

Housing Benefit and Council Tax Support: Verification Policy

Introduction

1. The Council is committed to reducing fraud and error within the Housing Benefit and Council Tax Support system. Efficient and effective verification of all details supplied by claimants will minimise the risk of fraud and error entering the system.
2. Verifying information supplied by claimants enables the Council to determine entitlement to benefit and/or Council Tax Support.
3. The Housing Benefit Regulations 2006 86(1), HB (Persons who have attained the qualifying age for state pension credit) Regulations 2006 67(1), The Council Tax Regulations 2006 72(1), The CTB (Persons who have attained the qualifying age for state pension credit) Regulations 2006 57(1) and the Council Tax Reduction Scheme Regulations 2013 requires that:

‘...a person that makes a claim shall furnish such certificates, documents, information and evidence in connection with a claim...as may be reasonably required by the appropriate authority to determine that person’s entitlement to housing benefit.’
4. The Department for Work and Pension’s (DWP) Security Manual June 2006 provides Local Authorities with guidance on the minimum standards for collection of evidence. The Council will be fully compliant with all core guidance contained in this manual.

Policy Aims

5. Verification ensures that:
 - Claims for Housing Benefit and Council Tax Support are fully supported and documented by all necessary evidence required to determine a claimant’s entitlement.
 - All documentary evidence used to process claims is in accordance with the standards set by the Department for Work and Pension's Security manual.
 - The risk of fraud and error entering the benefit system is minimised.
 - Where fraud and error exists it is corrected.
 - Discrepancies identified through the verification of claims are resolved and the reasons for the discrepancy are fully documented.
 - There is an efficient and effective in-claim review programme.

Policy

6. All evidence submitted in support of the application and maintenance of Housing and Council Tax Support claims will be verified in accordance with the Department for Work and Pension's Security Manual guidance before the claimants details are entered onto the Council's computerised application software.
7. As part of the assessment process checks for both quality and accuracy will be undertaken in accordance with the Department for Work and Pensions requirements.
8. Identify errors and put things right through changing working practices, procedures and staff training.
9. Schedule a programme of in-year claim reviews to identify possible un-reported changes in circumstances.
10. Fully document the details of reviews.
11. Treat information received in absolute confidence. Information is protected by law (including data held on computers by the Data Protection Act).
12. Provide training to staff to ensure those claimants who have personal and sensitive issues are treated in a tactful and sympathetic way.
13. Respect the right to privacy and provide private interview facilities on request.
14. Provide the means for claimants to access services in person, in writing or by telephone.
15. Treat all customers in a fair and equitable manner having particular regard to the Human Rights Act, Equalities Act 2010 and any other legislation or Policies that may have an impact.

Housing and Council Tax Support Verification: good practice guidance followed by the Council

Verification good practice followed by the Council covers the following:

- ensuring a person making a claim or notifying a change of circumstance provides all the certificates, documents information and other evidence in its original form to support the claim as a local authority (LA) may reasonably require
- ensuring all employees responsible for receiving and verifying documents are trained on the latest evidence requirements including identifying false documents and following up discrepancies, and apply these in order to comply with the relevant legislation
- using ultraviolet scanners to verify the validity of documents

- ensuring photocopies of original documents are stamped and certified as such
- informing any staff who are responsible for the receipt of claims of any risks likely to affect verification of claims, such as known identity frauds
- recording the reasons why evidence below the standards specified in the DWP HB/CTB Guidance Manual has been accepted in exceptional circumstances
- providing an aide-memoire for benefit assessors to complete and maintain a checklist that confirms the officer who verified the claim and details of:
 - identity
 - residency and liability to pay
 - receipt of Income Support/Income-based Job Seekers Allowance IS/JSA(IB) or Pension Credit
 - income and savings
 - any other relevant information
- maintaining a clear audit trail when using the Secretary of State's assurance that Section 1(1A) and 1(1B) of the Social Security Administration Act (SSAA) 1992 has been satisfied for Pension Credit applications or claims made to Jobcentre Plus. It should include, as appropriate, at least one of the following notifications:
 - the Local Authority Input Document (LAID) from Jobcentre Plus
 - Assessed Income Figure (AIF) from the Pension, Disability and Carers Service (PDCS)
 - Electronic Transfer of Data (ETD) notification of a Pension Credit award
 - clerical notification relating to Pension Credit from PDCS
- maintaining regular liaison with the Local Authority Support Team (LAST) to ensure that the Customer Information System (CIS) is being used effectively and securely
- monitoring CIS usage to maximise effective use and improve efficiency.
- checking with Jobcentre Plus and PDCS that they are aware of any non-dependants when the customer is in receipt of IS/JSA(IB)
- arranging for revenues and benefits staff to spend a day shadowing the LA's counter-fraud investigation team.

