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## PART 7 Review

### Introduction

7000 The following paragraphs detail the methodology applied to the processes that can occur after the preview. In the majority of cases this will result in a customer review, however details of the action to take where a review interview does not/cannot take place is also covered.

### General Information

7001 In preparation for the commencement of the PM visits, you must carry an identity card displaying the Department for Work and Pensions (DWP) logo in order to identify yourself to customers.

7002 Identity cards can be obtained from the Central Admin Team in Quarry House, Leeds; the distribution of these cards will be controlled by PM Admin.

7003 – 7009

### Visit preparation

7010 At the same time that you complete the technical preview to support the official error check, you will also conduct your initial visit preparation. This visit preparation is to check whether there have been any changes to the circumstances of the customer since the selected period and whether the case is still suitable to remain in the sample. You must make a system check to ensure the customer's address has not changed.

7011 [Redacted].

7012 In addition a check of the Customer Information System for NTC will be appropriate for some customers. Where there may be entitlement to Tax Credits, you should check whether there are any current awards of either Child Tax Credit or Working Tax Credit.

7013 During the visit preparation you will:

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- firstly identify and preview all JSA cases and arrange to visit urgently, ensuring the JSA new claim sample takes priority for visiting purposes
- note any inconsistencies on cases that require clarification for the official error check
- become familiar with the characteristics of the case – whether the customer is single or part of a couple, whether there are children, what type of housing they live in and all other aspects of the case
- note whether a State Pension Credit customer applied on or after 06.10.03. These cases contain less information than MIG conversions so you must be aware that discrepancies are more likely to arise during the interview than during the technical preview
- [Redacted].
- record all checks completed during the preview on FREDAS
- [Redacted]
- access CIS Account Summary and follow the links to:
  - Address History
  - Relationship History
- Access CIS Address trace to check occupancy

7014 Regarding the CIS checks, the Address Based Trace and Occupancy History will indicate if there is any other person(s) residing in the property. If there are others living in the household check their CIS Address History as this may highlight a living together situation.

7015 For any possible partners highlighted, details in CIS **must** be checked prior to the visit. CIS Relationship History for the customer should also be checked. Address Based Trace and Occupancy History will also indicate what benefits are in payment to each individual living in the household.

7016 The number of claims/applications to DWP benefits/entitlements and HB made from the customer's address should be established and where possible a check should be made to see if this corresponds to information held by the LA. If this check reveals any discrepancies, these should be recorded on the preview proforma or HB questionnaire in single HB cases and raised with the customer at the review.

7017 It is not intended that you carry out checks on the actual benefit/entitlement/claim/applications of others in the household; this would be in breach of the Data Protection Act. Address History will confirm if the customer's NINO is linked to the customer's address.

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7018 Please note that if the customer resides in a multi-occupied property Address Based Trace and Occupancy History will list all current and recent former residents that have resided within that property.

7019 You will complete the Benefit Review form and/or HB Questionnaires as appropriate to the review being undertaken e.g. for joint reviews complete the Benefit Review form and HB Supplementary Questionnaire.

7020 There are four columns across each page of the HB Questionnaire in respect of HB/LHA reviews. The four columns require completion as follows:

- Column 1 - questions to be asked at interview
- Column 2 – headed 'Interview Data' to record the answers provided by the customer
- Column 3 – 'Routing' or skipping instructions for inappropriate questions or instructions about what extra information is needed
- Column 4 – headed 'claim data' to record answers taken from the preview docs

7021 If the customer is receiving standard HB and is a student or is self-employed, then the relevant student/self-employed questionnaire should be completed in addition to the main questionnaire. The preview data is completed at the preview stage.

## **Final system check immediately before the visit**

7022 You must make the final system check; this includes a check of the Labour Market System (LMS) for JSA cases and those IS/ESA cases on which WFI activity is applicable. These checks must be carried out no earlier than 2 working days prior to the visit (also known as the 48 hour check). This check applies to all DWP systems and the LA system completed by the LA contact.

7023 If for geographical or operational reasons you cannot re-access the DWP system a check can be made by contacting the DWP office/LA by telephone to confirm that there are no changes to the information obtained at the preview stage (however in HB cases, you must insist the LA complete and return the 48hr proforma to confirm the details discussed by phone). A telephone call to the jobcentre may be necessary to ensure that JSA customers have not been sent for an interview or training course on

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the day you intend to visit. This information should be held on LMS, which for JSA cases **must** be checked.

7024 [Redacted].

7025 This is important both for your safety and for the effectiveness of the visit. You must always note the check on FREDa, stating the outcome, i.e. no changes or details of any changes identified. If you identify a change at this stage, FREDa preview data should be amended to reflect the changes identified.

7026 You must repeat the system checks if visits are ineffective and more than 2 working days have passed.

*Note: Original claim forms or screen prints must not be taken to the visit. This is to ensure that customers do not gain access to their records without first applying to the Data Protection Officer.*

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7030 [Redacted].

7031 [Redacted].

7032 [Redacted].

7033 [Redacted].

7034 [Redacted].

7035 [Redacted].

7036 [Redacted]

7037 [Redacted].

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7038 [Redacted].

7039 [Redacted].

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## Principles Governing the Review

### The Data Protection Act (DPA)

7050 The 1984 DPA gave customers the right of access to their computer records. The DPA 1998 increased the scope of the 1984 DPA, and gave customers the right of access to their clerical papers as well as computer records.

7051 Customers have had the right of access to their clerical records since October 2001; therefore it is a legal requirement that everything that is recorded about a customer complies with the Act.

### Data Protection Principles

7052 To comply with Data Protection principles, any information that you document must adhere to the Act. Information must be:

- **Adequate** - all the information for the purposes of categorising the case, and to enable validation to be carried out must be recorded
- **Relevant** - only information which is appropriate for the purposes of carrying out the review should be recorded
- **Not excessive** - information should be kept simple and only information that is required should be recorded
- **Accurate** and up to date
- **Retained** for no longer than is necessary

7053 You should also have regard to the Freedom of Information (FOI) Act provisions, which came into effect on 1<sup>st</sup> January 2005.

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## Recording opinions on FREDA

7060 It is a necessary part of your work that opinions about a case are noted, but these must be based upon the recorded facts.

*Note: there is no place for assumptions or opinions based on anything other than the facts of the case. If a customer asks to see their case it is important that any opinions that have been recorded can be justified.*

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## The Human Rights Act (HRA)

7070 The Act came into force from 2 October 2000 and provided that it is unlawful for a public authority to act in a way that is incompatible with a right under the Act.

7071 Article 8 of the European Convention on Human Rights protects the right to respect for private and family life. However, this right is qualified because it allows public authorities to interfere with privacy when such interference is allowed by law and is, for example, in the interests of the economic well-being of the country or for the prevention of crime.

7072 The well-being of the country can legitimately be served by visiting customers to ensure that the benefit/entitlement, which they are receiving, is correct according to their circumstances. However even if a particular action is aimed at pursuing a legitimate goal (for example, the prevention of fraud), this will not justify the interference if the means used to achieve the aim are excessive in the circumstances.

7073 Actions must be proportional to the intended objective and must not be arbitrary or unfair. For instance it is never appropriate for you to carry out surveillance on a customer simply because you may have previous fraud officer experience.

*Note: looking for an address prior to a visit does not constitute surveillance if the location is not known to you; however the reason for doing this must be recorded on FREDA.*

7074 In line with HRA you should make sure that you explain the purpose of your visit and you must gain the customer's consent to enter their property.

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## The Civil Partnership Act (CPA)

7075 The CPA came into effect on the 5<sup>th</sup> December 2005. From that date same-sex couples across the UK could have their relationships legally recognised. Any couple registering as a civil partnership have the same rights, privileges, responsibilities and obligations as that of a married couple in areas of Tax, Social Security (DWP benefits/entitlements), Inheritance and work place benefits.

7076 The first civil partnerships registered in England and Wales under the standard procedure took place on 21 December 2005. However for DWP benefits/entitlements and Tax Credit purposes, from the 5<sup>th</sup> December 2005 same sex couples that are Living Together (LT) as if they were civil partners are treated in the same way as a person who is LT with a partner of the opposite sex.

7077 You must comply with the principles governing the review but will consider LT of same-sex couples.

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## The Visiting Programme

### Interview Procedures

7100 Visits must be completed first within the sample visit before the official error check. Where the end of the sample visit has been reached and a case is outstanding for a visit, you will still need to conduct the review and you should action the visit as a matter of urgency and clear it as soon as possible.

7101 You may have to undertake evening or weekend visits where a customer is in full time work. You must seek authorisation from your Team Manager when such visits are necessary.

7102 Team Managers should ensure they have a system in place to ensure your whereabouts are known at all times, and when you finish work for the day.

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## Notified and un-notified visits

7103 You must make an un-notified visit to each customer, apart from the exceptions detailed in the subsequent paragraphs. If this is ineffective a second un-notified visit must be made.

7104 If there is an exceptional reason why it is not possible to follow the visiting methodology, you must record the reason on FREDAS.

7105 Where you make two initial ineffective visits to the same address on the same day, you must make a further un-notified visit on a different day.

7106 You should avoid un-notified visits on a customer's payday/signing day or when parents are likely to be taking children to and from school as this could result in ineffective visits.

7107 After two un-notified visits, your next visit must be notified using the appropriate PM standard letter (do not use any other letters). You must allow:

- at least 48 hours notice between mailing the letter and visiting to ensure that the notification is received by the customer or
- 24 hours if hand delivering through the letterbox.

7108 Once notified, a reasonable visiting time should be given to allow the customer to make arrangements. This is to ensure they are available for the visit, e.g. if a customer normally attends a day centre, or has to collect dependants from school.

7109 Therefore if you hand-deliver the notification letter, you now only need to allow 24 hours before the visit; previously this was 48 hours.

*Note: see Appendix 5 letters*

7110 Once you have reached the notified visit stage of the process, you should follow the procedures as for all notified visits. See Notified visit procedure heading

7111 If the customer is not in for the notified visit, issue form Appendix 5e asking the customer to contact you to arrange a visit, at their home. The option of an office interview remains where it is impossible to see the customer at their home

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7112 You will not automatically abandon cases because initial visits have not started within the visiting period. You must perform the visits as soon as possible outside the visiting period. In exceptional circumstances your Team Manager can contact their SEO for permission to abandon these cases.

7113 You will ensure that all visits and office interviews undertaken are fully accounted for on the Visit Screen on FREDAs, as this information will continue to be checked under BCS principles.

