentiality must be maintained at all times and particular care should be taken on premises to avoid, as far as is reasonably possible, members of the public discovering the purpose of your call.

7.3 If challenged by anyone other than the Claimant or Landlord of a property the officer should say they work for the Council and not divulge the reason for the visit in case they risk customer confidentiality. Failure to comply with this requirement may leave the Council open to challenge under a breach of data protection principles or the Human Rights Act.

7.4 Officers will at all times be aware of compromising their integrity, or that of the Council when carrying out their duties.

## **8. GAINING ENTRY**

8.1 No officer has a right of entry to a private property without the permission of the owner, landlord or occupier.

8.2 A claimant who opens the door is not 'inviting you to enter'. Most people open the door to find out who is there.

8.3 No attempt to gain entry should be made when the only persons present are juveniles, mentally disordered or mentally handicapped or under the influence of alcohol or drugs.

## **9. SAFETY AND SECURITY**

9.1 The Councils have a duty of care to ensure employees work environments meet health and safety standards set by the Government, as defined in the Health and Safety act 1974, and the Corporate Manslaughter Act 2008. Consequently, the Councils will provide Investigations officers with electronic solutions that enable them to use mobile phones, or similar devices, to connect to a 24/7 response centre that monitors dangerous situations and tracks the movements of the worker at risk. It acts as a solution between the worker and the emergency services.

9.2 Furthermore, in order to identify an officer's expected whereabouts when conducting enquiries for the Councils a list of visits and their addresses must be retained in the office.

9.3 Where there are officers working in the evenings, the officers must call a nominated person in the office to confirm that they have completed their duties.

- 9.4 At least two officers will always attend in cases where a potentially violent, difficult or dangerous situation has been identified.
- 9.5 Officers must at all times think carefully about problems that could arise as a result of using a vehicle for visits. No set procedures can be devised, as each situation is different. However thought must be given to avoiding parking directly outside the property being visited. Recognisable documents should not be left in public view, but locked in the boot when leaving the vehicle unattended.
- 9.6 Specific procedures for action during an incident cannot be given. Only suggestions can be made. Training will also be given in Customer Care (Dealing with the Public) and Dealing with Violence and Aggression.
- 9.7 Remember that your first responsibility is for your own safety. If this is threatened in any way, the best course of action is to withdraw from the situation as soon as possible. A high degree of common sense and awareness of a developing situation is essential.

**I have read and understood this Code of Conduct, and all material referred to herein. I understand that to breach this Code of Conduct may render me liable to disciplinary procedures.**

**Please also sign the declaration of interest statement overleaf.**

**Name**

**Job Title Senior Investigations Officer**

**Signature**

**Date**

**Please also sign the declaration of interest statement overleaf.**

**Declaration of Interest**

Listed in the table below are people with whom I have a close friendship or to whom I am related, who to the best of my knowledge have involvement in a claim for benefit from Three Rivers District Council and or Watford Borough Council.

| Name | Address | Relationship |
|------|---------|--------------|
|      |         |              |
|      |         |              |
|      |         |              |
|      |         |              |

**Name**

**Job Title**

**Signature**

**Date**

**Or Alternatively**

*I wish to state that I have no relatives or close friends who to the best of my knowledge have any involvement in any claim for benefit or discount from Three Rivers District Council and or Watford Borough Council.*

**Name**

**Job Title**

**Signature**

**Date**