

Counter Fraud

COUNTER FRAUD

Report to Audit Committee: 2023/24 Quarter 4

31st March 2024



HILLINGDON
LONDON

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1. INTRODUCTION

The Role of the Counter Fraud Team

- 1.1 The Counter Fraud Team (CFT) supports the Council in meeting its statutory responsibility under section 151 of the Local Government Act 1972 for the prevention and detection of fraud and corruption. The work of the CFT underpins the Council's commitment to a zero-tolerance approach to fraud, bribery, corruption, and other irregularities, including any money laundering activity.
- 1.2 As well as counter fraud activity, there is also a range of preventative work that the team is responsible for carrying out. This includes fraud awareness training and ensuring the Council have up-to-date and appropriate investigation policies and procedures.

The Purpose of the Counter Fraud progress report

- 1.3 The Counter Fraud Progress Report provides the Council's Corporate Management Team (CMT) and Audit Committee with summary information on all counter fraud work carried out during Quarter 4(Q4) period (1st January 2024 to 31st March 2024). In addition, it provides an opportunity for the Head of Counter Fraud (HCF) to highlight any significant issues arising from the counter fraud work in Q4.
- 1.4 The progress report also highlights to CMT, the Audit Committee and other key stakeholders, the performance of the CFT in meeting its strategic and operational objectives (as set out in the Counter Fraud Strategy 2022 to 2025), which provides an opportunity for the HCF to be held to account in this respect.

2. EXECUTIVE SUMMARY

- 2.1 With demand led services under pressure due to the current economic climate, the CFT during Q4 has continued to support colleagues through its preventative and reactive activity in areas of high risk. This approach has seen significant positive outcomes across Housing, Social Care and Revenues. **In Q4 the CFT has achieved c£2m in savings across multiple risks bringing the year end total to c£11.2m.**
- 2.2 Over the financial year Tenancy Fraud has remained high risk and an area of focus for the CFT. The CFT has a dedicated sub-team that investigates Housing Fraud and proactively identifies fraud, loss and error through project work. Currently the CFT are investigating 126 cases of suspected tenancy fraud with this number likely to remain high throughout 2024/25. **In Q4 the CFT recovered a further 23 properties bringing the year to date total to 103.** This is highest property recovery in a single year the CFT has achieved.
- 2.3 Since the summer of 2023 the CFT has had two additional temporary Counter Fraud Officer posts filled with secondees from Housing Services. These posts are a proactive detection and investigative function to identify fraud and loss within emergency accommodation supplied by Housing Services. With the current cost of living crisis there has been an increased need for assistance from the Council by the public. With more people accessing services this leads to greater opportunity for fraud to occur. **In Q4 the CFT have identified and closed 16 emergency accommodation units due to non-occupation with savings in excess of £134k.**
- 2.4 Across multiple fraud risks in Council Tax and business rates the team have been proactive in their approach, using data and visiting properties to identify properties that have gone undetected for rates. This work is important to maximise the Council's opportunities for revenue collection. **In total 8 Businesses and 30 Beds in sheds have been billed for Council Tax and rates totalling c£543k.**

- 2.5 As part of Counter Fraud’s strategic approach and the wider Council’s Culture of investing in Staff a variety of training courses and qualifications have been undertaken by team members in Q4. All investigators joined colleagues in other enforcement team’s on a two day course on interview skills & technique, while one counter fraud manager participated in the Government’s Counter Fraud Professions risk assessor programme. This investment in staff will continue to ensure the team is up to speed with techniques, legislation and industry practices.