## Notified visit procedure

7114 Once you have reached the notification stage of the process whether this is after un notified visits or when notifying from the outset you must follow a specific process. This is:

- Where there is a valid telephone number available on which to contact the customer, you should attempt to contact the customer by telephone. Your telephone call can be made either from a mobile while out visiting or from the office
- If the customer is contacted you should introduce yourself stating that you are from the DWP and ask two of the “handshake questions” from the desk aid. Confirm that you are speaking to the right person by checking identity with a minimum of 3 security questions [Redacted]
- Briefly discuss the purpose of the call and arrange a suitable visit date for the review and inform the customer of the possible verification required.
- For SPC cases you will have already previewed the case, therefore you will be able to inform the customer of the possible verification required and the period that it is required for.
- Give an indication of the time of arrival, where possible.
- Where you hand-delivered a notification at the second ineffective visit giving 48 hour notice of the review, your phone call must confirm the details already written in the appendix 5a.
- Advise the customer if you are to be accompanied by another DWP officer.
- Conclude the call with confirmation of the date and time and inform them that they should also receive a letter confirming those details of your visit
- Ask the customer if they have any further questions before thanking them for their time

7115 Following the telephone call if you have not already hand delivered it, you should issue Appendix 5a to confirm the details of the review

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7116 Where the customer does not answer your call but you have an opportunity to leave a message on an answer machine and you know that it is the correct contact number for the customer, you should leave a message adhering to the following wording:-

“This is a message for Mr A. My name is ..... And I am calling from the Department of Work and Pensions, Performance Measurement Review Team. Can you please call me on .....”

7117 Where the customer does not have a telephone number or the number is unobtainable you should revert to notifying the customer by letter that you will be visiting them to conduct a review.

## Customers who must be notified from the outset

7118 The only customers you must notify are:

- customers aged 70 or over
- customers with an appointee
- customers in remunerative work (including self-employed) who are in receipt of Standard Housing

*Note: Remunerative work is employment for which payment is made, or expected, and which averages 16 hours or more per week. Where no information is held by the Local Authority on the number of hours the customer works and you identify that their gross average earnings (not net earnings) are £100 or over per week, you must notify the visit.*

- customers suffering from depression or a medically defined mental illness
- customers with an alcohol or drug-related dependency
- disabled customers where there is evidence from the preview information that they may be distressed if an MRO calls unannounced.

*Note: Receipt of DLA/PIP/AFIP is not a sufficient reason in itself to notify a customer from the outset.*

7119 It is essential that all information sources are examined at preview to identify if the case falls into a notification category e.g. RPL/ISL/LMS/JSAPs/DA/HA systems, Medical Services Recording System (MSRS), and claim documents. The reason for notification, and the source(s) of that information, must be recorded on FREDA

7120 If the initial notified visit is ineffective, you must notify a further visit. If the second visit is ineffective, you must notify the customer of a third visit.

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If the third visit is ineffective, you must issue Appendix 5e asking the customer to contact you within 7 days to arrange a home visit.

7121 - 7129

## Un-notified visits to appointee/illness/disability cases

7130 There may be occasions when you must conduct an un-notified visit to a customer from the above client groups that may ordinarily warrant an initial notified visit, for example:

- Where you suspect fraud at preview, which an un-notified visit might pick up, e.g. working or living together (LT).
- In this type of case, before undertaking the PM visit, you will liaise with FES/LA Fraud if you suspect fraud on a case at the visit preparation stage; information for example concerning working or living together that has previously been investigated, and the investigation closed.

7131 If FES/LA Fraud request that the PM visit should not proceed then you must record the suspicion on FREDa and FREDa will refer the case to your Team Manager for approval of a referral to Fraud.

7132 You will forward the referral to FES, informing the PM Single Point of Contact (SPOC) in the Business Support Team (BST) of the referral. The BST SPOC will retain responsibility for tracking the case to conclusion using their access to FRAIMS.

## Confirming your Identity at the review

7133 **Always** show your DWP visiting officer's identity card. If the claimant wants to further verify your identity invite them to

- Ring the BST telephone number on the reverse of the identity card. Do not hand your ID card to the claimant.

7134 Where the customer or their representative still has doubts over the validity of the ID card, invite them to

- Contact the local jobcentre and request staff to check the **DWP Directory**, and/or check the **Global Address List** searching under your name.

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7135 Where the customer or their representative still has doubts or is not content to take this action

- explain you will arrange another date and time for the review, leave your details and conclude the meeting.

7136 If the claimant decides to ring the police ensure that you leave your contact details. **Do not wait for the police to arrive.**

## Refusal to be interviewed

7137 Some customers may refuse to be interviewed. You should make sure that you explain the purpose of your visit and try to put the customer at ease and you **must** gain the customer's consent to enter their property. The customer may have a genuine reason for not wanting to be interviewed there and then, and unless you have a suspicion about the reason for refusal, you should arrange to call back later. The customer is within their rights not to admit you into their home. In these circumstances you should arrange an office interview unless you suspect that the reason for refusal is the existence of fraud. If the customer refuses an office interview, you should refer the case to FES/LA Fraud. Where FES/LA fraud refuse to take on a referral, PM refer for suspension.

## Non-co-operation by the customer

7138 If a customer refuses to co-operate with the review and you have reason to suspect this is because the customer has something to hide, you should refer the case to FES/LA Fraud. If, however, the customer refuses to co-operate due to mental illness or eccentricity, you must contact your Team Manager for advice.

7139 Only in exceptional circumstances where your Team Manager has no reason to suspect that the refusal to be interviewed is any way related to fraud or the correctness of their claim should the case be considered for abandonment from the sample. If a common sample case is abandoned it will be passed to you to conduct an official error check if applicable and replaced.

## Customers with an Appointee

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7140 A person can have an appointee provided they are unable to act due to incapacity. This could be a physical or mental incapacity, which results in them being unable to act for the period for which they have an appointee.

## Examples:

If a customer has suffered a stroke that impairs both their physical and mental abilities, but there is an expectation of a full or partial recovery, they can have an appointee to manage their affairs temporarily.

If a customer has suffered a mental impairment from which there is no likelihood of recovery, then they can have an appointee to manage their affairs on a permanent basis.

If a customer has suffered a broken hip and is “unable to act” due to their physical incapacity, then an appointee would be appropriate as a temporary arrangement. (Please note this is specific to LA action and differs from DWP action when an agent would be more appropriate)

7141 The Delivery Business would determine who is suitable to act as an appointee, having regard to ensuring the person is in regular contact, competent to manage the customer’s affairs and understands their responsibilities as an appointee. A landlord would not be considered appropriate unless there are exceptional circumstances. Nor would it be appropriate to make the customer’s appointee someone working in the benefit administration, as there is the potential for internal fraud. You should seek advice of the Delivery Business/ HB Administration Manager if you have any doubt.

7142 Appointee action must not be taken by a PM MRO, but in all cases where you judge that an appointee may be required for the customer, you should make a referral to the Delivery Business/LA to take this action.

7143 It is recognised that referrals to the Delivery Business to take appointee action could be time consuming. Hence, it may become necessary to abandon such cases from the PM sample for operational reasons. Where an initial PM visit has taken place it is not necessary for you to observe a waiting period of 6 weeks after a home visit by the Delivery Business to take this action, as the activity has been instigated by PM.

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## **Appointee Review action (all benefits)**

7144 Where a case is sampled that is undergoing appointee review action, you should not visit until this action has been completed by the office. This is because DWP are awaiting confirmation that the current appointee should still be dealing with the customer's affairs. Appointee review guidance is at: Appointee Review Process.

7145 The delivery business should note the benefit paying systems (in notepad) where appointee review action is in progress. Where a customer receives more than one benefit, you should check all relevant benefit paying systems in order to identify any ongoing appointee review action.

7146 It is not necessary to leave 6 weeks between completion of appointee review and a PM visit, as in most cases the action will have been undertaken via postal communication rather than a home visit by Local Services. However, if Local Services *have* visited the customer/appointee to review appointeeship, you will need to consider the case for abandonment from the customer review where the 6 weeks will not expire in the visit period.

7147 - 7149

## **Visiting customers who have an appointee – common sample single reviews**

7150 If the customer has an appointee you must see the customer at the same time as the appointee. Under no circumstances should you visit the customer on their own where it is clear from the preview that the customer has an appointee. Where it is not possible for you to interview the appointee and the customer at the same time, you will need to arrange to see the appointee on their own. Any concerns that you may have regarding the existence or whereabouts of the customer must be raised during the review process and will be treated in the same way as any other suspicion of fraud.

## **Visiting Customers who have an appointee – HB single review and joint review**

7151 If the customer has an appointee you should see the customer at the address for which they are claiming HB and establish their existence, if possible at the same time as the review is conducted with the appointee.

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You must notify in writing to the appointee the visit using the appropriate Appendix 5b letter. If it is not possible for you to arrange to see the customer and the appointee at the same visit, you must not see the customer alone, you must only interview the appointee.

7152 Where the customer and their appointee live at different addresses, you should contact the appointee to arrange for them to be present at the visit, as he or she will be the one who answers the questions and signs the Statement of Circumstances, you will also need to see the customer.

7153 In Joint reviews where:

- The LA has an appointee for HB and DWP does not or,
- JCP or PDCS have an appointee for IS/JSA/ESA/Pension Credit, and the LA has none for HB/Council Tax reduction

Only the benefit for which the appointee is responsible may be reviewed in these circumstances. You should advise the Delivery Business of the benefit for which there is no appointee to consider appointing the existing appointee to receive the benefit they are paying.

7154 If the Delivery Business does not complete appointee action within 6 weeks of the date they are advised, you will have to consider abandonment from the Joint review and continue as a single review of the benefit for which there is already an appointee.

7155 In Joint reviews where:

- DWP has a different appointee from that held by the LA

You must visit both appointees and interview them about the respective benefit under check for which they are responsible.

7156 At the start of the interview you must establish the appointee's identity when you see them. If you have any doubt about the identity of the appointee, you should pursue verification action.

7157 Where the appointee lives in another PSU, you will refer the case to the Team that covers the appointee's home area, to make arrangements for the appointee to be interviewed.

7158 For HB cases where the customer and their appointee live separately, in the first instance you must try to take action as per Visiting Customers who have an appointee – HB single review and joint review. If this is not possible, you must interview the appointee alone, but conduct a separate

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visit to the customer to ensure that they reside in the address that has been stated.

## **Customers with a corporate appointee**

7159 Where the Appointee is a corporate body, such as Social Services (sometimes still logged as Director of Social Services) you should contact the corporate body to establish a named contact or caseworker assigned to the customer. You should arrange an appointment to conduct the review with the contact/case worker. If there is no named person responsible for the customer's affairs, you must abandon and replace the case.

7160 Where the appointee is a named employee of an organisation other than Social Services e.g. if the care provider is a large company or charity based outside the PSU and it is not practical to interview the named employee you must abandon the case.

7161 It is preferable that you interview the named appointee where the care provider is a smaller business based within the PSU.

7162 Where there is a potential need for an appointee on a case, - you should refer the case to the DWP/ LA for action and then consider if the PM visit is still possible within the timescales.

## **PM action following ineffective un-notified/notified visits and failure to attend an office interview**

7163 At each stage where you have been unable to interview the customer (i.e. following an ineffective visit, prior to making a notified visit or failure by the customer to attend an office interview), and before considering a referral to Fraud, you will complete a further check of all computer systems to establish if there has been a recent reported change of address, or other changes, that may affect the success of attempted visits or office interview.

