

Stevenage Borough Council 2017/18 Anti-Fraud Report November 2018

Recommendation

Members are recommended to:

Note the work of the Council and the Shared Anti-Fraud Service in delivering the *Anti-Fraud Action Plan 2017/18*.

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Introduction

This report provides details of the work associated with implementing the Council's Anti-Fraud Action plan for 2017/2018. The Committee are asked to note this work.

A number of reports are being used by SAFS to help ensure that the Council is both: aware of its own fraud risks; and is finding ways to mitigate or manage these effectively wherever possible.

These reports include:

- Fighting Fraud and Corruption Locally 2016–2019 Strategy produced by CIPFA in March 2016 and supported by CLG. The new strategy estimates annual fraud losses in local government at around £2.1bn (this report is based on 2013 data).
- UK Annual Fraud Indicator 2017 published in partnership by Crowe Clark Whitehill, Portsmouth University and Experian which estimates the risk of fraud losses for local government in excess of £8bn per annum.

1. Background

- 1.1 According to reports from CIPFA, the National Audit Office (NAO), the Cabinet Office, and the Private Sector; fraud risk across local government in England exceeds £2.billion each year with some more recent reports indicating levels considerably above this.
- 1.2 The Cabinet Office, Ministry for Housing Communities and Local Government, National Audit Office, and CIPFA have also issued advice, and best practice guidance to support local councils in the fight to reduce the risk of fraud and prevent loss to the

public purse. This advice includes the need for councils to be vigilant in recognising their fraud risks and to invest sufficient resources in counter fraud activities that deliver savings.

- 1.3 It is essential that to support this service the Council has in place a robust framework to prevent and deter fraud, including effective strategies and policies, as well as plans to deal with the investigation and prosecution of identified fraud.
- 1.4 The Council is a founding member of the Hertfordshire Shared Anti-Fraud Service (SAFS). Members have received detailed reports about the creation of SAFS and its progress and how this service works closely with the Shared Internal Audit Service. SAFS works across the whole Council dealing with all aspects of fraud from deterrence & prevention to investigation & prosecution

2. SAFS Activity 2017/2018- Delivery of the 2017/18 Anti-Fraud Plan Staffing

- 2.1 This Committee approved the 2017/2018 Anti-Fraud Action Plan for the Council and KPIs for SAFS to achieve in respect of delivery of the plan. See **Appendix A** for details of the 2017/2018 Plan.
- 2.2 For 2017/2018 the SAFS Team was composed of fourteen accredited and trained counter fraud staff based at Hertfordshire County Council's offices in Stevenage. Each SAFS Partner receives dedicated support and response from this team. SAFS allocate officers to work in each partner organisation. These officers act as the first point of contact for that partner's services, and will assist in developing relationships at a service level, delivering training, and working on local pilot projects.
- 2.3 In 2017/18 SAFS initially deployed 1 FTE Counter Fraud Officer to work at the Council. This officer is supported by SAFS Management and the SAFS Intelligence Team based at Stevenage. SAFS also continued to support the internal Tenancy Fraud Officer employed directly by the Council

Fraud Awareness and Reported Fraud

- 2.4 One of the key aims for the Council is to create an anti-fraud culture, that will deter and prevent fraud; encourage senior managers and Members to consider the risk of fraud when developing policies or processes to prevent fraud occurring; encourage staff and the public at large to understand the impact of fraud on the Council and to report fraud where it is suspected or identified.
- 2.5 The SAFS webpage www.hertfordshire.gov.uk/reportfraud includes an online reporting tool. A confidential fraud hotline (0300 123 4033) and a secure email account are also available for reporting fraud fraud.team@hertscc.gcsx.gov.uk. These contact details can be accessed via the Councils own website and council staff can use the same methods to report fraud or use the Council's intranet.

2.6 SAFS delivered training to a number of front line services in 2017/18 and working with the County Councils HR Learning and Development Team has delivered an E-Learning package on fraud awareness which is a mandatory requirement for all staff and can be accessed through the Councils I-Learn system.