3. COUNTER FRAUD ACTIVITY IN QUARTER 4

3.1 Housing Fraud

- 3.1.1 Following on from previous quarters the CFT have remained consistent and successful in property recovery due to tenancy fraud. In Q4 the CFT **recovered a further 23 properties**, bringing the total **number of properties recovered to 103**. This is a notional saving of c£1.2m. The volume of property recovery demonstrates that tenancy fraud remains an area of high risk and the teams commitment to combatting tenancy fraud.
- 3.1.2 The Key Performance Indicator (KPI) 4 (refer to **Table 5** in **Appendix A**) requires the CFT to recover 30% of properties associated with tenancy fraud referrals. In this financial year, in Q4 the CFT has again achieved above this KPI with **49% of tenancy fraud referrals resulting in property recovery**. As per **Table 1** below, the case type of property recovery shows that non-occupation is still the highest area of tenancy fraud risk.

Table 1 ~ Housing Tenancy Fraud Cases

Case Type	Q1	Q2	Q3	Q4*	Total for 23/24*	£k/value**
Abandonment	0	0	0	0	0	£0
Deceased	7	7	15	7	36	£2,016k
NFI Fraud Hub	5	1	3	6	15	£840k
Non-Occupation	9	11	11	6	37	£2,072k
Other	2	0	3	0	5	£280k
Sub-Let	1	0	0	1	2	£112k
Wrongful Succession	3	2	0	3	8	£448k
Total Properties Recovered	27	21	32	23	103	£5,768k

* As at end of Q4 (31st March 2024).

** Tenancy Fraud Forum valuation.

- 3.1.3 The CFT are currently investigating **126 cases relating to suspected cases of tenancy fraud** including, non-occupation, subletting, wrongful succession, and false homeless applications. From these investigations, **36 cases are currently with our legal team**, and 4 of these investigations are being considered for criminal prosecution.
- 3.1.4 In Q4 the CFT has continued with its proactive residency checks on all emergency accommodation units. The project has recorded a further **16 emergency accommodation units being closed due to non-occupation, resulting in savings of c£134k**. This brings the total number of B&Bs closed this financial year to 42. A further **3 cases have been referred to Housing for review** due to concerns of suspected non-occupation.
- 3.1.5 The CFT have continued to review various types of **in-house data using the Council’s internal systems**, to highlight any fraud, loss or error across housing and revenues. In Q4 the CFT have **recovered 7 properties** in this area of work, **resulting in savings of c£392k**. The use of in-house data is important as it allows us to ensure that the Council’s housing stock is being used efficiently and highlights any discrepancies in council tax discounts.

- 3.1.6 During Q4 verification checks conducted on Right to Buy (RTB) applications led to 3 cases being cancelled due to the applicant(s) failing to provide sufficient documentation to satisfy the verification requirements. The CFT are currently investigating **9 cases for suspicion of sub-letting and non-occupation**, with 2 cases referred to our Legal department to commence criminal proceedings in relation to fraud offences.
- 3.1.7 In Q4 the CFT completed **318** verification checks on applicants who have registered for social housing. Outlined in **Table 2** below, the team successfully **closed a further 3 housing register applications**, totalling 29 for this financial year. Applications are closed due to several factors including non-occupation, or they have been found to already be adequately housed. Without the CFT's enhanced verification checks, these applicants may have been successful in obtaining a council property that they were not entitled to.

Table 2 ~ Housing Tenancy Verification Cases

Housing Tenancy Verification Cases	Q1	Q2	Q3	Q4*	Total for 23/24*
Total number of cases reviewed	255	153	270	318	996
% Identified by CFT for rejection	25%	17%	21%	16%	20%
Total number of applications closed	12	7	7	3	29

* As at end of Q4 (31st March 2024).

- 3.1.8 KPI 2a (refer to **Table 5** in **Appendix A**) targets an outcome of **95%** of housing allocation verifications to be completed within the target date set by the Housing department. Again, in Q4 the team has successfully achieved **100% of verifications** being completed within their target date.

3.2 Revenues Fraud & Inspections

- 3.2.1 In the area of Revenues, the CFT has continued to maintain a high level of performance and again exceeded their KPI target (refer to **Table 5** at **Appendix A**). In Q4, as detailed in **Table 3** below, the CFT has **conducted 1561 inspections, with 1545 (99%) visited within the 10-day KPI target**.