7164 The following must be checked:

- CIS
- PSCS (as appropriate)
- PRCS (as appropriate)

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- Incapacity Benefit (as appropriate)
- AA (as appropriate)
- DLA (as appropriate)
- PIP/AFIP (as appropriate)
- JSAPS
- ISCS
- LMS
- NTC
- Clerical papers

*Note: you must also contact the Local Authority in order to check if a change of address has been notified to them.*

*Note: the results of these checks and any other information gathered must be recorded on FREDAs.*

## **No change of address traced**

7165 Where there is no evidence of anyone in the property, i.e. the property is unoccupied; you should refer common sample single review cases for an FRF submission, joint reviews and HB single reviews should be referred to LA Fraud without suspension, subject to your Team Manager's quality check.

7166 If the customer is receiving JSA, you should attempt to see the customer on their signing day before they sign.

*Note: this will allow cases to be considered for Causal Link should the claim go dormant as a result of review inspired suspension.*

## **Change of address reported to DWP**

### **Date of change is prior to PM visiting action**

7167 Where you suspect non-residency following your visit, specific procedures must be followed.

7168 If the evidence shows that the customer has reported a change of address to the DWP and the change occurred before your attempted

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interview you will visit the customer without referral to Fraud if the customer has moved within the PSU.

7169 You must ensure a claim to HB has been made to the LA at the new address within the PSU and the LA has implemented payment of HB for the new address before visiting the customer. The customer has a calendar month from the date the change occurred to claim at the new address and the LA has 10 working days to process the claim.

7170 If the customer has changed address within the boundary of the PSU, you will attempt to visit the customer to conduct the PM review and continue in accordance with PM guidance.

7171 If the customer has moved to an address outside the PSU, you will consider abandonment and replacement where the change of address is not related to another reason which could cause the customer's benefit to change or cease. For Joint Reviews with Housing Benefit, if HB continues in payment, a case where the customer has moved out of the PSU would not be abandoned, but passed to the LA Fraud section that covers the new PSU for them to establish whether the change of address took place before the first un-notified visit, in which case a non-residency outcome should be recorded.

7172 - 7179

## **Change of address not reported or change reported after the first ineffective visit**

### **The date of change is after the attempted visit**

7180 You will recheck the customer's system held data before attempting to visit a customer and will record the outcome of those checks in the case narrative on FREDAS.

7181 This will ensure that you have accurate information and that you are aware of any changes to the customer's circumstances prior to the PM review visit.

## **Moves within a PSU**

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7182 Where the customer has reported a change of address, providing the new address falls within the PSU, you can arrange a visit to the new address to establish the facts of the case. You must follow normal visiting methodology, starting with an un-notified visit to the new address. You should not refer the case directly to LA Fraud if the customer has moved within the PSU but out of the LA area.

7183 You must ensure a claim to HB has been made to the LA at the new address within the PSU and the LA has implemented payment of HB for the new address before visiting the customer. The customer has a calendar month from the date the change occurred to claim at the new address and the LA has 10 working days to process the claim.

7184 During the visit you must review the common sample benefit as usual and establish whether non-residency at the old address applies by asking the relevant questions to establish the exact date the customer moved out of the old property.

7185 If you establish non-residency at the old address, you should record underlying entitlement to HB as follows:

- move within the LA: the HB payable at the new address
- move outside the LA: zero

## **Moves outside a PSU**

7186 Where the customer has reported a change of address which is outside the PSU the case can be abandoned for the common sample element. You should refer the HB element of the case to LA Fraud to establish whether non-residency applied on the date of the first unnotified visit. If the customer is confirmed to have been non-resident, underlying entitlement to HB should be recorded as zero (as the customer moved out of the LA area).

7187 If the customer has moved outside the PSU you can abandon the case and replace provided there is no suspicion of fraud (e.g. customer moved abroad) which should be referred to FES.

## **Housing Benefit non passported only cases**

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7188 Where the customer has reported a change of address you should continue to refer the case to LA Fraud to investigate potential non-residency at the time of the first unnotified visit.

## **Change of address reported after final attempt to interview**

7189 Where the customer reports a change of address, after your attempted final interview (you must have already undertaken the required number of attempts to see the customer) then action will depend on whether the case has already been referred to FES/Compliance.

## **PM requests a suspension of benefit**

7190 If you have been unsuccessful in completing the review process and have had no response to appendix letters 5c or 5e, you will refer to the DM via the ECO/PCP/LA to consider suspension of benefit after checking all relevant systems for any reported changes.

7191 You will refer the case to a DM via the ECO/PCP/LA for a decision as to whether the suspension of benefit is relevant, and update FREDa, retaining responsibility for completion of the review until the result of the suspension is known.

7192 Where a suspension has been imposed the ECO/PCP/LA will record suitable entries on ISCS/JSAPS/PSCS/LA system in IS/JSA/ESA/LA notepad informing DWP/LA staff of the situation. You will check that the note has been input by the ECO/PCP.

7193 System entries should read:

'Benefit suspended following PM review on -----'. If customer contacts office please inform ----- (MRO name) on ----- (MRO Contact No)
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7194 If there has been no contact within 28 days, you will refer the case back to the ECO/PCP/LA for a decision.

## **Customer contacts DWP/LA**

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7195 Where the customer makes representation to the office, you should make arrangements to visit the customer as soon as possible. Where this is not possible you should consider contacting FES/ Compliance/LA Fraud to see if they are able to interview the customer any sooner. If they are able to do so they will arrange to see the customer and you must send an FRF where Compliance will see the customer providing full details of the case.

7196 You will question the customer to determine if the customer was resident at the address at the time of the review and if there are any other additional reasons for the customer's non-compliance with the original review. You will include all evidence from the visit/interview required to make the final case categorisation.

## **Customer fails to make contact**

7197 Where the customer fails to make contact with the department within 28 days for ESA/IS/JSA/SPC cases or 1 calendar month for HB cases, the DM will normally disallow the claim, where this occurs, as the disallowance is a causal link trigger point, PM will follow the causal link methodology to categorise the case.

## **Case has not been referred to Fraud**

7198 If you have not referred the case to Fraud, you are required to visit the customer at their new address to establish whether any MVE\MVFE has occurred as a result of the change. Any PM visit will be dependent on whether the new address is situated within the PSU.

7199 At the interview, you will require evidence to establish the actual date of moving and whether as a result of the change of address the benefit was correct during the review period.

7200 You should establish and record on FREDa the reason why the customer was not at home at the time of the attempted interview.

7201 As a minimum you will establish:

- whether the customer was at the new address at the time of the attempted visit
- if they did reside at the old address at the time of the review the reason for non-compliance

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- that details of the new address are verified
- whether benefit was correct during the review period
- if benefit ceases, the reason why the customer is no longer claiming

These questions are key factors to deciding the correct categorisation.

## **Referrals to Fraud/Compliance – non-residency cases**

7202 Where you consider that a referral to Fraud is appropriate based on the available evidence of non-residency, you will complete FREDa for approval of the referral by your Team Manager. Your Team Manager will perform a quality check of the referral.

7203 Your referral will include the areas in need of investigation/further enquiry as it is essential that wherever possible the reasons why the customer was not available for interview are established. The referral will include the following questions:

- why the customer was not available for the PM review interview
- why the customer was not at home during later attempts to arrange a notified visit or office interview

7204 With regard to common sample cases if the customer is interviewed by Fraud, it is essential for the FES investigation/Compliance activity to include a check on the rest of the benefit award to ascertain that the claim is otherwise benefit correct or that other errors present are identified in order to ensure that the final categorisation is correct. You should enter a request to this effect on the FRF.

7205 The customer may be unavailable for visit/interview for reasons apart from non-residency; for example, the customer may be abroad or working. The purpose of further investigations is to identify the true reasons for non-compliance prior to categorisation.

## **Requirements of the FES/LA Fraud investigation or Compliance activity**

7206 As a minimum the FES/LA Fraud investigation/Compliance activity must attempt to determine:

- whether the customer was at the address at the time of the attempted visit and, if they were living at the address, where they were at the time of your attempted visit
- where they were living if at a different address

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- whether benefit was correct during the review period, regardless of whether they were at the correct address
- if benefit ceases, the reason why the customer is no longer claiming. Although it is acknowledged that if the case goes dormant before Fraud are able to interview the customer the reason for the dormancy may not always be established. In these cases it will be your responsibility to consider a suitable final categorisation as Fraud will not undertake action on dormant cases.

7207 CS cases will be referred to FRAIMS and routed either to FES or Compliance and Joint Review and HB cases referred to LA Fraud. The BST SPOC will perform regular progress checks, tracking the case to conclusion. The BST will carry out regular checks of the appropriate benefit systems to ensure that there have been no changes made to the customer's circumstances i.e. customer's claim/application has gone dormant, as Fraud do not investigate dormant cases. Where this occurs the BST SPOC will liaise with LA Fraud or the FES SPOC, if necessary, to:

- check if the change is as a result of the LA Fraud/FES investigation or Compliance activity and if so ensure that the case is returned timeously to the BST to allow the MRO to award a final case categorisation; or
- inform Fraud of the change to the customer's circumstances if Fraud have not established contact with the customer

In the latter case the BST SPOC will request the return of the case as soon as possible.

*Note: if Fraud is unaware of the change to the customer's benefit then the BST should obtain a screen print to support the change/s and the evidence obtained should be made available to the MRO when deciding on the final case categorisation.*

7208 - 7209

## **Suspicion leads to Fraud referral**

7210 If you consider that a referral to Fraud is appropriate based on all the evidence:

- You will complete FREDA for approval of the referral by your Team Manager. This will comprise a written submission including a summary of the facts of the case, detailing the reason for suspicion, the extent to which structured probing was undertaken and if there are any questions that must be answered by FES/LA Fraud in order to successfully investigate the referral or for Compliance to ask.

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- Your Team Manager will then perform a quality assurance check ensuring the suitability and validity of the referral to LA Fraud/FES/Compliance.

*Note: When making a Fraud Referral you must ensure that you do not access systems unnecessarily and are able to justify that all your system accesses relate to the PM check. Any attempt to access Departmental systems that do not directly relate to the PM check could be treated as unauthorised access and you could face disciplinary action as a result*

7211 Possible areas where a customer may have obtained benefit fraudulently may consist of the following:

- The customer may have an undisclosed partner
- Undisclosed earnings, full-time and part-time
- Children not in the household but in the customer's assessment
- The customer owns other property or land
- Increase in capital not declared
- Occupational pension under-declared or not declared
- Undisclosed income such as CTC or WTC

7212 Your Team Manager is accountable for ensuring that the standard of written referrals is consistent and that local agreements on the standard of referrals are adhered to. The quality check of LA Fraud/FES/Compliance referrals cannot be delegated and must be conducted by the PM Team Manager. The PM Team Manager will accept or reject the referral on the evidence presented. Where additional evidence is required the PM Team Manager will liaise with you as you may be able to provide further evidence, which may not have been recorded in sufficient detail initially on FREDAs.

## **Referral not accepted**

7213 If your Team Manager does not accept the referral, their reasons should be fully documented on FREDAs. For example: you have not followed prescribed methodology as you have only undertaken two un-notified visits instead of two un-notified and one notified, or the customer is in receipt of an occupational pension and freely disclosed this information at the interview.

