

Anglia Revenues Partnership
Investigation & Visiting Officers -
Code of Conduct & Safety Policy



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This Policy is provided to ensure that those employed within the Compliance Team of Anglia Revenues Partnership (ARP) operate in an appropriate way and conduct themselves in a professional and efficient manner, whilst being a representative of the authorities within the partnership. It additionally sets out the practices to be complied with to give safety and support to those officers whilst performing their duties. For ease of understanding all Compliance Team officers are referred to throughout this policy as Visiting Officers, unless otherwise stated.

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. Expected standards for Investigators and Visiting Officers are formally set out in this document.

Employees should be familiar with the contents of this document and other related procedures and adhere to them both in principle and in practice.

ASSOCIATED OBJECTIVES

This policy sets out the code of practice to ensure that the staff working within the ARP are aware of the way they should behave whilst on ARP business.

EQUALITY

ARP is committed to equality of opportunity and valuing diversity in both the provision of services and in its role as a major employer. ARP believes that everyone has the right to be treated with dignity and respect. ARP are committed to the elimination of unfair and unlawful discrimination in all our policies, procedures and practises. ARP are determined to ensure that no member of the public or employee receives less favourable treatment on the grounds of their age, disability, gender, language, race, religion, sexuality, or by any requirement which cannot be shown to be justifiable.

Every officer is responsible for the quality of service that is provided and compliance with these instructions will ensure that standards are maintained.

CONDUCT

Officers should be aware at all times that they represent the ARP and the respective Council's whilst carrying out their duties.

Decisions made by staff with regard to benefits and Council Tax 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.

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.

Officers will at all times follow the Home Office Codes of Conduct in relation to the Police & Criminal Evidence Act 1984 (PACE) and the Criminal Procedure and Investigations Act 1996.

Officers will ensure that actions taken are in accordance with the provisions of the Human Rights Act 1998. In particular due regard will be given to the following provisions of the European Convention of Human Rights :- Article 6: Right to a fair trial ; Article 8: Right to respect for private and family life; Article 14: Prohibition of discrimination; Article 1 of the First Protocol: Protection of property.

In addition staff should always act within the scope of current legislation as provided principally by:

The Social Security Administration Act 1992
The Fraud Act 1997
The Housing Benefit (General) regulations 1987
The Council Tax Benefit (General) regulations 1992
The Crime and Disorder Act
The Regulation of Investigatory Powers Act 2000

and any other legislation that may be appropriate.

Visiting staff will have an appropriate knowledge and understanding of relevant legislation. Training will be undertaken if training needs are recognised in the annual appraisal or staff performance schemes.

At all times during an investigation, officers should consider and observe the rights of any individual that they are interviewing or investigating. It is their duty to establish the facts of the case and not make conclusions based on intuition or supposition.

Visiting staff shall ensure that all information coming into their possession during the performance of their duties is treated as strictly confidential and is not used for any purpose other than the performance of their role. All data will be handled in strict accordance with the Data Protection Act 1984, with any guidance issued by the Data Protection Registrar, the Social Security Administration Act 1992 and with other procedures concerning confidentiality.

DECLARATION OF INTEREST

In accordance with policy, all employees must declare any financial or non-financial interest that may conflict with the ARP's interests.

It is a requirement that staff declare any personal or prejudicial interest when dealing with benefit claims. To ensure they act with impartiality at all times, employees should not personally deal with benefit claims submitted by a spouse, partner, relative or friend.

If a benefit claim or any supporting documents are received as detailed above, the case should immediately be brought to the attention of the Compliance Team Manager who will arrange for another officer to deal with the claim.

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.

Investigation referrals and planned visits should be checked prior to acceptance to ensure compliance with these requirements.

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.

Failure to comply with the relevant policies and procedures could render an employee liable to disciplinary action, which may include dismissal.

Further information can be found in the Housing and Council Tax Benefit - Counter Fraud Strategy & Policies document.

