

Waverley Borough Council

Report to: Audit & Risk Committee

Date: 27th November 2023

Ward(s) affected: All

Report of Director: Ian Doyle, Transformation & Governance

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Report Status: Open

Fraud Investigation Summary for Qtr 1 and 2 in 2023-2024

1. Executive Summary

- 1.1 The Audit and Risk Committee is responsible for monitoring and reviewing the adequacy of the Council's anti-fraud arrangements and this is a key aspect of the Council's risk management, control and governance framework.
- 1.2 This report provides the Audit and Risk Committee with an overview of Waverley's fraud investigation activity completed in the 1st and 2nd quarters of 2023-24 (1st April to 30th September 2023).
- 1.3 This work has resulted in the recovery of three properties.

2. Recommendation to Audit & Risk Committee

- 2.1 That Audit & Risk Committee notes the results of the anti-fraud activity and investigation as set out in Appendix 1.

3. Reason(s) for Recommendation:

- 3.1. To enable the Audit & Risk Committee to be aware of the results of the housing fraud investigation activity for the period covering 01 April 2023 to 30 September 2023.

4. Exemption from publication

- 4.1. N/A

5. Purpose of Report

- 5.1 The report provides an update to the Committee on the work being completed in investigating fraud, primarily focusing on Housing Tenancy fraud

6. Strategic Priorities

- 6.1. A financially sound Waverley, with infrastructure and services fit for the future.

7. Background

- 7.1 This report provides the Audit & Risk Committee with an update on the activity relating to fraud investigations. The success of the work completed has been supported by the Prevention of Social Housing Fraud Act 2013 where the maximum penalty for the offence of acting dishonestly in the subletting/parting with possession of a property is up to 2 years' imprisonment or a fine (or both).

- 7.2 In the period 01 April 2023 to 30 September 2023 successes included 3 properties being made available for new tenants to occupy. These 3 tenancies were a result of the tenants not utilising the properties in accordance with tenancy terms and conditions, for all of these tenancies, the tenant was not residing at the tenancy address as their main or principal home.

8. Consultations

- 8.1 No consultations were completed re the content of this report as the results would not have been affected by a consultation as they are a report of facts.

9. Key Risks

- 9.1 If the authority did not carry out this investigation work it would enable fraudsters to perpetrate housing fraud against the council and obtain services or financial benefit including housing to which they are not entitled. This investigative work therefore assists in protecting council assets and the council reputation on how it deals with fraud.

10. Financial Implications

- 10.1. Without the work of the Housing Tenancy Fraud investigator the achievement of the recovery of 3 properties in Q1 and Q2 of the 2023-24 financial year could not be realised. This work supports the council zero tolerance to fraud whilst providing indicative saving of £279,000, based on Cabinet Office notional values. Whilst recognising the cost to Waverley to build a new home is on average £300K, which these recoveries therefore equate to £900K in savings to the council, if we had been required to build replacement properties.

11. Legal Implications

- 11.1 The Local Government Transparency Code requires the Council to publish data regarding its anti-fraud arrangements. The information contained within the Appendix consists of part of that. Consistent with the Code, this information will also be published on the Council's website in due course.
- 11.2 The responsibilities of public sector entities in relation to the prevention and detection of fraud and error are set out in statute, standards and other guidance. Local authorities also have a statutory duty to make arrangements for the proper administration of their financial affairs.

12. Human Resource Implications

- 12.1. N/A

13. Equality and Diversity Implications

- 13.1 There are no direct equality, diversity, or inclusion implications in this report. Equality impact assessments are carried out, when necessary, across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

14. Climate Change/Sustainability Implications

- 14.1. There are no direct implications in the report.

15. Conclusion

- 15.1 The contents of the report inform the Audit Committee of the recovery of properties from those not using them in accordance with the tenancy agreement and the financial and reputational value of completing this work to safeguard the councils' assets.

16. Background Papers

16.1 There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

17. Appendices

17.1 Appendix 1 – Fraud investigation results for the first half of the financial year 2023-24.

18. Governance Journey

18.1 The minutes of the meeting will be included on the next Council agenda.

Please ensure the following service areas have signed off your report.
Please complete this box, and do not delete.

Service	Sign off date
Finance / S.151 Officer (Rosie Plaistowe Melham)	07/11/2023
Legal / Governance Mark Watkins	15/11/2023
HR (Jon Formby)	09/11/2023
Equalities (
Strategic Director (Ian Doyle)	09/11/2023
Lead Councillor	N/A
CMB	N/A
Executive Briefing/Liaison	N/A
Committee Services	