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7214 You will consider the recorded reasons for non-acceptance and have the opportunity to add more evidence/information and resubmit the referral to your Team Manager for a second consideration.

7215 Where your Team Manager's decision is not to refer to LA Fraud/FES/Compliance solely because you have not followed the prescribed methodology of un-notified/notified visits and subsequently failed to interview the customer, you will continue the interview process. The final decision on LA Fraud/FES/Compliance referral will depend on the outcome of the interview.

## **Referral accepted**

7216 Your Team Manager completes a check of the LA Fraud/FES/Compliance referral and if the referral is accepted, it should be noted on FREDa that the referral has been passed to the team manager. You will complete an FRF.

*Note: any outstanding action required to ascertain the official error result will be postponed until the outcome of the LA Fraud/FES investigation/Compliance activity is known.*

## **Referring the case to:**

### **FES/Compliance**

7217 You will submit an FRF to FRAIMS on all cases that have been accepted for referral by your Team Manager. You will notify the SPOC in the BST that an FRF has been submitted, giving the details of the case for tracking purposes. The SPOC will be responsible for recording the date the FRF is sent on FREDa and tracking the case by accessing FRAIMS and liaising with the FES SPOC as required until action on the case is complete.

### **LA Fraud**

7218 On cases accepted by your Team Manager, you will notify the BST SPOC the case has been submitted giving the details of the case for tracking purposes.

7219 - 7239

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## Tracking Fraud referrals

7240 It will be the responsibility of the BST Manager to ensure that the BST operates the monitoring system to track the progress of these referrals to provide assurance that all referrals are being progressed within the agreed timescales.

7241 The BST SPOC will track each referral made to Fraud on a regular basis (as a minimum weekly) in order to ascertain whether the activity has been completed, and if not, the reason for non-completion and how the investigation is progressing.

7242 Following initial referral a check should be made on FRAIMS 1 week after the FRF was submitted to ensure that the referral has been allocated either to FES or Compliance. The BST SPOC will contact the FES/Compliance SPOC if this has not been done.

7243 The target date for completing FES investigations for PM cases is 14 weeks and for Compliance cases this is 9 weeks.

7244 Any follow up action undertaken by the BST SPOC will primarily be conducted by interrogation of FRAIMS but where the information is not available or has not been updated the BST SPOC will liaise with the FES/Compliance SPOC who will contact the relevant person to obtain the updated details on our behalf.

7245 The BST SPOC will keep your Team Manager informed of progress on outstanding HST referrals, as this will ensure that cases are being cleared timeously and complying with the agreed national tolerance levels for reconciliation purposes.

## FEMA tolerance level for completeness

7246 A report is issued to FEMA every six months (in February for the April report and August for the October report) detailing the number of incomplete cases. In order to comply with FEMA's tolerance level the number of FES referrals outstanding nationally and the number of remaining incomplete cases must be below the specified level. If PM does not meet these levels then FEMA cannot report results against the

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Resource Account. Therefore, it is necessary that the Team Managers ensure that a strict tracking regime is maintained.

7247 FES and Compliance have agreed that a target is to be introduced to ensure that IGS FEMA receive sufficient completed HST cases at their data cut off points.

7248 The target is 80% of PM referred FES/Compliance cases to be completed by FES/Compliance, and outcomes returned to PM, 4 weeks prior to the IGS FEMA data cut off date. This will be staggered for each visit to ensure that there is a continuous completion and return of FES/Compliance cases to PM to allow them sufficient time to finalise and complete the cases for IGS FEMA.

7249 - 7299

## **Completion of FES investigation or Compliance activity**

### **Case referred to the Decision Maker**

7300 On completion of the fraud investigation by LA Fraud/FES or the Compliance activity and if the outcome has resulted in a change to benefit the case will be referred to the DM for an overpayment recoverability decision. Once the DM has made their decision the case will be returned to LA Fraud/FES/Compliance, who will record the decision.

7301 The technical benefit checking MRO is not required to await the DM overpayment recoverability decision, therefore the result of the LA Fraud/FES investigation or Compliance activity can be recorded once it is made known.

7302 The BST SPOC will ascertain the outcome from FRAIMS or by liaison with the FES/Compliance SPOC, if necessary. The Case Summary and any relevant information will be printed off FRAIMS as evidence. On receipt of the LA Fraud/FES investigation/Compliance activity result and relevant documentation the BST SPOC will update VMB with a summary of the investigation and inform your Team Manager so that they can approve the outcome (taking into account whether fraud has been proven or not). You will then complete the final categorisation and update FREDA.

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7303 Where Team Manager deems the FES outcome is not of a satisfactory standard and PM are not able to categorise the case. The Team Manager must make further enquires with FES to obtain all relevant information

*Note: whether the evidence is sent to you or collected by them will be subject to local arrangements*

*Note: You will ensure that all relevant paperwork relating to the LA Fraud/FES investigation/Compliance activity is retained in the PM paperwork in order to provide an audit trail for future compliance checks conducted by the Team Manager and/or DQA.*

7304 Where the LA Fraud/FES investigation/Compliance activity has been concluded, regardless of the outcome, you will need to consider if the official error check of the selected period can be finalised. If appropriate a request may have to be raised in order to obtain any additional information/evidence/verification which FES/Compliance has been unable to provide.

## **Verification of income and/or capital not received**

7305 The paragraphs contained under this and the following heading applies only to potential customer errors. Deemed errors still apply where the incomplete evidence is something that the delivery business once held or should have held.

### **Example**

At preview of an SPC case you identify that the whole casepaper is missing. You also identify the last AIP ended in March 2010, which has not been reviewed .You visit the customer in January 2014 and establish that the customer has capital of £13000 at January 2014. You ask the customer to provide evidence of their capital at March 2010 but the customer fails to do so. If the office fail to provide the evidence of the capital within the normal ten week deadline of incomplete evidence you must record a deemed error.

7306 When looking at what action should be taken where evidence regarding capital has not been provided in relation to potential customer related errors, you will take into account the following:

- does the customer have a history of fraud or non-declaration?
- what levels of capital has the customer declared before?
- are the levels declared close to the capital limits?
- have you made all reasonable efforts to obtain the evidence from the customer?

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- has the customer given a reason for not providing the statement? Some accounts may only issue statements quarterly. Also if the customer has an internet account or has online banking, they may have access to up to 6 years' statements at no extra charge.
- as a last resort, an A42 would need to be considered.

7307 The above relates to capital but also applies where evidence regarding income has not been provided in relation to a potential customer related errors, typically including the following:

- Occupational pension
- Earnings

7308 Taking the above into account, you have the following options available:

- referral to FRAIMS via an FRF if there is sufficient suspicion of undeclared income and/or capital
- provide the DM with the available evidence to assist the DM in making a decision **for measurement purposes**. Where this decision is not incorrect in law, you must accept the decision and use to categorise the case. Where the DM decides that they have insufficient evidence to make a decision, they may then consider suspension in attempt to obtain evidence if it is still available.

## Example

JSA case previewed and you identify the customer had savings of £8144.89. The customer's savings therefore attracted tariff income.

The savings had been on the case since the claim was made in January 2013.

You visit the customer on 20.6.13. At the visit the customer stated that he thought his savings were about £7060, so there was a small reduction.

You asked the customer to provide a statement showing the savings on the date of the visit and noted that any change would be a customer mistake.

On 30.8.13 the customer provided statements showing the balance on 31.7.13. The total capital on that date was £8032.55, so no change in tariff income would apply.

The customer moved address in November and his JSA3 showed capital of around £4050.

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The customer fails to respond to further requests for the appropriate evidence and the DM refuses to suspend the customer's benefit.

In this scenario, you must provide the DM with all the available evidence and ask the DM to make a decision for measurement purposes. This decision will need to decide the level of capital at 20.6.13, which will cover the PM review week.

## Exception for Capital

7309 Where verification of capital requested by you at review is not provided by the customer within the allowable timescales, and there is no suspicion of fraud. i.e. if the customer has capital substantially below the limits and they have no history of fraud and have not declared excess savings in recent years and there is no suspicion of living above their means, you will progress the case in line with the following paragraphs:

7310 If the customer states that their capital is currently below the applicable DWP verification limits (since 06/10/2003 this was £6,000.01 for SPC customers and £10,000.01 for SPC customers in permanent residential care and since 02/11/2009 this has been £10,000.01 for all SPC customers, £5500 for WA Means tested Benefits) and was at the date of claim, most recent review or from the latest AIP, the Team Manager can make a measurement decision on the level of the customer's capital. This decision should be fully documented on FREDAS. Please see SSoG 'When Evidence of Capital is Needed'

7311– 7329

## Action to follow in abroad cases

### Customer notifies the DWP – prior to commencement of visit preparation

7330 If the customer has reported a change in circumstances between completion of the technical preview and the visit preparation you will need to consider if the case remains suitable for review.

7331 If the customer has informed the office that they are going abroad (or is abroad) and the DM is satisfied that the customer continues to satisfy the conditions of entitlement you will have regard to the customer's UK return date as it may fall outside of the PM sample visit.

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## **Customer returning to UK within the sample visit period**

7332 Where the customer is returning within the sample visit period, you will continue with the review as normal.

## **Customer returning to UK outside of the sample visit period**

7333 If the customer's UK return date is after the end of the sample visit period, you will request abandonment and replacement of the case and refer the case to the technical benefit checking MRO for approval.

7334 Although the case is deemed unsuitable for the review visit, in common sample cases, the case will remain appropriate for the official error check and Resource Account purposes and therefore will form part of the non-common sample.

## **Customer fails to notify DWP - MRO commences the PM review**

7335 Where you attempt to complete the review visit and are unable to establish contact with the customer, but during the review, you are advised by a third party that the customer has gone abroad, you will consult with the ECO/PCP to check if there is any post /notification from the customer or the customer's representative to confirm if the absence has been reported to the DWP.

7336 If there is no documentation to support the absence you will refer the case to the DM via the ECO/PCP to make a decision and retain control of the case to perform progress checks with the ECO/PCP.

7337 You should retain ESA/IS/JSA single review cases for a 28-day period, and Joint Review and HB or SPC single review cases for a 91 day period commencing from either:

- the date the customer went abroad where this is known
- the date of the initial attempted PM visit when the departure date is unknown

This is to check if the customer returns to the country and re-applies for a benefit re-instatement during this time.

*Note: causal link cannot apply if the customer is already abroad before any PM intervention e.g. issue of notified visit letter, the visit itself.*

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7338 Where as a result of the review activity PM discover the customer is abroad, the date of the first ineffective visit (notified or un-notified) should be used to determine the review week, regardless of any subsequent effective or ineffective visits. You will need to record the first ineffective visit as an effective visit on FREDAs.

7339 Similarly where a notified visit is planned but then not attempted (due to information being received from a third party) you will record the date of the third party or customer contact to determine the review week.

7340 In cases where the customer is subsequently interviewed, you will ensure that the Statement of Circumstances includes a statement from the customer confirming that the information provided relates to the review week established by the date of the first ineffective visit (notified or un-notified).

7341 For Joint Reviews, where the DM has made a decision to cease the passporting benefit as a result of the customer being abroad, action should be taken as per para 7337 to establish whether the customer returns to the UK within 13 weeks. This is to accurately assess underlying entitlement to standard HB. Without reasonable doubt, the case should be categorised as fraud.