Further guidance

This guidance is in accordance with the DWP Security Guidance Manual June 2006 and DWP HB/CTB Guidance Manual July 2009.

Operating a tick box approach to claims processing is a recipe for overlooking important information.

Staff who are responsible for accepting and checking claims in the first instance have a vital role to play in the success or failure of benefit processing (both speed and accuracy) and the security of the system.

Staff are the guardians of the gateway to the benefits system and need to be vigilant. Staff have responsibility to ensure all information that is provided is genuine and can recognise manipulated, forged or counterfeit documents.

When a claim is received everything must be considered. What are the facts they are telling you and is the claim believable?

Is the claim form complete? Omissions may be a deliberate attempt to conceal information and may be used by defence solicitors in the event of a court case or may prevent a sanction being applied.

Has a third party annotated the claim form? Comparison of handwriting is not time consuming or difficult. A data imaging system is unlikely to show any changes in the colour of ink used, so it is important that such checks are completed before originals are returned.

It is important that original documents are seen and that they are examined to ensure that they are genuine. Ultra violet scanners can be used to check security features on documents and watermarks should be examined by viewing the document against natural light. Again this needs to be undertaken before original documents are returned to the customer.

A robust audit trail must be maintained. It can be difficult for anyone checking the claim at a later date to identify which documents have been used to verify certain aspects of the claim. For example if evidence of a passport, driving licence or birth certificate are not held on file it is difficult to establish what has been used to verify someone's identity.

If a customer is being seen in person and providing something with their photograph on as evidence a check should be made to satisfy the Officer that the picture on the photograph is the person they are seeing. If they are satisfied a note should be made on the Academy system for future reference.

Signature comparisons should be undertaken with official documents bearing their signature or, if appropriate, previous claims. Again a note should be made to show this comparison has been made.

If discrepancies are identified in the claim staff will use their judgement to either:

- question the customer to see if they can explain the discrepancy
- refer the case to a Senior Officer
- refer the case to the Fraud Investigator.

Full compliance

It is also important to recognise that full compliance is not always possible. However, if this is the case staff must record the action taken and why.

Example 1. A customer has left their previous address due to domestic violence and was unable to take any documents with her. It would be unreasonable to ask the customer to return to the address to collect this information. The customer should be interviewed to build up a picture to ensure you have sufficient information to make a decision.

Example 2. A customer is only able to produce his latest bank statement. On questioning the customer he states that he destroys his statements shortly after receipt. He has also established that a replacement from the bank would cost £10. It would be unreasonable to expect a customer to pay this. In this case providing there are no concerns with the explanation ask the customer to provide his next 2 statements and assess benefit. A review note must be set to ensure these details are received.

Example 3. A customer is unable to provide a utility bill because she has recently moved into a new house. Providing the customers story appears to be reasonable put benefit into payment and set a review note for 3 months to request the first bill.

In all cases the Council will detail the decision with notes on the customer's record.

PLEASE NOTE THIS LIST IS NOT EXHAUSTIVE.

Is further evidence required?

Before requesting further evidence always consider if it is required.

For example a working age customer fails to provide any evidence of income but states he has £27,000 in a bank account. In this case the customer would not qualify for benefit and it would be unreasonable to request additional information.

Stolen or forged official documents

If the Council establishes that an official document is forged or stolen it should be brought to the attention of the Fraud Investigator immediately.

Scrutinise the claim form carefully.

Careful scrutiny of claim forms can provide useful information.

If a current or previous job involved driving it would not be unreasonable to request sight of the drivers licence for evidence of ID.

What was the claimant's status at the previous address; if they were an owner-occupier there may be equity available or expected. We would expect enquiries to be made and the results recorded.

In cases where a decision has been delayed, before determination enquiries should be considered to establish what monies the customer has been living on, particularly where another benefit is delayed; is there undeclared household income? Has the customer paid their rent? If so, from what source? Decision Makers should exercise their judgement based on the individual circumstances of each case.

