



St Edmundsbury
BOROUGH COUNCIL

Z510

Cabinet 11 February 2009

Report of the Policy Development Committee: Revenues and Benefits Service Prosecution Policy (Feb09/06)

1. St Edmundsbury Borough Council aims to pay the right benefit at the right time, and to allow discounts and exemptions to Council Tax payers where the law allows it. It also recognises that some people claim benefits and discounts fraudulently, and the Council has a duty to protect public funds and to deter others from attempting to defraud the Council. To ensure a consistent approach, officers adhere to the Council's Prosecution Policy, which was adopted by the Council in February 2004 as part of its wider Enforcement Policy.
2. When irregularities are suspected, an investigation is carried out and in some cases a sanction is considered the most appropriate way of dealing with an offence. A clear policy should be in place to guide officers in their decision making when dealing with a suspected offence, and to this end the Committee considered an updated Policy which was intended to highlight to officers and Members the likely action to be taken by staff in the Revenues and Benefits and Legal Services.
3. The Policy has been brought up to date with current thinking incorporating some practices that have developed within the Enquiry Team, and actions taken in respect of offences in connection with Council Tax fraud. The main change in the new policy is the potential arrest, by the Police, of suspected offenders. Arrest action has been taken in a few instances where suspects have refused to attend an interview under caution, and the considerations and procedures for such situations are set out in the Policy. The new Policy has also been widened to encompass the possibility for Council Tax fraud.
4. The Committee **RECOMMENDS that the updated Prosecution Policy, as set out in Appendix 1 to Report Z459, be adopted.**

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