## **Customer contacts the office on return to the UK**

7342 If the customer returns:

- within the first 4 weeks of departure/first ineffective visit for IS/JSA/ESA cases,
- within the first 13 weeks of departure/first ineffective visit for Joint Review and HB or SPC single review cases,
- within the sample visit period,

You should visit the customer and carry out the PM review. Where the customer is abroad for more than 4 weeks/13 weeks (depending on the benefit(s) under check) after departure or first ineffective visit and the date of return does not fall within the sample visit period, then the ECO/PCP will obtain the necessary information for the technical benefit checking MRO to make their final categorisation decision.

*Note: Where the customer is subsequently visited, the period being reviewed is that determined by the first ineffective visit.*

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7343 On receipt of the DM decision on the re-instatement of the customer's benefit you will consider the evidence available and make a decision on a final case categorisation.

## **No contact from the customer**

7344 If there is no contact from the customer within the 28/91-day period you will refer the case to the MRO who conducts the technical benefit check who will consider the facts and decide on a final case categorisation. Without reasonable doubt, the case should be categorised as fraud.

7345 In these cases it is more than likely that we would not be aware of the customer being abroad and the case will almost certainly follow the process for non-residency.

## **Suspected non residency**

7346 Where you are unable to complete the review and therefore, as a result, the case is deemed to be a suspected non-residency and there appears to be no other reason for the customer's non compliance with the review, you will refer HB single review and Joint Review cases to Fraud. For ESA/IS/JSA/SPC only cases, the ECO will be asked to consider suspending benefit if non-residency is the only suspicion.

7347 Where Fraud interviews the customer and the customer advises Fraud of their return to the UK following an absence abroad the information will be referred to the technical benefit checking MRO to consider making a final case categorisation following consideration of the evidence discovered by Fraud.

## **Notification of changes to Her Majesty's Revenue and Customs**

7348 The visiting or technical benefit checking MRO will notify relevant changes to HMRC depending upon when the change is reported or discovered. This will apply to cases, which have an award of CTC or WTC. The information will be referred to HMRC through the route currently specified in tax credit guidance.

7349 Where the change is reported to you or is discovered when extra evidence is provided before the end of the PM visit you will record this information on FREDa and refer the details to HMRC.

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7350 Where the change is reported/discovered after the PM visit as a result of follow up action by the ECO/PCP you will record this information on FREDA and refer the details to HMRC.

## **Non-Residence - HB single and joint review cases**

7351 Where customer has no mental health issues and there is no evidence of anyone at the property and there has been no declared change of address you should refer the case to the LA Fraud section for investigation without benefit being suspended.

7352 Where you have no grounds for an immediate referral to LA Fraud i.e. the property is clearly inhabited, you should refer the case to the LA for suspension. The action to take will depend on whether the LA suspends the HB.

## **LA suspend**

7353 Where the HB is suspended your action will depend on whether the customer makes contact within one month:

- Where the customer makes contact within one month and remains in the PSU you should conduct the review
- Where the customer makes contact within one month and has moved outside of the PSU you should refer the case to LA Fraud
- Where the customer fails to make contact within one month the claim will be closed and you should consider pre-clink action – you should categorise according to the individual circumstances that apply and consider the category 'High Suspicion Remains'.

## **LA do not suspend**

7354 Where the LA do not suspend you should refer the case to LA Fraud for investigation.

## **Non-Residence - Common Sample only cases**

7355 Where customer has no mental health issues and there is no evidence of anyone at the property and there has been no declared change of address you should refer the case to the DM for suspension.

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7356 – 7359

## **Interviewing both Parties to a JSA joint claim**

7360 Where a joint claim to JSA has been selected for review the customer's name selected on the list must be the payee receiving the actual benefit, if the partner is selected you should abandon the case and it must not remain in the sample.

7361 If the case is to remain in the sample you will interview both parties to the claim at the same time, as both the customer and their partner must sign the Statement of Circumstances. This is because both parties have joint responsibility to report changes in circumstances.

7362 Both parties must be present for the interview; you may find it more difficult to obtain an effective visit when going out on un-notified visits.

*Note: You must adhere to methodology concerning the number of visits required in accordance with existing criteria, i.e. 2 un-notified visits, and 1 notified.*

## **Office Interview**

7363 In the event of the notified visit being unsuccessful you will issue an Appendix 5e, asking the customer to contact you within 7 days to arrange a home visit. Conducting the interview at the customer's address helps to verify residence at that address.

7364 - 7379

## **The PM standard letters**

7380 You must use the PM standard letters at all times. Note: see Appendix 5 for letters

7381 The PM standard letters are issued in the following circumstances:

- to notify a visit from the outset
- to use where the customer has an appointee

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- to use when there have been at least two unsuccessful un-notified visits
- to be used to call the customer in for an office interview from the outset.

7382 You should allow a reasonable time from the issue of the notification letter to the visit to allow for delivery of the letter and for the customer to make appropriate arrangements. It is acceptable practice for you to hand a visit notification letter in a sealed envelope addressed to the customer to an unidentified person as long as they are at the correct address for the customer. By the same token, it is acceptable for you to post a visit notification letter through the letterbox in a sealed envelope addressed to the customer if nobody answers the door – as long as it is the correct letterbox.

7383 – 7399

## **Cases that reach a causal link trigger point during the review process**

7400 In the course of you trying to visit/interview a customer, following an initial attempt to make contact or during post interview follow-up, a causal link 'trigger point' may be reached. These are:

- the customer notifies the DWP of a change in circumstances that will cause benefit to terminate, or
- the customer notifies the DWP of a change in circumstances that will cause benefit to change but remain in payment, or
- the customer simply asks the DWP for benefit to be terminated, or
- the customer is in receipt of JSA, fails to sign, which leads to JSA being terminated, or
- The customer does not respond to a request for an interview or provide requested information/verification following a review so benefit is terminated by the DWP office following a review activity-inspired suspension.

*Note: the 28-day causal link introduced for FES and Compliance purposes in relation to LT, does not apply to PM causal link.*

7401 You must check whether a causal link trigger point is reached, and if so you must complete the pre-causal link consideration check. See Part 17 for more details of the pre-clink process.

7402– 7499

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## Undertaking the Visit

### The doorstep introduction

7500 You must use the following preferred address to begin the conversation prior to the interview commencing:

- 'Good morning/afternoon, I'd like to speak to Mr/Mrs/Miss/Ms.....?'

7501 When you have confirmed that you are speaking to the customer you should provide a formal introduction in the following manner:

#### Common Sample

- 'I'm ..... from the Department for Work and Pensions (SHOW ID) and I would like to talk to you about your claim/application for Income Support/Jobseeker's Allowance/State Pension Credit Employment Support Allowance so I can make sure that the information we have is correct.'

Or

#### Joint Review

- 'I'm ..... from the Department for Work and Pensions (SHOW ID) and I would like to talk to you about your claim/application for Income Support/Jobseeker's Allowance/State Pension Credit/Employment Support Allowance/Housing Benefit so I can make sure that the information we have is correct.'

#### HB single Review

- 'I'm ..... from the Department for Work and Pensions (SHOW ID) and providing you have no objections, I would like to talk to you about your claim for Housing Benefit. Any information you give me is passed to the relevant Local Authority in order that they can check that the details they hold are correct. If any details have changed, this may result in a change to your benefit entitlement'

7502 You should make sure that you explain the purpose of your visit and try to put the customer at ease and you **must** gain the customer's consent to enter their property. The customer may have a genuine reason for not wanting to be interviewed there and then, and unless you have a suspicion about the reason for refusal, you should arrange to call back later. The customer is within their rights not to admit you into their home. In these circumstances you should arrange an office interview unless you suspect

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that the reason for refusal is the existence of fraud. If the customer refuses an office interview, you should refer the case to FES/LA Fraud. You would also need to refer to the DM to consider the suspension of benefit

## Confirmation of identity

7503 Confirming identity is not the same as verifying identity. Confirming identity is ensuring that the person you are addressing is the person you want to interview by asking appropriate questions.

## What to tell the customer before the interview

7504 Once inside the customer's home, you will explain the interview process to the customer using the preferred formation:

- 'Let me tell you about the interview. You will be asked a series of questions about your circumstances and I will record your answers on this form' (show the customer the review form /supplementary form/questionnaire as appropriate).
- 'I must leave my mobile phone on during the interview and I may receive a call from a colleague or another customer which I will have to answer. If I do receive a call it will not be about your claim. I apologise if we are interrupted by a call.'
- The questions have been arranged in an order that it is very important for me to follow closely. You may think that some of the questions on the form do not apply to you but I have to read out the whole form so I hope you will bear with me if you find that some of them are not relevant to your situation.
- With a few questions I will show you a card with a choice of answers for you to choose which describe your circumstances.
- It is very important that you answer as accurately as you can. Ask me to clarify if you have any doubts about the questions. I will ask you to get any papers, so we can check the details, at the end of the interview. I must complete each question in turn once I have started. At the end I will read the completed review form/supplementary form/questionnaire back to you and ask you to sign the Statement of Circumstances.
- You may be contacted by telephone after you have been interviewed to give feedback on our customer service.'

7505 It is important that you are aware of the likely concerns of the person who is being interviewed. You should be sympathetic to the customer's needs and try to allay any suspicions they may have about the reason for calling to see them. You should allow time for the customer to relax and

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you should advise the customer what form the interview will take and the approximate time it will take.

7506-7509

## **Verification of identity**

7510 Before the interview begins, you must verify the identity of the customer. You must show the customer the Identity Show card and ask them to produce two forms of ID from the list.

7511 The Secure NiNo Allocation Process Guide (SNAP Guide) states the procedures necessary to verify a customer's identity. No single document can prove a customer's ID, and you must ask to see as much evidence as they need to satisfy themselves that they are dealing with the right person.

7512 If you are suspicious about the validity of any documents produced, you should not terminate the interview. Instead, you should continue with the interview being careful not to alert the customer to your suspicions and refer the case to FES/LA Fraud.

7513 If customers cannot produce documentary proof of ID, you should ask open questions about their background. You will consider what reasons the customer gives for not being able to provide documentary evidence and consider their plausibility.

7514 There could be circumstances when the customer has little or no evidence of identity, for example, a customer fleeing domestic violence, asylum seekers etc. You should question the customer carefully about their job, address, and benefit history, to help establish their identity.

7515 After the interview you should detail on FREDa the explanation given by the customer. You must note whether you are satisfied that the customer's identity is not in doubt.

7516 If a customer provides a debit card, credit card, cheque guarantee card or any other type of card as evidence of ID only, you must only record the name of the card issuer, account holder and the last five digits of the account number. Full account numbers must only be used where it is necessary to identify the account e.g. on form A42.

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7517 You must not record the sort code, security number or expiry date of the card. Recording these details is a security risk for the customer and collecting this information may be a breach of the Data Protection Act (DPA) because it is not necessary in order to verify ID.

