

UPDATE ON THE REVIEW INTO TACKLING SOCIAL HOUSING FRAUD

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REASON FOR ITEM

To provide the Committee with an update on the impact of the review into tackling Social Housing Fraud that was undertaken in 2014/15.

OPTIONS OPEN TO THE COMMITTEE

The Committee is asked to note the report.

BACKGROUND INFORMATION

1. During 2014/15, the Corporate Services and Partnerships Policy Overview Committee completed a review into tackling Social Housing Fraud.
2. The aim of the review was to examine the work which this Council carries out in relation to the detection of Social Housing Fraud and to investigate other measures which could be used to save this Council money and to recover Social Housing, which is being fraudulently used.
3. The following is a summary of the main findings and recommendations from the review with an update on the current position:
 - a. That the Corporate Fraud Investigation Team be congratulated for the work they have carried out in relation to the detection of Social Housing Fraud and for the reclaiming of housing resources for residents in the Borough.

Since the project was introduced in 2010, the Corporate Fraud Investigation Team (CFIT) has recovered 324 Council properties which have been re-let to residents in genuine housing need. 194 properties have been reclaimed in the last three financial years.

- b. That officers be asked to approach other Registered Social Landlords (Housing Associations) which provide social housing for residents of the Borough to enable investigations to take place into any potential Social Housing Fraud.

Officers from the CFIT attended Hillingdon Registered Social Landlords (RSL) meetings to advise on the services available to assist RSLs with investigations and evidence gathering into Social Housing Fraud. RSLs operate in a different business culture to Local Authorities and therefore are reluctant to take legal action against tenants. To date, no RSLs have approached the CFIT for assistance with fraud investigations

- c. That officers be asked to investigate those measures which were raised during the review to make unsuspecting sub-letters aware if they were about to rent a social housing property.

Two different approaches have been made to this issue. The first approach has been discussions with the contractors who carry out annual gas safety checks

on Council properties. These contractors have been briefed on what to look out for to identify social housing fraud. They have sent referrals directly to CFIT if they have any suspicion that the property has been sub-let. The second approach will be introduced early in 2017/18. All quarterly rent statements to Council tenants will include a reminder of the rules of their tenancy agreement which prohibits sub-letting and a warning of the consequences if sub-letting is detected. The note also prompts tenants to report any suspicions they have that their neighbours are sub-letting their property.

- d. That consideration be given to the Council applying for Compensation Orders when people are convicted of Social Housing Fraud, to enable compensation to be paid to the victims of the crime.

Compensations orders are now considered in all prosecutions.

- e. That Officers be asked to consider witnesses counter-signing tenancy agreements for social housing tenants and to send annual reminders to tenants explaining their responsibilities under their tenancy agreements.

Since the review the process of signing Tenancy Agreements has become more robust. Operational procedures are in place to ensure that Officers fully explain to new tenants that sub-letting is a criminal offence liable to prosecution. A reminder of these conditions is included in all tenancy reviews and will be included in Rent Statement shortly.

- f. That training is offered by Council Officers to Local Magistrates on the complexities involved in social housing and on the issues which Local Authorities face as social housing landlords.

Based on their previous experiences of approaches to Magistrates with the offer of guidance and training on offenses against the Local authority, the Legal Service team did not recommend the offer of training should be made. On previous approaches the message from the Court was very clear that any influence from the Local Authority could be viewed to be in breach of Article 6 (Rights to a Fair Trial). The Clerk of the Court is responsible for advising the Magistrates on appropriate action against offences and the Clerk is well informed on Social Housing Fraud.

- g. That Officers be asked to include a Social Housing Fraud Policy within the Council's Anti-Fraud Strategies and Policies.

A Social Housing Fraud policy has been included within the Council's Anti-Fraud Strategy.