Table 3 ~ Revenues Inspections Performance 2023/24

Revenues Inspections	Q1	Q2	Q3	Q4	Total for 23/24*
Total number of inspections completed	1,792	1855	1621	1561	6829
Percentage within 10 day target	99%	98%	99%	99%	99%

*As at end of Q4 (31st March 2024).

- 3.2.2 During Q4 the CFT has identified a further **30 previously unlisted properties** made up of **'Beds in Sheds'**. As a result, an additional **c£19k of loss prevention savings** has been identified following the issue of revised Council Tax bills to the liable parties.
- 3.2.3 During Q4 the CFT have continued the programme of internal Revenues Maximisation and carried out another day of action focusing resources on a high-risk area of the borough to identify unlisted buildings and changes to the use of land. This has **identified a further 2 business premises which have been altered and improved**. These properties have been submitted to the VOA for a decision and will be reported in Q1 of 24/25.
- 3.2.4 The CFT have continued to work with external partners in carrying out proactive reviews of business rates which has identified significant new business premises in the borough along with other changes and improvements to properties which has provided additional business rates **billing in Q3 to the value of c£520k**.

3.3 Social Care

- 3.3.1 Social Care is the largest area of expenditure for the Council which creates an environment and opportunity for fraud to take place. To combat the risks in this area the CFT have embedded preventative measures into processes and react to any fraud referrals through its investigative function. As a result, the team have achieved **loss prevention savings of c£51,000**. To improve activity in this area the CFT will be undertaking a consultancy review into direct payments and commissioned care with colleagues in Internal Audit to understand current processes and fraud risks faced.
- 3.3.2 During Q4, the CFT undertook a review of one of the Councils commissioned domiciliary care providers. The review sought to provide assurance to Adult Social Care that payments made to the provider were in accordance with the service user's social care assessment and that billed for care was aligned with the service users planned for hours. With the care provider invoicing the Council for actual care provided, the **CFT identified 28 service users who had been incorrectly charged**. This incorrect charge **amounted to c£12,000 in overpayments** that arose from 210 separate weekly submissions. To date, **£7,000 has been recovered and collection processes are being followed to recover the remaining £5,000**. The risks in this area were first highlighted from an Internal Audit consultancy piece and recommended that the work was followed up by the Counter Fraud Team.
- 3.3.3 In Q4, the CFT completed 171 financial assessment verification requests in instances where service users were applying for funding towards their care costs. These checks identify any anomalies such as hidden assets, income or capital prior to any funds being administered. From the requests received, **c£29,000 in savings** have been achieved, with a further **17 cases undergoing additional checks**.
- 3.3.4 The CFT have completed the Section 17 residency check project following the completion of the last outstanding case. This saw the CFT manage multiple fraud risks in the areas of Childrens Social Care and Revenues. The investigation identified that the service user had left the UK despite being placed in council accommodation and receiving CTR. Working collaboratively with key stakeholders in Social Care, the accommodation was subsequently closed and the CTR ended. **This collaborative approach resulted in c£10,000 in loss prevention savings** and the accommodation made available to a family in genuine need. The conclusion of this case brings the teams **total loss prevention savings for the Section 17 project to a total of c£28,000**.

Table 4 ~ Section 17 Verification Cases 2023/24

Section 17 Cases	Q1	Q2	Q3	Q4	2023/24
Total number of cases reviewed	4	2	5	4	15
Total number verified as accurate	1	0	1	2	4
Total number of cases closed	0	1	1	2	4
Total number of cases undergoing further checks	3	1	3	2	9
Loss Prevention Savings	0	0	0	0	0

* As at end of Q4 (31stth March 2024).

3.3.5 Section 17 of the Children's Act 1989 places a duty on the Council to safeguard and promote the welfare of children in need. Section 17 support offers a range of services that includes providing accommodation and/or financial assistance to eligible applicants. The CFT undertake verification checks for all Section 17 applicants who approach Social Care. **Table 4** on the page above, illustrates the outcomes derived from the preventive measures in place that ensure services provided are only accessed by those who meet the eligibility criteria.