*Note: See Appendix 8a and Appendix 10. You must verify all relevant aspects of the case as detailed within this appendix and record them on the Statement of Circumstances which the customer must sign.*

## The structured interview

7518 You must carry out the interview in a research style based on the following principles:

- **Uniform** - all interviews must be conducted in the same way
- **Formal** - ensuring the prescribed introduction is adhered to
- **Structured** - to ensure all questions are asked in the same way

As the customer is not required to sign these documents you will also need to obtain a signed statement from the customer on a specially designed form, the Statement of Circumstances see Appendix 8a.

7519 A research style method is used because this is a measurement exercise. You must carry out the interviews in the same way and by all MROs to ensure the collection of unbiased information.

7520 It is important that you ask all the questions on the appropriate forms. For State Pension Credit (SPC), Income Support (IS), Employment Support Allowance (ESA) and Jobseeker's Allowance (JSA) the MRO should complete the benefit review form which is appropriate to the benefit.

- Form PC2 is completed for SPC customers
- Form A2 is completed for IS customers
- Form ESA2 is completed for ESA customers
- Form JSA2 is completed for JSA customers
- Appendix 9a is completed for single-review HB cases

7521 For joint reviews you will complete the appropriate benefit review form and a supplementary questionnaire to gather information for Housing Benefit (HB).

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7522 You must ask all the questions without amending the wording of any questions or altering the order as this may produce different answers and may affect the outcome. The methodology must be followed so that the measurement results are not compromised.

7523 If the customer does not understand a question the first time you should repeat it. You can read out the explanation of the question; however you must not lead the customer into an answer.

7524 You should use pauses to elicit information, but not prompt the customer and neither should you presume their replies. You should not give an opinion on any of the questions even if the customer asks for one.

7525 The questions on the review form/supplementary form should be asked without apology or embarrassment even where the questions seem irrelevant. You will control the interview in a friendly but businesslike way listening to the customer and keeping the situation neutral.

*Note: for guidance on completion of FRED A please refer to FRED A guidance*

7526-7529

## **The show cards**

7530 When conducting a review of a customer's benefit you will use the latest versions of the PM show cards to ensure consistency of methodology.

7531 Wherever possible, the show cards have been designed to mirror the review forms/supplementary forms/questionnaires and will list the choices available to the customer under each of the above categories. When you come to the appropriate section of the review form/supplementary form/questionnaire they must present the customer with the relevant show card asking them to read the details on the show card to ensure that all the available possibilities are brought to the attention of the customer in a uniform and structured manner. You must record the customer's response on the review form/supplementary form/questionnaire.

*Note: See appendix 6 for examples of show cards.*

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## Completion of the benefit review form/PM supplementary form/PM questionnaire

7532 You will not ask for any more verification until the review form/supplementary form/questionnaire has been completed. You must confine questioning the customer about discrepancies, obtaining further information for the technical benefit checking MRO or discussing areas arousing suspicion to the part of the interview after the review form/supplementary form/questionnaire has been completed. You must complete the Statement of Circumstances:

- with any statement the customer makes regarding discrepancies
- regarding further information required and by what date the customer agrees to supply it

7533 During the interview you will make note of any matters you wish to raise with the customer later. You need not verify other benefits paid by DWP that are declared on the review form/supplementary form/questionnaire as these will have been verified from DWP systems during the preview.

7534 After the interview has taken place, you must carry out any necessary follow up checks, and obtain any appropriate verification. You will ensure that all matters relating to the claim/application have been fully documented on FREDAs.

*Note: You should verify Child Trust Fund accounts as per methodology. However, the only effects this type of account can have on benefit are where the contributions being made to the account cause deprivation of capital, or if the child died before the age of 18. There is no effect for the children on any benefits or CTC, regardless of the amount within the account. All children born from 1/9/2005 will have a CT account, regardless of whether a parent/guardian opened one, as Her Majesty's Revenue and Customs (HMRC) will have set one up by default.*

7535– 7549

## Missing case paper/evidence identified at preview

7550 At the review you will obtain:

- a fully completed review form/supplementary form setting out the customer's circumstances as at the date of the MRO review together with:

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- a signed Statement of Circumstances covering the customer's circumstances in respect of the selected period
- any further evidence/verification required supporting the award in respect of the selected period (e.g. details of capital held) recorded on the Statement of Circumstances.

7551 - 7559

7560 As part of the review along with the review form/supplementary form/questionnaire you must complete a Statement of Circumstances. This is to be used to verify all information given by the customer e.g. details of income, Permitted work for ESA, documentation seen e.g. evidence of identity and discrepancies identified during the interview. See Appendix 10a

7561 When obtaining verification you will act reasonably, only asking for information that a customer can reasonably be expected to provide. The Data Protection Act 1998 requires that all information or evidence collected for a benefit claim must be adequate, relevant and not excessive. You must record evidence collected and checks made clearly and you must be able to show:

- Any relevant documents that were seen were accepted as being original
- his/her identity
- the date on which he/she saw the document
- the relevant details contained in the document
- Bank/Building Society Statements – on the Statement of Circumstances you must record name of account holder(s), organisation, balance, date of statement and last 5 digits of the account number. (No other information is required)
- wage slips – 5 weekly paid, 3 fortnightly, 2 calendar monthly or 4 weekly. Gross and net amounts, any deductions, amounts and what they are for, payment frequency and date
- DOBs can only be verified using Birth Certificates, passports or driving licences - on the Statement of Circumstances record name and date of birth only (no other details required). Passport does not have to be a current valid passport, providing you are satisfied it relates to the customer/partner/child
- utility bills etc used for evidence of identity - on the Statement of Circumstances record name, address, date and service provider (No other information required)

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- tenancy Agreement/Rent book/Housing Association notice of rent increase should show the name and address of the landlord, the amount of rent whether any service charges are included and the date of the change or start date of the tenancy

7562 Dates of birth must be verified for all members of the assessment unit (except where Child details have migrated to HMRC). Proof of tenancy, residency, income, capital and, where there are non-dependants, their income, should all be verified and recorded on the Statement of Circumstances. It is no longer necessary to verify benefits/entitlements at the interview, if the information is available from the DWP system.

7563 Where the child elements of a case have migrated to HMRC the children's date of birth should only be verified where their age affects the customer's conditions of entitlement e.g. lone parents.

7564 Due to the fact that the number of household members affects the size criteria where LHA is in payment, or where size criteria restrictions are applicable, it is important that you obtain proof not only of non-dependants' income, but also evidence of the residence of all household members, and also the age and gender of all resident children.

*Note: household members include dependants, non-dependants, boarders and sub tenants. It is also important to establish whether there is a non resident carer who uses an additional bedroom as this may affect HB entitlement.*

7565 Where you have been unable to verify benefits/entitlements that are in payment prior to the interview, and in all Standard HB cases, sight of the award notice or other printed output from the paying agency should be requested at the interview and details recorded on the Statement of Circumstances.

7566 Details of all verification seen must be fully recorded on the Statement of Circumstances together with details of any changes of circumstances.

7567 Where a change of circumstance has been identified at the interview, you must establish and record the details on the Statement of Circumstances on whether the change has been reported, who it was reported to and the date it was reported.

7568 If the customer fails to declare something on the original claim which could affect the amount of benefit in payment, and subsequently discloses

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this at the review this should be documented on the Statement of Circumstances.

7569 In cases where the original claim form has not been presented for check, you should use the Statement of Circumstances to record the customer's circumstances to substantiate the award that is currently in payment.

7570 In addition to recording the evidence seen in support of the claim, you should complete the change/no change section of the Statement of Circumstances. You should read the details of any changes recorded on the Statement of Circumstances to the customer, agree that it is a true representation of their circumstances, then both you and the customer should sign the statement. Any alterations made must be initialled by both of you.

*Note: if there are items to verify where the customer does not have the details, the customer may be asked to sign for an agreed date by which they can supply them e.g. bank statements.*

## **Evidence of Date of Birth**

7571 Dates of Birth should be verified for all members of the assessment unit using birth certificates wherever possible. If a birth certificate is not available then a driving licence or passport can be used for adults, and a CHB award notice can be used for children. These are the only documents that can be used to verify dates of birth. Full details should be recorded on the Statement of Circumstances.

## **Evidence of Residency and Rent**

7572 You are required to establish evidence of the customer's residency and liability to pay rent. FREDA should be noted with details of the documentation seen. In all Rent Rebate cases, evidence of the customer's tenancy and rent liability will be available from the LA records. In rent allowance and LHA cases the customer should be able to provide evidence. The following are acceptable as evidence of tenancy:

- tenancy agreement
- rent book
- letter from landlord; or
- letter from landlord's agent

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7573 These documents should show:

- the full name and business address of the landlord
- the full name and business address of the managing agent
- the date the agreement started
- the amount of rent payable
- what is included in the rent, for example, fuel, water, meals and other support charges, personal care, general counselling and support, cleaning of rooms and windows, and emergency alarms
- the payment period or frequency, for example, weekly, monthly, four weekly and whether it is in arrears or advance

7574 Some tenants of Registered Social Landlords (RSLs) may have difficulty in providing tenancy agreements. In such cases you can use information from up-to-date schedules provided by the RSL, provided the customer's details match those on the schedule or by contacting the Housing Association direct.

7575 In all cases you should cross-check rent details against:

- Benefit records, this may indicate someone else claiming from the same dwelling
- Council tax records where possible. This may show inconsistencies, for example a lone parent who has declared no other adults in the dwelling but has not claimed the single person occupancy discount.
- Surnames of dependant children against the name of the landlord and any non-dependants in the household. If surnames are the same, further inquiries must be made in order to establish if there is any relationship between the landlord and non-dependant that has not been declared.

7576 You must record the following details:

- the type of evidence provided, for example, tenancy agreement, letter from landlord
- the name and address of landlord
- if appropriate, the name and address of the managing agent
- the date the agreement started
- if appropriate, the date the customer occupied the property
- the amount of rent payable and the payment period or frequency, for example, weekly

7577 You must also record what services are included in the rent. Where service charges are included in the rent you must obtain a breakdown of these charges. Information can be obtained from one or more of the following sources: LA system prints (for LA properties), Tenancy

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Agreement (LA should provide), rent book, Housing Association notice of rent increase should show the amount of rent and whether any service charges are included and Housing Association Schedule (LA should provide).

7578 If the information cannot be obtained from any of the above sources the customer must be asked to obtain it. All service charges included in the rent should be recorded on the Statement of Circumstances listing each individual change.

7579 If a private tenant is unable to provide a tenancy agreement or other documentary proof listed above, you must contact Land Registry to check ownership of the property. This should either eliminate the customer as the owner of the property or provide evidence of fraud. The landlord will not necessarily be the registered owner.

7580 If there is no evidence held by the customer or by the LA to support rent liability, then the LA is paying HB in error and this should be recorded as such.

*Note: You should not contact private landlords. The information should be provided by the customer.*

## **Evidence of non-dependants**

7581 Where there is a non-dependant present in the customer's household who is in receipt of benefit, this can be cross-checked with the non-dependant's records. Proof of the non-dependant's income where available, should be seen and details recorded on the Statement of Circumstances.