If wages have been declared how are they paid? If by Account Transfer / BACS or cheque, has the customer declared a bank/building society account and does the account show the appropriate credits? If not this could indicate a second bank account.

In standard cases is the level of wages or declared savings in line with rent paid in advance or bond payments?

Verification

Most people will be able to provide a reasonable level of documentation in support of their claim; however, **it is important to decide what is reasonable in the light of all the circumstances.**

Identity

An identity check is essential for every claim. Before assessing a claim the Council must be satisfied of the claimant's identity. This is satisfied by the

claimant providing their National Insurance Number (NINO). The DWP Housing Benefit Guidance Manual states that Local Authorities can accept that the DWP or HMRC have verified the applicants identity via the customer's NINO where this can be confirmed on the CIS system. The Council will access CIS and save a screen print and place with the claim file. Where this is not possible or doubts arise, further checks must be undertaken and two proofs of identity are required.

Primary evidence:

Where possible it is always best to see primary evidence of the customer's and partner's identity.

UK passport

The passport must be current. Latest UK passports show European Union at the top of the front cover. This shows the holder is a UK National for EU purposes. (A British subject with the right of abode in the UK or a British Dependent Territories citizen by virtue of a connection with Gibraltar)

Other British passports will be in similar format but without the EU reference.

Birth certificate

Check date of issue. Before June 1969 the certificate will be in landscape format and refer to boy/girl. After this date it will be in portrait format and refer to male/female.

Driving licence

Old style driving licences issued prior to October 1999 did not require the applicant to prove identity.

New style driving licences issued after October 1999 require the applicant to produce evidence of ID. These are in 2 parts, the photo card and paper counter-part.

This shows that the most useful and reliable proof of ID is either a passport or a photo card driving licence.

Unable to provide primary evidence of identity

If the customer is unable to provide primary evidence of identity the Council will document why and detail what evidence has been used to verify the identity of

the applicant and why. A number of useful sources can be used to verify identity but must be considered in relation to the wider claim evidence. Evidence that can be used includes:

Benefit or Tax Credit award letter, for example Income Support or Child Tax Credit
Marriage Certificate/divorce or annulment papers
Medical Card
UK Residence Permit
European Union Identity Card
Letter from a Solicitor, Social Worker or Probation Officer
Bank statement (dated within 4 weeks prior to the date of claim)
Utility bill (paid, and for the quarter prior to the date of claim)
Wage slips from the current employer

Using the same documents for future claims

It is possible to use evidence of identity provided on a previous claim to support a current claim. For example a customer provided a passport to verify identity on his last claim. Provided that the passport is still current and signatures match this can be used to verify the new claim. However, to provide a full audit trail the action taken must be documented.

Fresh evidence must be provided if the passport has expired or if more than 2 years have elapsed since the date of the last claim.

Proof of rent

A rent book can be easily purchased and staff should look out for rent books that have been completed at same time in the same ink.

The Council will need to judge if the rent book appears genuine. For example it would not be reasonable to request a tenancy agreement if the customer submits a three-year-old rent book that had seen considerable wear, completed in different coloured inks and in different style to the customer's handwriting. Consider each case on its merits before requesting additional proof of rent.

Tenancy agreements should contain details of the rent amount payable, payment period and what is included, start date and duration of tenancy, name of landlord / agent and customer and be signed by either the customer or the landlord. Tenancy agreements and other correspondence from landlords should be checked for authenticity and handwriting cross-checked against documents held.

If a tenancy agreement to verify a previous claim is still current and on file it can be used to verify a new claim providing the reasons are fully documented.

Proof of National Insurance Number

The Council must obtain proof of customers and, where appropriate a partners National Insurance Number (NINo). A number of documents can be used to verify this including:

- DWP and HMRC records on CIS
- National Insurance Number card
- P45/ P60
- Wage slip
- Tax Credit award letter/ HM Revenue and Customs letter
- Letter from the Department of Work and Pensions
- Bank statement of a self employed person paying class 2 NI contributions by direct debit
- Benefit payment book

Again it is possible to use verification of a NINO seen on a previous claim subject to there being less than 2 years since date of the last claim. Again action taken must be recorded.

Verification of residency

Visit

The best way to verify residency is to visit the customer.