DRESS

Officers are normally required to dress in a manner that is tidy, reasonable, appropriate and representative of the ARP. However, when undertaking surveillance or undercover work, an officer may adopt suitable dress or persona to blend in with their surroundings. Under no circumstances should they impersonate a Police Officer. Officers attending Court should dress appropriately.

IDENTIFICATION

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 them access to premises.

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.

CONFIDENTIALITY

When conducting visits in connection with benefit matters officers must not reveal the purpose of the visit to unconnected third parties.

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 the visit.

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.

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

Officers will at all times ensure that information held by the Council is only disclosed in line with the Data Protection Act 1998 and Social Security Administration Act 1992 together with other procedures concerning confidentiality.

GAINING ENTRY

No officer has a right of entry to a private property without the permission of the owner. Officers should only enter premises if invited to do so by the occupier or Landlord.

A claimant who opens the door is not 'inviting the officer to enter'. Most people open the door to find out who is there. A 'foot in the door' entry, which is restricted, is NOT a legal entry and could leave an officer open to criminal charges. No attempt to gain entry should be made in the following circumstances:

- The only persons present are juveniles, mentally disordered or mentally handicapped or under the influence of alcohol or drugs.
- The claimant resists entry by use of force. Physical confrontation must be avoided at all costs.
- The officer should always obtain permission to inspect accommodation from the claimant, or landlord in their absence. This should be recorded in any statement that is taken.

SAFETY AND SECURITY

These procedures have been established to provide the highest level of safety available to an officer considering the requirements of the job. Officers should note that in order for them to be effective, adherence to the following procedures must be absolute.

It must also be brought to the officers' attention that disregard of safety practices, procedures and rules may constitute misconduct under the Disciplinary Rules, and may result in disciplinary action.

The ARP has a duty to provide procedures for the security of officers who are engaged on council duties out in the community. There are many hazards that can befall officers and therefore a flexible but reliable system is required. The ARP makes use of the CRISYS telephone monitoring service to provide this safety monitoring, with particular reference to officers engaged on conducting visits to benefit claimants in their homes and domestic and business premises in connection with Council Tax and Non Domestic Rates (NNDR) enquiries. This is an automated telephone system that the Visiting Officer logs onto, leaving details of their location and the time period they are likely to be at that location. As a result of this the CRISYS system automatically makes a telephone call to the officer at the conclusion of the relevant time to ensure their continued safety and, if they fail to respond in the appropriate manner, CRISYS again automatically activates the pre-determined emergency procedure.

All Housing & Council Tax Benefit Visiting Officers and all Council Tax/ NNDR Inspectors will make contact with the Compliance Team at Breckland House either in person or by telephone on 01842 756493, **as soon as possible after commencing duty, irrespective of whether they are in or out of a Council premises**, to advise that they are at work and their current location. The Compliance Team member advised or receiving the telephone message at Breckland House will record the facts on the Visiting Officer Safety Record sheet. In the same way the officer will advise the Compliance Team office when they finish work at the end of the working day and the Compliance Team member at Breckland House will again record this fact on the Visiting Officer Safety Record sheet.

All Compliance Team officers whilst engaged on duties away from council premises will 'log on' to the CRISYS system on telephone number 01344 348053.

Best practice will be for the visiting officer to provide CRISYS with the exact location at which they will be conducting a visit but this may not always be possible. Where this is not possible the Visiting Officer should provide sufficient information to enable their location to be established should an emergency occur. Provision of sufficient information is in the Visiting Officers self interest.

The Visiting Officer is required to provide CRISYS with a time for the next 'check call' to be made to them to confirm their safety. The officer when stating a time period should take into account the nature of their visit and the likely period of time they will be engaged. **Under no circumstances should the time period registered with CRISYS be more than ONE hour.**

It is however possible that a Visiting Officer will be aware that they have 'missed' a safety telephone call and therefore have initiated the emergency procedure. In such circumstances the Visiting Officer should contact the Compliance Team to advise them, avoiding contacting the Compliance Team Manager by mobile telephone as he will be the first contact by CRISYS in the emergency procedure.