7582 If the customer is unable or refused to provide evidence of a non-dependant's income the LA will apply the highest rate of non-dependant deduction to the HB award.

## **Verification of employment income**

7583 If the customer or their partner declare earnings from employment the appropriate evidence is required. The five weeks covering the review should be examined. The following are all acceptable as evidence of employment income:

- Recent wage slips (5 if paid weekly, 2 if paid monthly, 3 if paid fortnightly)

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- Certificate of earnings from the employer. This must include a declaration, signed by the employer, stating the information contained in the statement is true and complete
- Letter from the employer, which must show the same details as the certificate of earnings; or
- Completed A15 from employer

## Customers with Irregular Earnings

7584 Customers, who according to the terms of their employment, are not paid regularly throughout the year, should have their earnings averaged over a reasonable period of time in order to estimate the earnings more accurately.

For example, a university lecturer does not have any earnings for 2 months each year. It would be unfair to use those two months' wages to calculate the earnings. Therefore, the MRO must obtain the most appropriate wage slips and use these to average the customer's wages over an appropriate period of time in order that the average weekly earnings can be estimated accurately. However, the length of time used must not exceed a year.

7585 FREDA must be fully annotated, for these particular cases, with how the earnings have been calculated, over what period and the reason why they have been averaged in this manner. As long as this has been done and is understandable, logical and mathematically correct an error will not be recorded.

7586 You are required to record the following information:

- The name and address of the employer,
- the number of hours worked, and over what period,
- gross income for the period covered,
- income Tax deducted for the period covered,
- National Insurance contributions for the period covered,
- occupational pension or personal pension contributions made by the employee,
- any Trade Union deductions; and
- method of payment, for example, cheque or directly into a bank account

## Verification of Savings/Capital

7587 The aim of the Performance Measurement review is to establish as accurately as possible the amount of capital held by the customer at the date of the PM review, as the amount of capital may affect the benefit

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award. However it is unlikely that every customer will have to hand complete verification of the capital up to the date of the review visit, so any Performance Measurement request for further information must be reasonable in the context of establishing the correctness of the benefit award in place at that time. You are required to verify the amount of capital for all members of the assessment unit, including dependant children. You should also have regard to any unusual activity on the account, (e.g. large or frequent deposits or withdrawals). The tariff income/assumed income threshold starts at £6,000.01 for customers under 60 and at £10,000.01 for customers 60 or over from 2<sup>nd</sup> November 2009. Any capital should be verified.

7588 Listed below are some of the main types of evidence a customer may be able to provide. This list is not exhaustive.

- Latest bank or building society statements. Mini statements are not acceptable as they do not generally show the account number or name of the account holder.
- A letter from the organisation that holds the capital (for example, bank, building society or insurance company). The letter should detail the type of account, the balance outstanding, any transactions occurring in the last two months and the account number.
- Share certificates, premium bonds, building society passbooks, National Savings Certificates showing the issue number and the number of each issue held.
- Internet bank accounts. Computer printouts obtained by the customer from their PC showing details of their account, deposits, withdrawals and current balance are acceptable evidence. You should only consider contacting the customer's bank where there is reason to doubt the evidence provided by the customer.

7589 If the customer is unable to provide verification of a bank account, and to ask him to obtain duplicate statements would cause him to incur a financial outlay, you should consider completion of form A42.

7590 You must record details of capital and savings (including the date of the balance verified) on the Statement of Circumstances, details must include the name of the institution, type of account, name of the account holder, last 5 digits of account number and current balance. (Any large or unexpected regular deposits should be probed later). Photocopies of bank statements etc. are **not acceptable** substitutes for a fully completed Statement of Circumstances.

## Verification of other income

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7591 You are required to verify the income of all members of the assessment unit. The amounts in payment, relevant names and addresses of payees and any reference numbers should be recorded. If CTC or WTC is in payment, the award should be verified from the award notice, or if the award notice is not available, from CIS.

## Verification of Tax Credits

7592 You are required to verify the amount of Tax Credits in payment. The award notice is the best source of information for Tax Credits and should be used, for example, to check that the number, names and dates of birth for any children correspond.

7593 If, at interview, you obtain an award notice from the customer, you must record on the Statement of Circumstances that this has been provided. In order to avoid duplicating what can be lengthy details from the award notice, you must record on the Statement of Circumstances that a copy is attached. On returning to the office you must take a copy of the award notice and attach it to the Statement of Circumstances. The original must then be returned to the customer.

7594 If, at interview, the customer refuses to let you have the award notice, full details must be recorded on the Statement of Circumstances.

7595 If the customer is unable to provide verification at the time of the interview, you must record on the Statement of Circumstances the date by which the customer agrees to provide it, signed by the customer.

7596 You can then make an appointment to call back at a mutually agreeable time when the customer will have the documentation required.

7597 If this is not possible then you can use one of the following options:

- Leaving a copy of standard letter Appendix 5c and a pre-paid addressed envelope with your name written on the front.
- Ask the customer to sign form A42(s) (to send to the banks etc. to check savings) to enable you to seek verification directly from the bank.
- Issue a certificate of earnings form to the employer for wage details.

*Note: A42s and A15s should be used only as a last resort as both are time consuming.*

7598 LA Regulations allow the customer a period of one calendar month to furnish the necessary verification from the date it is requested, (except in

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fraud cases), so you must keep tight control of these types of cases. If the information is not received within this timeframe, you should refer the case immediately to the LA Decision Maker to decide if the claim should be suspended. This does not apply if the outstanding verification is confirmation of savings that are well below £5,500 (e.g. £13.00 declared) and there is no suspicion of fraud.

7599 If you have not been able to see the required verification, the steps you have taken to satisfy yourself that the customer's identity is not in doubt should be recorded on FREDa.

## Structured probing

7600 It is your responsibility to clarify any discrepancies established during the PM review and to question the customer about areas that have aroused your suspicion. However you must exercise caution that you do not jeopardise any potential Fraud activity.

7601 If you only see the customer at the 2<sup>nd</sup> or 3<sup>rd</sup> visit or interview them in the office (or other specified location) following ineffective visits, you must question the customer as to their whereabouts at the time of the previous visits.

7602 You must conduct these interviews in a considerate and uncritical manner, as there may be an acceptable reason for the customer's absence. You must record the customer's response on the case narrative, as this may be influential when recommending a case categorisation.

7603 When the review form/supplementary form/questionnaire have been completed and verification has been obtained and recorded on the Statement of Circumstances, you must clarify any discrepancies identified during their completion.

7604 Where the customer has stated that a change of circumstances has been notified to DWP or the LA, or a new application for Pension Credit has been made, you will need to liaise with the PCP/ECO/LA to see if the notification, or new application, was received by the DWP. The MRO/PCP/ECO/LA will need to check the paperwork relating to the case and all paperwork waiting to be processed to establish whether the information had been received by the department and if so when. If the notification was received, you will need to establish whether the information has not been processed due to a backlog of work or whether the notification had not been processed for some other reason.

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## Clarifying Discrepancies, including where the original case paper is missing

7605 You must obtain clarification from the customer when discrepancies arise. You must establish the following information where the customer has declared a change during the interview they believe the department is already aware of, or where the original case paper is missing as you must establish what the customer reported when they originally claimed:

- what is the change
- what is the date of change
- how was the change notified i.e. in writing, over the telephone
- who was it reported to e.g. name, office, department etc
- when was the change reported
- if the change covered income, whether there has been any subsequent changes
- had they checked the award notice to see if it reflected the change
- had the customer made the assumption that their benefit was not affected

7606 The exact questions that you must be ask will vary according to what the benefit recipient tells you and what you need to discover. There is not a prescribed list of questions, [Redacted].

7607 You should record the customer's response on the Statement of Circumstances, detailing the customer's change in circumstances where the customer has not been able to provide actual proof of the declaration e.g. letter from the office or copy of their declaration.

7608 Where the customer has admitted that they have not declared the change to the office and you have no suspicions around the reason for non-declaration i.e. the change was admitted freely and/or the customer was under the impression we did not need to know until we had shown them, for example, the show cards, you should establish the reason for non-declaration and record this on the Statement of Circumstances.

7609 If you have suspicions around the reasons for the non-declaration you should follow the guidance under '*Areas arousing suspicion*' and may decide that an FRF to ascertain the facts is now more appropriate.

7610 For any JSA cases, if during the interview the customer advises that they are not looking for work or adhering to the contents of their JSAg you

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will record the comments on the case narrative and bring this to the attention of the technical benefit checking MRO.

7611 It is possible that in seeking clarification or trying to discover the reason why a change of circumstances has not been recorded that the benefit recipient will provide answers that could lead to consideration of further action by FES/Compliance and possible criminal proceedings. It is important, therefore, that you gather sufficient information to provide a robust fraud referral.

7612 There is a risk that you may compromise a potential prosecution by probing too deeply; however you should not allow this to deter you. It is far better for you to establish more information. Insufficient detail impacts on our ability to categorise errors correctly and can lead to weak fraud referrals.

7613-7629

## **Areas arousing suspicion**

7630 When you have clarified any discrepancies then you must question the customer about any possible areas that have aroused suspicion during the interview e.g.

- the customer may have an undisclosed partner
- undisclosed earnings, full or part-time
- undisclosed income such as CTC or WTC
- occupational pension under-declared or not declared
- increase in capital not declared
- non-declared capital

7631 During the PM interview you may question the customer about a discrepancy noted at preview or about a situation which has aroused suspicion during the interview.

7632 You will resolve many issues by careful questioning but if you are unable to resolve the suspicion then you should stop the line of questioning and continue with the review.

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7633 The point at which to stop the questioning is a judgement for you to make, and you must be aware that in-depth questioning of a customer concerning an area arousing suspicion is appropriate to an Interview Under Caution (IUC) and this is not part of your function. Similarly you will not undertake LT interviews; these are to be carried out by nominated officers.

7634 You may find that in probing areas that have aroused suspicion that you identify potential fraud. You must probe in exactly the same way to obtain the level of detail as you would when clarifying discrepancies, in order to establish sufficient information to enable you to categorise the case or provide a robust fraud referral.

7635 Although you must explore any issues that require clarification, you must not jeopardise any potential Fraud activity by proceeding with in-depth questioning, particularly on a past period.

7636 There may be occasions when the customer admits an offence and it is recommended that you should take a Statement of Circumstances from the customer and the PM review is terminated. You should consider referring a case to DWP FES/LA Fraud based on the evidence obtained during the review, if there is a suspicion that further fraud is being concealed. If there are no further suspicions over and above the admission made, the Customer Fraud category should be recommended and an FRF sent to FRAIMS/referral made to LA Fraud as appropriate. You should obtain sufficient evidence on the Statement of Circumstances to allow the DM to make a decision.

7637 If the customer has to be questioned about an offence then the customer must be interviewed under caution by Fraud as they will not be able to pursue Administrative Penalties or Prosecution if your questioning goes beyond simple fact-finding where an offence is suspected.

## ESA

7638 As part of the review, you will observe the customer where they are suffering from a physical incapacity. You will factually record any apparent discrepancies identified at the review compared to the incapacities recorded on the latest WCA held e.g. when you arrive at the customer's home they are up a ladder washing their windows. The incapacity held by the Department is vertigo and the customer confirms this at the review.