3.4 Blue Badge

3.4.1 Following the teams proactive Blue Badge projects held during International Fraud Awareness Week in November, the team have concluded 13 out of the 14 investigations into the suspected misuse of a disabled persons badge. As a direct result of these investigations **11 are currently with Legal Services with the outcomes expected to be reported in Q1 of 2024/25.**

3.5 Onsite Immigration Official

3.5.1 During Q4, the teams OSIO has **identified loss prevention savings of c£22k.** These savings spanned across two cases within Childrens Social Care and Housing Services. In the case of Childrens Social Care a change in immigration status for one service user enabled the service user to be supported with making a claim for benefit. The claim for benefit has allowed the cost of providing accommodation and subsistence to be funded by the welfare system. In the case of Housing Services, enquiries made by the OSIO resulted in a homeless applicant being ineligible for support due to the applicant having no status within the UK. This preventive work has helped reduce the financial impact on the Council and the pressure to provide emergency accommodation.

3.6 London Counter Fraud Hub

3.6.1 The CFT joined the London Counter Fraud Hub (LCFH) in the last financial year. The hub is designed to bring London Boroughs together, sharing data to identify fraud, loss or error. This innovative approach will also use the power of data to uncover cross borough frauds.

3.6.2 The unique capabilities of the LCFH are now embedded in the CFT and this is producing referrals automatically every two weeks identifying cases where the Council may not be aware of tenants passing away. This has maximised loss prevention by ensuring that cases are identified at an early stage. **Six council properties** have been recovered and returned to use as a result of information provided by the LCFH during Q4.

3.6.3 Processing these referrals has been streamlined within the CFT with Counter Fraud Analysts leading on these cases which has increased capacity in other areas to deal with more complex cases.

3.6.3 The CFT have continued to work jointly with other London Boroughs through The London Boroughs' Fraud Investigators' Group (LBFIG) in developing innovative bespoke data matching reports to identify cross border fraud in identified high risk areas. Data for a pan London data match regarding internal fraud has now been released and is being assessed with results now expected in Q1.

3.7 National Fraud Initiative

3.7.1 During Q4 matches for the main NFI exercise for 2022/2023 have continued to be reviewed by the CFT in conjunction with the service areas.

3.7.2 The CFT have recovered **one** council property following investigation of a NFI referral which had matched council data to HMRC information.

3.7.3 The council has identified a total of **£112k** across all match types from the main NFI exercise and an additional during 2023/2024. There will be no new main exercise matches during 2024/2025 as this is a bi-annual exercise.

3.7.4 The CFT have however received refreshed data from the annual NFI Single Person Discount matching exercise and these matches will be reviewed during Q1 in the new financial year.

3.8 Other Counter Fraud Activities

3.8.1 During Q4 the CFT arranged and hosted very successful joint training sessions with staff from Public Protection & Enforcement covering refreshed knowledge on procedural legislation and interviewing skills. These sessions were well received and have led to improved working relationships between the various departments.

3.8.2 During Q4 the CFT delivered bespoke fraud awareness training within Tenancy Management providing dedicated training in high-risk areas relating to fraudulent succession applications and deceased cases.

3.8.3 The CFT has continued to demonstrate its commitment to staff learning and development during Q4 with a number of staff attending the Public Sector Counter Fraud Conference in February and the London Boroughs' Fraud Investigators' Group general meeting in March.

3.8.4 A successful preliminary meeting during Q4 has led to the resumption of joint working with the Department for Work and Pensions (DWP) in Council Tax Reduction Scheme cases where state funded benefits are also in payment. Initial cases have been identified which will be jointly progressed in Q1.

3.8.5 The agreement with ACRO The Criminal Records Office has now been completed and fully implemented in Q4. This will allow the CFT to access additional information to support criminal prosecutions.