CRISYS will initiate an emergency procedure when :

- (a) there is no answer from the Visiting Officers mobile telephone. CRISYS will make a further two attempts to make contact , one minute between each retry. Where contact fails to be made with the Visiting Officer the emergency procedure is initiated.
- (b) CRISYS is connected to the Visiting Officers mobile telephone but no code number is received back. CRISYS will retry the number one minute later. If this fails the emergency procedure is initiated.

- (c) CRISYS is connected to the Visiting Officers mobile telephone but the code number received back is not recognized. CRISYS will prompt the Visiting Officer to enter the correct code. If the correct code is not received it will repeat the procedure. If the correct code is again not received the emergency procedure is initiated.
- (d) CRISYS is connected to the Visiting Officers mobile telephone and the code number received back is the recognized 'emergency number'. The emergency procedure is initiated.

The outcome of the emergency procedure being activated is likely to involve the Police being alerted and requested to commence a search for the relevant Visiting Officer. It is obvious that this is a serious outcome and is to be avoided where possible. False activations of the procedures will seriously damage the credibility of the system.

Visiting Officers must therefore make every effort to comply with these procedures to avoid false activations. The Visiting Officer should not rely on waiting for the 'time period' to elapse before they contact CRISYS to update their status. By updating CRISYS in advance of the 'time period' elapsing will ensure that the possibility of false alarm emergency calls is reduced.

A list of the intended visits for any given day will be prepared using the form Visiting Officer – Daily Visit Record Sheet, as far as possible in the order in which they are to be conducted, either by the Visiting Officer or the Visits Support Officer. A copy will then be passed to the Visit Support Officer prior to the visits for the relevant day being commenced. The Visiting Officer will retain a copy of the form to refer during the course of the visits and to complete the relevant entries thereon. As soon as possible after each days visits the relevant form, fully completed, will be forwarded to the VSO who will retain the forms for verification and audit purposes if required.

These lists will form the basis for search procedures should an 'emergency' be initiated as a result of a CRISYS contact. It is therefore imperative that these lists are accurate as to the relevant visits to take place on the day in question and that the Visiting Officer refers to them when advising CRISYS of there whereabouts.

Investigating Officers will record on the office whiteboard details of visits they are making prior to leaving the office on every occasion. They will then carry out the procedures in relation to activation of the CRISYS system.

Visits outside office hours will only be conducted with prior agreement of the Compliance Team Manager. The Compliance Team Manager will be supplied with a list of the proposed visits. They will then carry out the procedures in relation to activation of the CRISYS system.

THE EMERGENCY PROCEDURE

When under the specified circumstances the CRISYS system activates an emergency, the officers on the contact list will be called in priority order until contact is made and one of them advised of the emergency.

The contact officer receiving the emergency message from CRISYS will immediately attempt to make contact with the relevant Visiting Officer by their mobile telephone. Where satisfactory contact is made no further action is required.

Where no satisfactory contact is made by mobile telephone, and all other possible identifiable means of contact have been exhausted, the contact officer should discuss with a Senior Manager what further action is to be taken. In all cases of doubt the Police should immediately be contacted.

Where the CRISYS emergency procedure is initiated because the 'emergency code' has been transmitted by the Visiting Officer the Police will be immediately contacted.

POTENTIALLY VIOLENT / DIFFICULT / DANGEROUS CASES

Any indication brought to the attention of any member of staff that a potentially violent, difficult or dangerous situation could develop will result in a file note. A Sensitive Case 'SC' marker will be created on the Academy system by the Compliance Team Manager in appropriate cases.

