

What happens if I refuse to provide the information?

A refusal may be considered to be an intentional obstruction of our enquiries. Obstruction is a criminal offence under Regulation 6 of the Council Tax Reduction Schemes (Detection of Fraud and enforcement) (England) Regulations 2013.

If you require further information:

This information is based on the Department for Work and Pensions Code of Practice on obtaining information from employers, contractors and self-employed. You may ask to see a copy of the full code.

If information is sought by a visit, the Local Authority officer will carry copies of the Code with them for you to see.

You may request a personal copy. This will either be given to you at the visit, or, if the request was made in writing, or in any other circumstances, sent to you.

You may also inspect the Code of Practice on the Borough Council of King's Lynn & West Norfolk website:

www.west-norfolk.gov.uk

If this does not provide the information you require you may request clarification from the office which issued the information request.

If you wish to complain:

If you do not think the request, or the manner in which it was requested, was reasonable you may wish to raise a complaint.

You should direct your complaint to the Manager of the Officer(s) who visited, or wrote, to you. If you are not satisfied with the response you receive you may write to:

Assistant Director Resources
Borough Council of King's Lynn & West Norfolk
Kings Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

Who will investigate your concerns. If you remain dissatisfied you may refer your complaint for independent review to:

The Local Government & Social Care
Ombudsman
P.O.Box 4771
Coventry
CV4 0EH
Tel: 0300 061 0614

Borough Council of
**King's Lynn &
West Norfolk**



Obtaining information from Employers, Contractors and Self-Employed

**A guide to information requests by Local
Authorities**

Why do we require information?

Occasionally people who receive benefits fail to declare that they are working, and receiving payment for the work. This is a criminal offence which we need to investigate.

Once we have identified that there is undeclared work we aim to obtain the information to confirm the place of employment, type of employment and payments received.

This information is sought from people who are defined in legislation as being in an employment relationship with the person about whom we are seeking information.

If you receive this leaflet we consider you to be such a person, from whom information may be obtained.

What information is required?

The type of information we may request from you includes:

- Name of employees
- Wage details
- Period of employment
- Conditioned hours
- Terms of employment (i.e. whether an employee, sub-contractor or self-employed)

- Bank details
- Staff/payroll number
- National insurance number
- Home address
- Date of birth

The Statutory basis of Local Authority requests

The power to request information is provided under Regulations 3 and 4 of the Council Tax Reduction Schemes (Detection of Fraud and enforcement) (England) Regulations 2013.

How is the information requested?

Information may be requested in writing, or by a visit. If we decide to visit you to obtain information, you will normally be advised in advance of our intention to do so.

This will allow a convenient time for the visit to be arranged.

However, there are occasions where, for operational reasons, advance notification cannot be given. These situations are exceptional.

Who can request the information?

Only officers specifically authorised by a Local Authority may request information on behalf

of the Council. They hold a Certificate of Authorisation for this purpose, which will be produced if you are visited for inspection.

Who can accompany an Authorised Officer?

Under the legislation, an Authorised Officer of the Council may be accompanied by anyone who is considered to be able to assist with the enquiry. In practice this will be another Council employee.

What is the Council's right of entry to places of employment?

We do not have authority to force entry. Entry is based on your consent.

Can we take away documents?

Where copies of documents are required, and cannot be made on your premises, we may wish to take them away to do so. We will only do so with your consent, providing a receipt and returning them as soon as possible.

Will I contravene the Data Protection Act by providing the information requested?

No, you are exempt from the non-disclosure provisions.