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7639 You should ask the ECO to obtain a DM decision/opinion on whether to refer for WCA action

- If the DM decides the cases should be referred for a further assessment the case will be categorised, noting it has been referred for reassessment. You are not required to await the outcome of the referral. FEMA will track these cases as requested.
- If the DM decides no further action is required the case will be categorised as normal
- If the DM decides the case should be referred to Fraud then normal fraud methodology will be followed

## Before the statement is signed

7640 If the customer has failed to declare on the original claim something which could affect the amount of HB in payment, and subsequently discloses this to you and you decide that the customer failed to disclose with a clear intent to defraud, then the interview should be terminated and the case referred to the LA Fraud section or submission of an FRF considered if DWP fraud is suspected. If the customer insists on making a statement, the statement should include the words **“I understand that this statement is made without prejudice to any action the Department may take against me”**. If, however, you are satisfied that the customer has made a genuine mistake, the review should be completed and passed to the DM and categorised as Customer Error. For example; an elderly customer who is confused, failed to declare premium bonds which increased her assessed income.

## Joint Reviews of SPC and HB

7641 Where the interview identifies that an application for Pension Credit has been made, which is currently outstanding, you should seek to establish when that application was made.

7642 If you discover discrepancies that may impact on the amount of Pension Credit in payment, you will have to perform structured probing (covered later in this chapter). This is to ascertain when the discrepancy occurred, whether the correct information was declared when the Assessed Income Figure (AIF) was set (including income changes that were imminent and which would have led to an Assessed Income Period [AIP] not being set).

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## Welfare issues

7643 It must be stressed that your role as an MRO in the measurement exercise is to conduct a research style interview for the purposes of a review. However, it has been agreed with Jobcentre Plus and the Pension Service that you should give general advice where appropriate. In circumstances where a customer raises individual concerns or complaints, you should direct them to the local LA, DWP office or Pension Centre.

## If the Claim Information Has Changed

7644 You should also advise the customer about what will happen to their claim. You must explain the process to the customer using the following preferred form of words:

**‘If any of the information you have supplied is different to that used by the Local Authority to assess your Housing Benefit, or by DWP to assess your Pension Credit/Income Support/Jobseeker’s Allowance/Employment and Support Allowance it will be passed to the relevant Decision Makers to decide if it affects the amount of benefit you receive.’**

And

**“If that happens and you are unhappy with the decision you can ask for reconsideration or appeal to an independent appeal tribunal.”**

7645 You must never disclose third party information to customers when discussing possible non-dependants identified from CIS.

7646 You will have regard to the level of information that the customer has provided and whether the customer has an established history of declaration/non-declaration. Where the level of proof is considered to be high then you will need to take that into account when considering error categorisation.

7647 Any areas which you cannot resolve may need to be investigated further and this may result in you referring the case to LA Fraud or DWP FES.

## Verification requested by the visiting MRO

7648 If evidence is not available at the review, you may either make a return appointment to collect the evidence or request the verification to be sent

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through the post. You must decide on the best method of obtaining the required evidence taking into account the cost effectiveness of their action and be able to justify that decision if required. A pre-paid envelope addressed to the PM MRO "restricted, do not open on post" c/o the ECO/PCP or the PM BST should be included with a partially completed standard letter. However arrangements for the control and return of post will be up to the individual PM team to decide on best practice.

*Note: You will ensure that the post is date stamped on receipt.*

7649 You should agree a timescale of provision of the information with the customer, based on what is being asked for. This agreement should be recorded on FREDa and the Statement of Circumstances that the customer has signed. This will ensure that the case is processed promptly and efficiently, and that follow-up action can be taken if the agreement is not kept to. It will also assist the DM with determining if the benefit can be suspended if the information is not provided.

7650 Under exceptional circumstances you may ask the customer to sign form A42; this allows you to seek verification that the customer cannot produce. In cases where an A42 is required, you will issue the appropriate standard covering letter.

7651 If you have been unsuccessful in obtaining verification from the customer, you will request suspension of benefit. You will refer the case to a DM via the ECO/PCP/LA for a decision as to whether the suspension of benefit is relevant, and update FREDa, retaining responsibility for completion of the review until the result of the suspension is known.

## **Action after the visit**

7652 Where you identify that further evidence is required to support the claim you must issue the appropriate PM standard letter.

*Note: see Appendix 5 letters*

## **Noting IS/JSA 110 (Notepad) and LA notepad**

7653 On completion of the interview, you should liaise with the ECO/PCP/LA Contact and the note originally in IS/JSA dialogue 110/LA notepad should be deleted and replaced with an entry stating that the MRO visit/interview has been completed.

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7654 The correct wording for notepad entries for ESA/IS/JSA and SPC cases with no AIP is:

PM Visit/Interview completed on -----  
By -----  
Mobile Number -----  
Do not remove until -----/-----/----- (insert date 6 months after visit/interview undertaken)

7655 If the customer is a pension case and there is an AIP the correct notepad entry should read:

PM Visit/Interview completed on -----  
By-----  
Mobile Phone Number-----  
Do not remove until ----/----/----- (insert end date of AIP or date 6 months in the future if AIP ends before 6 month period is completed)

If the customer is a HB case the correct notepad entry should read:

PM visit completed  
Visit conducted on ----/----/-----

*Note: this entry will not be appropriate if the case has been suspended as the review has failed to take place.*

## Outcomes notified to the LA

7656 You will send a decision form (Appendix 11d) which highlights any errors discovered during the review, but does not include a copy of the reassessment) along with a copy of the Statement of Circumstances plus any supporting evidence.

7657 Accuracy sheets (Appendix 11c) must still be completed in order to work out the errors in isolation, but not sent to the LA. A copy must be retained in the PM docs for Peer check and DQA check.

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*Note: Accuracy sheets must be completed in all cases where there is a change to HB.*

7658 Where there has been no change to the rate of HB between the selected week and the review week, FREDAs should be annotated: '*no accuracy check has been completed in the review week as no discrepancies found*'.

## **Joint Reviews hand off for the passporting benefit official error check**

7659 You must wait 10 working days for the LA to agree any HB reassessment before recording any error on FREDAs. Most LAs will respond within 5 working days. If the LA does not respond within 10 working days, you should question the LA why there has been no response and record the outcome. Errors can be recorded either once the LA has agreed them, or if there is no response after the 10 working days have expired. The PM docs may then be sent for the official error check of the passporting benefit to be completed.

## **Follow Up Checks**

7660 You may need to make follow up checks after the interview to obtain information to assist with the recommended category. This could include:

- details of customer's earnings/hours worked,
- employment start dates,
- date the customer was engaged by the employer/date customer offered position,
- any other form of verification if documentation was not available at the interview, and
- further system checks if appropriate

7661 Any discrepancy should be noted on FREDAs and if you suspect impersonation or that the original claim/application is false an FRF or LA Fraud referral should be completed.

7661 - 7699

## **Completion of FREDAs**

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7700 FREDa must capture all aspects of the case after completion of the visit preparation and review, including references, where appropriate, as listed.

- a summary of the review interview, including any probing of discrepancies carried out, and any queries resulting from the technical preview
- a summary of any additional statements taken on a Statement of Circumstances
- where the customer does not have 2 forms of ID from the show card record what steps you took to confirm the customer's ID and why you are satisfied that ID has been confirmed for the customer, partner and where appropriate other members of the household
- full details of any follow up action, further checks or telephone calls
- if the methodology was not followed, the reason for this
- the recommended category and the reason for the recommendation is essential in all cases

7701 You must not use other forms to record the details of a visit, nor should you only refer the technical benefit checking MRO to the questionnaire when summarising the outcome of a review. You must not make any local amendments to any of the PM forms as this will impact on the consistency of the measurement process.

7702 - 7709

## Post interview action

### Recording the result of the review on FREDa

7710 You will record the review on FREDa, for each case where a review has been carried out and also for cases that have been abandoned.

7711 Any aspect of the technical preview check that has been cleared at the visit should be shown clearly on FREDa.

7712 The technical benefit checking MRO will record the result of each case reviewed, abandoned and/or amended as a result of information being provided on to FREDa on a daily basis.

*Note: the technical benefit checking MRO and the visiting MRO will be responsible for the input of data onto FREDa, with the exception of*

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*abandonment requests. However, there is discretion by team managers to interchange roles if operational needs require this.*

## **Recommending a category**

7713 You will retain responsibility for follow up checks/obtaining incomplete information/evidence/verification until the end of week 4 of the PM visit. An exception is where you will be required to hold and track cases where PM identify the customer has gone abroad without notifying DWP, until the customer returns to UK or allowable absence period is exceeded.

7714 When you are satisfied that all incomplete evidence/information/verification has been received, you will recommend a case categorisation based upon the facts of the case.

7715 All relevant information/evidence/verification in support of your recommendation must be recorded on FREDa. The case must then be referred to the technical benefit checking MRO for consideration of the recommended category. They will take responsibility for the final categorisation of the case having regard to the facts supporting your recommendation.

7716 You will return all completed cases to the technical benefit checking MRO with a recommendation for categorisation as soon as a successful review has taken place and all relevant information has been received. The technical benefit checking MRO will then consider the facts of the case presented by you and will agree or disagree the recommended case categorisation.

7717 For cases recorded on FREDa, you will be able to access the case details as soon as the case has been handed off to you regardless of location. You may therefore be able to progress the case further pending receipt of the relevant case paper.

7718 Where you have identified a change to the customer's benefit, which has resulted in the need to re-assess the case, the technical benefit checking MRO will anticipate the impact of the change on the customer's benefit and will calculate any under/over payment and will record the outcome on FREDa. A full explanation should be recorded on FREDa documenting how the error has occurred, the reasons for the recommendation and showing any calculations used.

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7719 The technical benefit checking MRO will inform the ECO/PCP of the change by completing the categorisation notes screen on FREDa to advise of the change reported by the customer. For HB reviews Appendix 11d, the Decision proforma is to be used to notify the LA contact of interim outcomes.

7720 When PM action has been completed you will liaise with the LA Contact/ECO/PCP and the LA Contact/ECO/PCP will update IS 110/JA 110/LA notepad screen. The technical benefit checking MRO must update FREDa.

## **Passporting benefit ceases – underlying entitlement to standard HB**

7721 In Joint Reviews where the passporting benefit ceases it is expected that you will estimate the underlying entitlement to standard (non-passported) HB. However, it is recognised that in the majority of cases the information needed to complete a standard HB assessment is not available to you at the time.

7722 You must try to estimate underlying entitlement if the relevant information is readily available (including cases where underlying entitlement can be estimated as nil).

7723 You should complete the outcome screen on FREDa indicating that standard HB cannot be estimated.

## **Technical benefit checking MRO to finalise FREDa – reducing the number of handoffs**

7724 In Joint Reviews, you will complete FREDa following the review visit including the Recommendation Outcome screen.

7725 The technical benefit checking MRO will then complete their action as normal. They will go into FREDa entering an HB full award error where the passporting benefit has ceased and submit the End Case Review (without undertaking any additional checks on the HB review).

7726 - 7999