Utility bill

In privately rented cases not visited a recently paid fuel bill should be used to verify that the property has been occupied.

If the customer has only recently become the tenant a bill will not be available, or in some areas tokens are in use, which will prevent this. If the customer is a new tenant set a review note for 3 months to request a paid fuel bill.

Other

Although other correspondence from official sources is acceptable, local knowledge is also important. If the landlord is known, and if the customer has given consent, can they confirm the customer is resident? You will need to document how residency has been verified.

It is important to remember that receipt of IS/JSA(IB)ESA or other benefits is not dependant on residency and a bank account does not always mean the claimant is living at that address. The Council will need to take into account a number of factors when considering this.

Income and savings - Standard claims only

The Council does not need to verify income or savings if the customer is in receipt of IS, JSA (IB), ESA or Pension Credit, Guarantee Credit, as the Department of Works and Pensions (DWP) will have completed this. For example proof of Child Benefit is not required if a customer were in receipt of Income Support.

You may exceptionally request additional information if you have evidence to suggest the customer has not reported a material fact to the DWP.

Capital below £5,500

The Council has decided not to verify capital when the customer has declared all their savings and they total less than £5,500. This is in accordance with DWP Bulletin G22/2008. Where doubt exists the Council will require evidence of savings as detailed below.

Capital exceeding £5,500

Bank/Building Society/Post Office accounts.

The Council will need to see **2** months current and consecutive bank statements for each account held by the customer and/or their partner

Bank/building society statements may contain credits from a number of sources including:

- employers in respect of wage
- occupational pensions
- maintenance payments from former partners
- Benefit payments.

It is particularly important to resolve any unexplained credits or debits on statements. This should form part of the audit trail justifying making or refusing payment.

Bank statements should contain the customer's name and address and statement sheets should be numbered. If any pages are missing these should be obtained as the customer may be trying to hide important information. A check should also be made to ensure that the account number is the same as that recorded previously on the claim form.

Wage/salary packets/slips

The Council requires 5 weekly, 3 four-weekly/fortnightly or 2 monthly consecutive pay slips.

What information do they/should they contain?

- Name of employee/employer
- National Insurance number and contributions paid
- Income Tax – weekly/to date and tax code – week number
- Gross pay to date, useful to calculate an average to see if wage provided is high or low
- Method of payment, BACS/Account Transfer/cheque. All indicate existence of a bank account
- Payroll number
- Hours worked, are they consistent with the level of pay?
- Deductions e.g. savings/club deductions may be being made and should be added back to establish the true net figure.

Pay advices come in various shapes and size but should contain most if not all of the above.

Although wage packets are acceptable as verification always consider the size of the employer. It would be unusual for a large employer to use this method. Hand written payslips must be compared to the customer's own handwriting.

In exceptional circumstances ask the customer to get a certificate of earnings form completed by the employer. To avoid the risk of fraud entering the system request that the employer returns this form directly to the council.

It is important that inconsistencies are challenged and the outcomes recorded.

Other capital

Where the customer or their partner has other capital the Council will need to see:

- any National Savings certificates held
- any premium bonds held
- certificates showing the amount of any stocks or shares held
- certificates showing the amount of any unit trusts held
- statements showing the value of investments held in ISA's or TESSA's

Receipt of other income

The Council will need to see verification of any other income received. For example income from:

- other benefits or tax credits
 - a private or occupational pension
 - payments received in respect of board and lodgings
 - a student grant
 - a charity
 - maintenance from a former partner.
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- This list is not exhaustive

It is often possible to verify the receipt of other benefits or tax credits from bank statements. However, all factors must be considered, for example does the amount of Child Benefit in payment match the number of children declared.

If the customer has children, have they declared Child Tax Credit? If not this must be checked as Child Tax Credit is payable to a person/couple with children if their income is less than £58,000.

Again it is possible to use evidence of income provided on a previous claim to support a current claim. For example if a customer was declaring Child Benefit for the same number of children as the previous claim it would be unreasonable to request proof again. However, to provide a full audit trail document the action taken.

Non-dependants

Unless the customer is excluded from having any non-dependant deductions made the Council will need to verify the income of a non-dependant to the same standard as the customer and their partner.

If a non-dependant refuses to provide this information the Council will need to assume the relevant level of non-dependant deduction based on information held about their circumstances.