Counter Fraud Activity

- 2.7 During 2017/18 SAFS received 189 allegations of fraud affecting various Council services.
- 2.8 At the time of this report many cases raised for investigation, in year, are still in the early stages. However, of 61 cases investigated and closed in the year fraud losses of £105,796 and fraud savings of £408,754 were identified. This is the estimated value of losses and these monies, where applicable, will then have to be recovered by the relevant service.
 - A further £21,776 in subsidy payable to the Council by the DWP, due to identified Housing Benefit, fraud will be added to the Councils HB Subsidy returns for 2017/2018. See Appendix **B** for a breakdown by service area where fraud has been identified.
- 2.9 The majority of reactive fraud work for the Council relates to housing benefit, council tax discounts and tenancy fraud. As well as those cases investigated and closed in 2017/18 SAFS assisted with advice and guidance to staff/mangers, or issued warning letters to customers, on 48 occasions across a number of service areas including HR and Housing teams.
- 2.10 SAFS completed the delivery of a framework contract for all councils in Hertfordshire to conduct reviews of council tax discounts and exemptions to improve revenue collection and prevent fraud. These services are provided with a split in costs between Hertfordshire County Council, the Police and Crime Commissioner and Hertfordshire's District and Borough councils (apportioned as per council tax precepts).
- 2.11 SAFS have worked very closely with parking enforcement officers across the District and Borough Councils to bring prosecutions for persistent misuse of Blue Badges by third parties. This relationship at the Council has worked well with Parking Enforcement, CCTV and SAFS staff conducting joint patrols to check and verify blue badges being displayed on sites across the Borough. This partnership approach resulted in eleven prosecutions for Blue Badge abuse in 2017/2018, across all SAFS Partners, and another eight Blue Badges being cancelled for suspected misuse.
- 2.12 SAFS ensured the Council's compliance with the requirements of the National Fraud Initiative (NFI) 2016/17. The NFI is a national anti-fraud data sharing exercise, conducted by the Cabinet Office every two years, across local and central government to identify potential fraud.
- 2.13 SAFS work very closely with the Councils Housing Department and in particular lead and advise the in-house Tenancy Fraud Officer. In 2017/18 10 Council properties that were being used in contravention of tenancy agreements were recovered and re-let to local residents from the Councils Housing Register. Two additional investigations regarding Right to Buy applications were rejected on the grounds that they were

fraudulent. This action prevented the sale of two properties and discounts exceeding £155,000 being claimed by the tenants.

2.14 SAFS have arranged specialist free training events for staff, covering areas including ID fraud and application fraud. SAFS continues to work with front-line staff and issue alerts and warnings of new and emerging fraud threats.

3. Transparency Code- Fraud Data

- 3.1 The Department for Communities and Local Government (DCLG) published a revised Transparency Code in February 2015, which specifies what data local authorities must publish.
- 3.2 The Code also recommends that local authorities follow guidance provided in the following reports/documents:

CIPFA: Fighting Fraud Locally Strategy

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118508/strategy-document.pdf).

The National Fraud Strategy: Fighting Fraud Together

(https://www.gov.uk/government/publications/nfa-fighting-fraud-together)

CIPFA Red Book 2 – Managing the Risk of Fraud – Actions to Counter Fraud and Corruption

(http://www.cipfa.org/-/media/files/topics/fraud/cipfa_corporate_antifraud_briefing.pdf)

- The Code requires that Local Authorities publish the following data in relation to Fraud. The response for Stevenage Borough Council for 2017/18 is in **Bold**:
 - Number of occasions they use powers under the Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014, or similar powers.

Nil. (The Council is a Partner to the Hertfordshire Shared Anti-Fraud Service and makes use of the National Anti-Fraud Network (NAFN) to conduct such enquiries on the Council's behalf)

- 2 Total number (absolute and full time equivalent) of employees undertaking investigations and prosecutions of fraud **2.5 FTE**
- Total number (absolute and full time equivalent) of professionally accredited counter fraud specialists **2.5 FTE**
- Total amount spent by the authority on the investigation and prosecution of fraud £100,000
- 5 Total number of fraud cases investigated 61 Cases investigated and closed in year

- 3.4 In addition, the Code recommends that local authorities publish the following
 - Total number of cases of irregularity investigated-

See 5 above

- Total number of occasions on which a) fraud and b) irregularity was identified.
 27
- Total monetary value of a) the fraud and b) the irregularity that was detected.
 £105,000 of fraud losses & £408,000 of fraud savings/prevention
- Total monetary value of a) the fraud and b) the irregularity that was recovered.
 Not recorded.

Stevenage Borough Council Anti-Fraud Plan in partnership with the Hertfordshire Shared Anti-Fraud Service 2017/2018



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Introduction

This plan supports the Councils Anti-Fraud and Corruption Policy by ensuring that the Council, working in partnership with the Hertfordshire Shared Anti-Fraud Service, has in place affective resources and controls to prevent and deter fraud as well as investigate those matters that do arise.

The Policy states that the Council;

- Is opposed to fraud and corruption,
- recognises the need for staff and Members to support the policy,
- expects Members and staff to adhere to the highest standards of honesty and integrity,
- that Members and staff will act in accordance with legal requirements and Council procedures
- that individuals and organisations that deal with the Council to meet the same standards.