4. COUNTER FRAUD PERFORMANCE IN Q4

4.1 Attached at **Appendix A** is **Table 5** which sets out the Q4 performance by the CFT against the nine KPIs. Also attached at **Appendix B** is **Table 6** which provides an overview of the financial performance of the team in Q4 within each of the main areas of counter fraud activity. The CFT's financial performance should be considered against a target of £5m for 2023/24.

4.2 The CFT has achieved a consistent level of performance across KPI's throughout the quarter. The details of this are that **9 out of 9 KPI's are above targeted performance**. The management team are pleased that all KPI's have been met and will be working closely with the team to ensure this level of performance is sustained.

5. FORWARD LOOK

5.1 The CFT will complete its review and update of the current fraud risk register during Q1. The team will work closely with key stakeholders to ensure the register reflects all current fraud risks and any mitigation that is in place. Once complete, the risk register will be transferred on to JCAD for services to manage their own fraud risks in line with traditional risk management procedures.

- 5.2 As we move into a new financial year the Counter Fraud Management Team have taken the opportunity to refresh its E-Learning package and fraud awareness presentation. Both will now include detailed information on whistleblowing, bribery and money laundering as well as fraud. These offers are designed to educate and create awareness across paid service to create a culture of reporting.
- 5.3 As agreed at the Q3 Audit Committee future progress reports will move towards dashboard reporting. In Q1 The management will design and implement these dashboards across workstreams with a refreshed looking progress report to be in place for the Q1 Audit Committee.
- 5.4 With the CFT fully embedded into the fraud risks around Housing, some of the team's focus will now turn to Social Care fraud risks. Management has engaged with key stakeholders to develop an action plan for the financial year ahead. Firstly, the CFT will be delivering face to face fraud awareness sessions to all Social Workers in Adult Social Care. This is to create an understanding among staff of fraud risks, indicators and how to report. The HCF expects this to lead to an increase in referrals in this area.
- 5.5 The CFT would like to take this opportunity to formally record its thanks for the co-operation and support it has received from the management and staff of the Council during this quarter. There are no other counter fraud matters that the HCF needs to bring to the attention of CMT or the Audit Committee at this time.

Alex Brown APCIP
Head of Counter Fraud
31st March 2024

APPENDIX A: Table 5 - CFT KPIs and Actual Performance

CFT KPIs	Target	Q1	Q2	Q3	Q4*	23/24*	22/23
1. Percentage of fraud referrals risk assessed within 3 working days	95%	99%	100%	99%	100%	99%	99%
2. Verification work timescales for completion:							
a. Housing Allocations completion within the target date set by Housing	95%	99%	100%	100%	100%	99%	99%
b. Right to Buy case completion within 28 working days	95%	100%	100%	100%	100%	100%	100%
c. Financial Assessments completion within 7 working days	95%	100%	100%	100%	100%	100%	100%
d. Section 17 reviews completion within 7 working days	95%	100%	100%	100%	100%	100%	100%
3. Investigation plan completion within 5 working days of case allocation	95%	99%	100%	95%	100%	98%	99%
4. Tenancy fraud referrals received resulting in property recovery	30%	42%	36%	58%	49%	46%	40%
5. Investigations resulting in loss prevention/financial saving outcome	40%	42%	41%	58%	60%	48%	39%
6. Revenue inspections completed within 10 working days of referral date	95%	99%	98%	99%	99%	99%	99%

* As at end of Q4 (31st March 2024).