Officers will at all times be aware of the possibility of compromising their integrity, or that of the Council, by carrying out unaccompanied visits. Officers will consider the potential for difficulty and take appropriate action when carrying out unaccompanied visits in the following circumstances:

- visits to persons of the opposite sex living alone;
- visits after dark;
- visits to vulnerable persons;
- visits to young persons.

Officers must be aware of the potential for violence from persons under investigation and should not place themselves in a situation where there is a risk of assault. In particular, the officer should check all records to see if a previous record of potentially violent behaviour has been recorded in relation to this claimant prior to arranging an interview. Investigators will ensure that a check of the Academy case record is carried out in relation to all claimants subject to a home visit.

Officers will not carry out unaccompanied interviews or visits to potentially violent persons or other cases where a difficult or dangerous situation has been identified and, in all such cases, every effort will be made to conduct such interviews by arrangement at one of the Council's offices.

DIFFUSING VIOLENT SITUATIONS

Specific procedures for action during an incident cannot be given. Training will be available regarding Dealing with Violence and Aggression.

A Visiting Officers first responsibility is their 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.

IT SECURITY

Staff should be vigilant whilst at work and protect their valuables and possessions from the opportunist thief.

Care must be taken to ensure security of passwords giving access to benefits and other systems.

MOBILE PHONES

Mobile phones are provided for use by all officer's, during their external work. They are necessary for enabling the vital communication link between an individual and the office base, and also between officers themselves, in order to obtain information, receive advice, and alert attention should an incident arise. They are essential in the use of the CRISYS system and officer safety.

The mobile phone is a valuable asset and should be treated as such. When not in use, it should be stored securely.

The officer should make sure that they are fully aware of how their mobile phone operates.

The officer must check their mobile phone prior to leaving the office to make sure they have sufficient charge in the battery and that the phone is in full working order.

Mobile phones should not be used whilst driving and instructions set by out by respective Council's complied with in these circumstances.

INVESTIGATION / VISITING OFFICERS VEHICLES

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

- Try to avoid 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.
- Vehicles should be locked when left unattended.
- Registration numbers of Investigating Officer's cars can be blocked at DVLA via LAIOG. A pro forma needs to be completed with vehicle details and signed by the Compliance Team Leader. This will take the registration information out of public access stopping the officer's

name and address from being identified. The registration must be unblocked on either sale or theft of the car, or a change in duties. This option is only available to Investigation staff, and failure to keep this facility up to date and accurate could result in the service being withdrawn by DVLA.

Documents not relating to the person being visited, and equipment i.e. tablet computers, must be kept secure by the officer and stored in the boot of the vehicle. The vehicle should be locked when unattended.

Care must be taken at all times to ensure that no documents containing names and addresses of other intended visits are seen by the public.

CASE NOTES AND INCIDENT REPORTING

Notes made by the officer on Investigation reports may well form the basis of decisions for future visits. Notes made on potentially violent, dangerous or difficult cases are vital for ensuring the safety and welfare of officers in future dealings.

If an incident occurs whilst out on visits, the officer should attempt to do the following:

- Leave the premises.
- Contact a Supervising Officer as soon as possible to advise of what has happened and seek assistance if necessary.
- Ensure that the visit record fully and accurately reflects the nature of the incident and where this has occurred.
- Upon return to the office, complete an Incident Report detailing the following:
 - Date
 - Visit address
 - Name of person visited
 - Officer's name
 - Details of the incident.

TRAINING

The ARP aims to ensure that it's officers are as skilled and competent as possible in carrying out their duties. This is especially important in the case of Investigation and Visiting staff, who may need to possess special skills.

Officers will be required to attend training courses from time to time and specialist courses will be arranged which are tailored to the specific needs of the Investigation and Visiting Officers.

New officers will be provided with initial office based training, covering legislation and background information. On the job training and assessment will follow.

Officers should be aware that every attempt will be made, to address any particular training need that is brought to the attention of the Compliance Team Manager.