This plan includes objectives and key performance indicators to measure the Councils effectiveness against its Policy and meet the best practice guidance/directives from central government department such as Department for Communities and Local Government and other bodies such as National Audit Office and the Chartered Institute for Public Finance and Accountancy.

National Context.

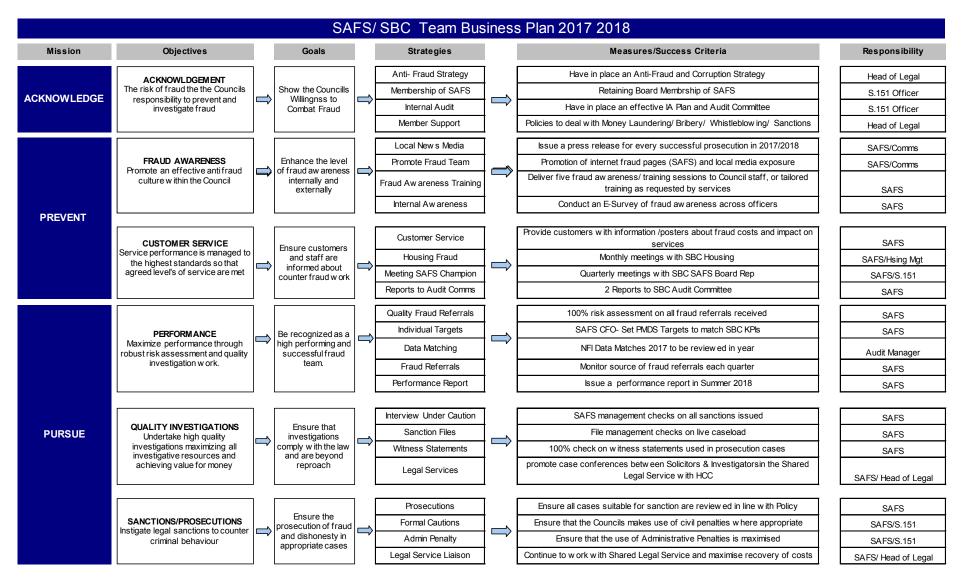
The Chartered Institute for Public Finance and Accountancy (CIPFA) *Local Government Counter Fraud and Corruption Strategy (2016-2019)* included a summary of fraud losses across councils in England.

- Actual fraud losses reported by local government in 2013 totalled £207m (this excludes housing benefit)
- Hidden fraud loss for local government was estimated at £1.9bn.
- As admitted previously by the National Fraud Authority in 2013 the scale of fraud against local government is large, but difficult to quantify with precision.
- The strategic response to fraud threats contains three main principles 'Acknowledge/ Prevent/ Pursue'.

In its 2015 publication 'Code of practice on managing the risk of fraud and corruption' CIPFA highlights five principles outlining public bodies responsibility to embed effective standards for countering fraud and corruption in their organisations. This supports good governance and demonstrates effective financial stewardship and strong public financial management

The five key principles of the code are to:

- Acknowledge the responsibility of the governing body for countering fraud and corruption
- Identify the fraud and corruption risks
- Develop an appropriate counter fraud and corruption strategy
- Provide resources to implement the strategy
- Take action in response to fraud and corruption.



SAFS Resources 2017/2018

Budget

In December 2016 the SAFS Board accepted a report from the SAFS Manager to restructure and reorganise the Service from April 2017/2018 This restructure would result in an increase in fees for all Partners. The Board agreed that the annual fee for District Councils, who held housing stock, would be fixed to £100,000 +VAT. The Board also received assurance from financial modelling that the service would be sustainable, in its current form for 5 years with an increase in fees each year at 1% from 2019 onwards.

It has been agreed that the service would be allowed to build up a small operating reserve but should this be exhausted all Partners agree to meet any shortfall in Budgets equally.

Staffing

The full complement of SAFS now stands at 14.5 FTE's; 1 Manager, 2 Assistant Managers, 8 Investigators and 2 Intelligence Officers. The Team is also supported by 1 FTE Data-Analyst and 0.5 FTE Business Support who are funded from SAFS Budgets.

For staffing – Stevenage Borough Council will have exclusive access to 1 FTE Investigator, access to intelligence functions of the service, all data-matching services being offered through the local data-warehouse and call on one of the Assistant Managers for quarterly liaison meetings, management meetings and two Audit Committees reports per annum. SAFS will continue to support the work of the SBC Housing Fraud Officer. SAFS have access to an Accredited Financial Investigator (AFI) and criminal litigation services.

