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Sponsor	Andrew Meyer
Author	Paul Fagan Madeleine Jefferies Steve Jones



## INVESTIGATIONS POLICY

<b>Executive Summary</b>	This document outlines our policy on how Orbit as a business approaches and manages Investigations.
<b>Approved by</b>	Customer Services – Senior Management Team (February 2018) and the Customer and Communities Board (April 2018)
<b>EA completed</b>	February 2018.
<b>Explain how customers have been involved</b>	Feedback on this policy will be sought from our involved customers.
<b>Consultation</b>	Independent Living, Leasehold and Tenancy Services.
<b>Applies to</b>	All staff.
<b>Scope</b>	This policy forms part of the wider Community Safety and Anti-Fraud agenda aimed at supporting teams to tackle and resolve allegations which are our responsibility as a Registered Provider.

## 1.0 INTRODUCTION

- 1.1 This policy demonstrates our strong commitment and outlines our approach to undertaking effective, legitimate and proportionate investigations in our role as a Registered Provider.
- 1.2 This policy is part of a suite under the umbrella of Community Safety and Anti-Fraud (CSAF) and covers how we will conduct investigations in respect of:
- Anti-Social Behaviour
  - Domestic Abuse
  - Hate Incidents
  - Tenancy Fraud

## 2.0 INVESTIGATION METHODOLOGY

- 2.1 We define an investigation as the gathering of all relevant information and evidence in order to determine and pursue a course of action. All investigations will be undertaken and managed by members of our CSAF teams, who are appropriately trained to manage cases that fall under the Community Safety and Anti-Fraud umbrella.
- 2.2 When conducting investigations, we will use the principles outlined in the current Home Office document *Effective ASB Case Management Principles* or any replacement publication, together with adhering to relevant policies including **Health & Safety and Lone Working**.
- 2.3 We may undertake directed surveillance e.g. person specific which includes the use of various methods including CCTV and observations if absolutely necessary and only if it is legitimate and proportionate to do so. Whilst we are not required to, any such surveillance will be in adherence with the principles of the Regulation of Investigatory Powers Act 2000 (RIPA).
- 2.4 We may also use the services of professional witnesses to assist us in securing evidence. In such situations, these will be carefully chosen and given a clear brief and remit in which to work and their activities will be monitored by the relevant Tenancy Services Manager (CSAF).
- 2.5 Where the use of surveillance (overt or covert) or professional witnesses is required, this must be authorised by the Head of Tenancy Services, or their designated deputy being a person not directly connected with the investigation.
- 2.6 We may use open source data such as Facebook and other social media applications to access relevant information to investigate allegations and manage cases.
- 2.7 All cases that are investigated will be logged and information or evidence gathered, recorded on our chosen case management system.
- 2.8 The decision to carry out or act on any information or evidence gathered is a decision that rests solely with Orbit.

### **3.0 LEGAL ACTION**

- 3.1 If a Tenancy Services Officer managing a case wishes to commence legal proceedings on a DIY basis, this must be approved by their line manager or in their absence, their nominated deputy.
- 3.2 If a Tenancy Services Officer managing a case wishes to use a legal remedy requiring the services of a solicitor or barrister, they must adhere to the **Legal Services Procedure**.

### **4.0 PRIVACY STATEMENT**

- 4.1 We collect information ('personal data') so that we can manage and support our relationship with our customers, comply with legal obligations, improve our services and achieve our legitimate business aims. We are committed to complying with data protection legislation when handling customers' data. Customers have rights around their data, including the right to access their data and to object to the way it is processed. For more information on how and why we process customers' data and how customers can exercise their rights, please see our full Privacy Policy on our website at [www.orbit.org.uk/privacy-policy/](http://www.orbit.org.uk/privacy-policy/)

### **5.0 EQUALITY AND DIVERSITY**

- 5.1 Our policies are developed in line with our [Equality and Diversity Policy](#) approach. An Equality Analysis has been conducted and the details can be accessed by clicking [here](#).

### **6.0 COMPLAINTS**

- 6.1 Anyone is able to make a complaint about the service they have received and this is managed under our [Complaints Policy](#). We do not however accept complaints based on the outcome of a case.

### **7.0 MONITORING, ACCOUNTABILITY AND REVIEW**

- 7.1 Monitoring of live cases and associated investigations will monthly by the relevant Tenancy Services Manager (CSAF).
- 7.2 We will usually carry out a review of this policy every three years or sooner if it is newly created, or there are legal or regulatory changes.