

If you sign the agreement you will have 28 days to change your mind at which point any recoveries of the Administrative Penalty made will be refunded to you.

WHAT HAPPENS IF I DO NOT WANT TO ACCEPT AN ADMINISTRATIVE PENALTY OR CHANGE MY MIND ABOUT ACCEPTING IT?

The offer is made as an alternative to the Council considering passing the case to the Procurator Fiscal for consideration of prosecution. Should you decline the offer or change your mind about accepting the Administrative Penalty, the Council will consider taking this action.

ALTERNATIVE FORMATS

To request this information in an alternative format, e.g. large print, Braille, computer disc, audio tape, or suitable language, please contact:

Local Taxation and Benefits Team
INVESTIGATION
01463 702525

WHERE TO GET HELP AND ADVICE

We strongly recommend that you seek independent advice regarding this matter. Independent and free advice is available from:

ALNESS

Citizens' Advice Bureau
☎ 01349 883333

BADENOCH & STRATHSPEY

Community Advice & Information Service
☎ 01479 810919

DINGWALL

Citizens' Advice Bureau
☎ 01349 864850

EAST SUTHERLAND

Village Advisory Service
☎ 01408 633000

INVERNESS

Citizens' Advice Bureau
☎ 01463 235345

LOCHABER

Citizens' Advice Bureau
☎ 01397 705311

NAIRN

Citizens' Advice Bureau
☎ 01667 456677

SKYE & LOCHALSH

Citizens' Advice Bureau
☎ 01478 612032

THURSO

Citizens' Advice Bureau
☎ 01847 894243 / 896796

WICK

Citizens' Advice Bureau
☎ 01955 605989

INTERVIEW FOR ADMINISTRATIVE PENALTIES



AGALLAMH SON PEANASAN RIANACHAIL

What is this leaflet about?

Why have I been asked to attend an interview concerning an ADMINISTRATIVE PENALTY?

The Council has asked you to attend an interview as it believes you have committed a criminal offence in obtaining Housing Benefit and/or Council Tax Benefit to which you were not entitled.

This means that it has enough information to offer you a sanction as a result of this offence. The ultimate sanction we are able to apply is to pass the details of your offence to the Procurator Fiscal for consideration of prosecution.

In this instance the Council has decided to offer you an alternative to prosecution and needs to explain this process to you and ask if you will accept this alternative.

DO I HAVE TO ATTEND AN INTERVIEW?

No, you don't have to attend an interview. If you do not attend the interview the Council will decide what further action it is likely to take with regard to the offence it believes you have committed.

WHO CAN COME TO THE INTERVIEW WITH ME?

You can come to the interview with anyone you wish.

You will already have been interviewed and cautioned about this offence and had the opportunity to put your side of the events. This interview will not be conducted as the previous interview and will not last as long as that interview.

WHO WILL INTERVIEW ME?

You will be interviewed by one of the Council's Investigators who has been specially trained to conduct these interviews.

Sometimes the Council will conduct joint investigations with other agencies, such as the Department for Work and Pensions and HM Revenue & Customs. If there has been a joint investigation you may be interviewed by an officer from the Council and an officer from the other agency.

If this is the case it will be made clear to you at the time of the interview.

WHAT HAPPENS AT THE INTERVIEW?

The officer will explain what the offence is that the Council believes you have committed.

The officer will explain that as an alternative to having the case passed to the Procurator Fiscal to consider prosecution, you are being offered the opportunity to accept an Administrative Penalty.

WHAT IS AN ADMINISTRATIVE PENALTY?

An Administrative Penalty is a type of fine and the rate is set down by legislation.

It is calculated at 30% of the amount of the overpayment that occurred due to the offence and is paid on top of the monies you were overpaid.

Details of the amount of overpayment and Administrative Penalty are attached for your attention.

The officer will explain the process to you and you will be asked to sign an agreement accepting the Administrative Penalty.