SAFS

KPIs for Stevenage Borough Council

2017/2018

KPI	Measure	2017/2018 Target	Quarterly Target	SAFS Project Aims
1	Provide an Investigation Service	1 FTE on call (supported by SAFS Intelligence/ Management). Membership of NAFN Membership of CIPFA Counter Fraud Centre Access to Case Management System (CMS) Local Data Hub Fraud training events for staff*	100% of all	Ensure ongoing effectiveness and resilience of anti-fraud. Deliver a return on investment for the Councils financial contribution to SAFS.
2	Identified Value of Fraud prevented/detected. Based on the Methodology agreed by SAFS Board	£400k From fraud identified and savings/prevention	£100k	Deliver financial benefits in terms of cost savings or increased revenue.
3	Allegations of fraud Received. From all sources.	100 Fraud referrals from all sources to SAFS	25	Improve the reach into the areas of non- benefit and corporate fraud within the county.
4	Success rates for cases investigated. This will ensure that quality investigations are undertaken.	gated. This will ensure ality investigations are		Create a recognised centre of excellence able to disseminate alerts and share best practice nationally.
5	Conduct Data-Matching using the local data-hub, NFI and other data-matching/mining.	Data-Hub for local data matching. Access to NFI output. County wide Council Tax Review Framework.	100%	Create a data hub for Hertfordshire.

^{*}Costs will include salary and direct on-costs for CFO (1 FTE), ACFM (1/3 FTE), Intel Officer (1/3 FTE) = £62k. Costs for NAFN/CIPFA/CMS/ Data Hub = £10k. Costs for 5 training events = £2.5k.

SAFS - Standards of Service.

SAFS will provide the Council with the following fraud prevention and investigation services as part of the contracted anti-fraud function.

- 1. Access to a managed fraud hotline and webpage for public reporting.
- 2. Process and document for SAFS Partner staff to report suspected fraud to SAFS.
- 3. Training in: Fraud Awareness (management/staff/members), Fraud Prevention, Identity Fraud Prevention.
- 4. Assistance in the design of Council policies processes and documents to deter/prevent fraud.
- 5. SAFS will design shared/common anti-fraud strategies and policies or templates to be adopted by the Council.
- 6. SAFS will provide a proactive data-matching solution (data-warehouse) to identify fraud and prevent fraud occurring.
 - The data-warehouse will be funded by SAFS and located in accordance with Data Protection Act requirements.
 - The data-warehouse will be secure and accessible only by named SAFS Staff. Data will be collected and loaded in a secure manner.
 - SAFS will design and maintain a data-sharing protocol for SAFS Partners to review and agree to as they choose. The protocol will clearly outline security provisions and include a Privacy Impact Assessment.
 - SAFS will work with nominated officers in the SAFS Partners to access data-sets to load to load into the data-warehouse and determine the frequency of these.
 - SAFS will work with Partners to determine the most appropriate data-matching for each of them and the frequency of such data-matching.
- 7. All SAFS Staff will be qualified, fully trained and/or accredited to undertake their duties lawfully, or be working towards such qualifications.
- 8. All SAFS investigations will comply with legislation including DPA, PACE, CPIA, HRA, RIPA* and all relevant policies of the Council.
- 9. Reactive fraud investigations.
 - All reported fraud will be actioned by SAFS within 10 days.
 - The Council will be informed of all reported fraud and how SAFS are going to deal with this.
 - SAFS will allocate an officer to each investigation.
 - SAFS officers will liaise with nominated officers at the Council to access data/systems/accommodation required to undertake their investigations.
 - SAFS Officers will provide updates on cases and a report with summary of facts and supporting evidence on conclusion of the investigation for the Council to review and make any decisions.

- Where a decision indicates an offence SAFS Officers will draft a report for the nominated officers of the Council to make a decision on any further sanctions/prosecutions.
- 10. Where sanctions, penalties or prosecutions are sought SAFS will work with the Council to determine the appropriate disposal based on the Code for Crown Prosecutors and the Council's published policies. Decisions on imposition of any sanction will lay with the Council but the issue of any penalty will be resolved locally on a case by case basis.
- 11. SAFS will provide reports through the SAFS Board on progress and to the Council's Audit Committee.
- 12. SAFS will provide Alerts to the Council, of suspected fraud trends or reports/guidance from government and public organisations that are relevant to fraud.

^{*}Data Protection Act, Police and Criminal Evidence Act, Criminal Procedures and Investigations Act, Human Rights Act, Regulation of Investigatory Powers Act.

Stevenage Boro	ough Counci	I								
FRAUD REFERRAL	<u>s</u>									
REFERRAL SOURC	ES									
					Other					
TOTAL	Staff	Public	Proactive	P	Agency					
189	82	76	19		12					
REFERRAL TYPES										
TOTAL	CTRS/HB	Discounts	Housing	Blu	ie Badge	NNDR	Staff	Other		
189	97	6	62		21	0	2	1		
CASES CLOSED										
ALL CASES CLOSE	D									
TOTAL	Rejected	Intervened	Proved	No	t Proved					
195	48	88	27		32					
POSITIVE CASES C	CLOSED									
				Pi	roperty	Blue Badge	Application	Employee	Employee	Proved No
Total	% Positive	Sanctioned	Prosecuted	re	covered	Cancelled	withdrawn	disciplined	Dismissed	Sanction
27	44%	5	4		10	0	3	0	0	5
<u>FINANCIALS</u>										
FRAUD LOSSES										
TOTAL	CTAX	Blue Badge	Housing		Staff	NNDR	Insurance	НВ	Other	
£105,796	£9,354	£0	£42,000		£0	£0	£0	£54,442	£0	
FRAUD SAVINGS/	FUTURE DEVE	NU IE								
TOTAL	CTAX	Blue Badge	Housing		RTB	Staff	NNDR	Insurance	НВ	Other
£408,754	£5,293	£3,550	£216,000	£	155,900	£0	£0	£0	£28,011	£0
FINANCIAL DDFAM	(0.014/01									
FINANCIAL BREAK	Loss	Loss Non								
	Recoverable	Recoverable	Revenue	S	avings					
Housing Benefit	£54,442		£21,776	£	28,011	Rev for HB is f	from DWP Subsid	y/ Savings is va	lue of preven	tion
Council Tax	£9,354		£5,293			Rebill value fo				
Housing Tenancy		£42,000		£		Based on cost	of temp accome	dation		
RTB				£	155,900					
Blue Badge				£	3,550		itonal parkng rev	/enue		
Other						Savings through prevention				
Total	£63,796	£42,000	£27,069	£	403,461					
SANCTIONS APPLI	IED					VALUE OF SAI	NCTIONS APPLIED)		
SANCTIONS APPLI	IED Ad-pen	Caution	Civil penalty			TOTAL	Ad-pen	Civil penalty		

Appendix C-SAFS KPI Performance 2017/18

KPI	Measure	Target	Achieved in Year	SAFS Project Aims	
1	Provide an Investigation Service	1 FTE on call (supported by SAFS Intelligence/ Management). Membership of NAFN Membership of CIPFA Counter Fraud Centre Access to Case Management System (CMS) Local Data Hub Fraud training events for staff*	 1 FTE on Training delivered, including new I-Learn Counter Fraud package for all staff CMS and Data-Hub operational Membership of: CIPFA Counter Fraud Centre, National Anti-Fraud Network County Council CF Network London Fraud Forum & LBFIG 	Ensure ongoing effectiveness and resilience of anti-fraud arrangements. Deliver a return on investment for the Council's financial contribution to SAFS.	
2	Identified Value of Fraud prevented/detected. Based on the Methodology agreed by SAFS Board	£400k From fraud identified and savings/prevention	 £105,797 Fraud losses £418,624 of fraud savings In addition: 10 Council Properties Recovered Prosecutions were taken in three matters Applied financial penalties or cautions on 5 occasions 	Deliver financial benefits in terms of cost savings or increased revenue.	
3	Allegations of fraud Received. From all sources.	100 Fraud referrals from all sources to SAFS	189 Allegations Received	Improve the reach into the areas of non-benefit and corporate fraud within the county.	
4	Success rates for cases investigated. This will ensure that quality investigations are undertaken.	50%	44% (27 cases proved from 61 cases closed cases) SAFS also reviewed or provided advice in 48 other matters	Create a recognised centre of excellence able to disseminate alerts and share best practice nationally.	
5	Conduct Data-Matching using the local data-hub, NFI and other data-matching/mining.	Data-Hub for local data matching. Access to NFI output. County wide Council Tax Review Framework.	 SAFS Data Sharing Agreement reviewed 2018. SAFS undertook NFI 2016/17 process for the Council. SAFS delivered the County wide Council Tax Review Framework-predicted to identify £5m of new review by 2021. 	Create a data hub for Hertfordshire.	

For the Council 'Fraud Loss' is where a fraud has occurred resulting in a debt that can be recovered through civil/statutory routes. 'Fraud Savings' reflect attempted frauds that have been prevented or an ongoing 'Loss' that has been stopped.