APPENDIX B: Table 6 - CFT Quarter 4 2023/24 Financial Performance

Work Area	Description	Quarter 1	Quarter 2	Quarter 3	Quarter 4*	2023/24*
Housing	Right to Buy discounts	£0	£0	£0	£0	£0
	Property Recovery (notional savings)	£1,512,000	£1,176,000	£1,792,000	£1,288,000	£5,768,000
	Other savings/loss prevention	£33,649	£134,596	£67,298	£143,008	£378,551
Social Care	Section 17 and UASC**	£13,586.50	£0	£18,676	£9,388	£41,650.50
	Financial Assessments	£11,959.40	£115,511.40	£1,545.70	£28,866	£157,882.50
	SGO	£79,150.60	£0	£22,139.20	£0	£101,289.80
	Direct Payments	£0	£0	£108.40	£12,934	£13,042.40
Revenues	Single Person Discount	£14,148	£75,001.70	£2,571.30	£6,610	£98,331
	Council Tax Reduction & arrears	£12,070.60	£9,775.60	£893.10	£2,901	£25,640.30
	Unlisted Buildings/bed in sheds	£18,740.77	£28,106.40	£18,380.50	£19,271	£84,498.67
	Housing Benefit Overpayments	£985.50	£24,511.50	£1,850.90	£7,202	£34,549.90
	NNDR	£44,661	£141,667	£3,629,335	£524,174	£4,339,838
Blue Badge	Simple Caution & Financial Penalty	£2,518	£1,742	£1,030	£0	£5,290
Immigration Officer	Housing Homelessness Applications**	£8,412.30	£0	£0	£8,412	£16,824.30
	Social Care Savings	£68,881	£28,477	£38,201	£14,024	£157,996
Totals	Loss Prevention Savings	£207,226.80	£278,584.60	£147,968.90	£216,632	£850,412.30
	Notional Savings	£1,512,985.50	£1,200,511.50	£1,793,850.90	£1,295,202	£5,802,549.90
	Cashable Savings	£56,292	£134,133	£566,245	£0	£756,670
	Costs awarded and penalties	£2,958	£2,182	£1,690	£0	£6,830
	Total	£1,779,462.30	£1,615,411.10	£2,509,772.80	£1,511,834	£7,416,462.20

* As at end of Q4 (31st March 2024).

** Average weekly cost against average length of support. This figure fluctuates but has been provided by the Council's Business Performance Team

APPENDIX C - Glossary of Terms

Beds in Sheds: 'Beds in Sheds' is the term used to describe habitable outbuildings, or annexes to private properties being utilised without the awareness of the Council or the Valuation Office Agency (VOA).

Blue Badge: A Blue Badge provides parking concessions and helps people with **non-visible and visible disabilities or health conditions** park closer to their destination. The Blue Badge enables holders to park in designated disabled person's parking bays either on the public highway or privately owned car parks. In addition, badge holders can park on single or double yellow lines for up to 3 hours.

Direct Payments: The Council are responsible for administering direct payments to service users who have been assessed as needing care and support services. The payments are made to allow applicants to access care to meet their social care needs, such as support with living tasks and social activities.

Disabled Facility Grants: The council offers a range of financial support schemes for people with disabilities, such as the Disabled Facilities Grant (DFG). The DFG is a means tested scheme that allows eligible applicants to receive financial support to make adaptations to their home, if they, or someone living at the property is disabled.

Financial Assessments: The Council is under a financial and legal obligation to carry out this means tested assessment for each service user. The Financial Assessment (FA) identifies whether the applicant(s) is eligible to receive funding towards their care costs.

Fraud Hub: Utilising the existing Cabinet Office infrastructure and systems, most London based local authorities have agreed to upload internally held data sets for proactive data matching exercises. These regularly agreed upon exercises will lead to the identification of possible fraud, loss or error.

National Fraud Initiative: The National Fraud Initiative (NFI) is a data matching exercise co-ordinated by the Government Cabinet Office and conducted every 2 years. There is also an annual review of claimants in receipt of Single Persons discount data that is matched against the Electoral Roll data. The NFI matches data from over 1,200 organisations, including councils, the police, hospitals and almost 100 private companies to identify potential fraud and error.

New Homes Bonus: The New Homes Bonus (NHB) is a grant that is paid by central government to incentivise local housing growth.

Onsite Immigration Enforcement Official: The Onsite Immigration Enforcement Official (OSIO) provides enhanced access to Home Office data for the purpose of assessing cases involving immigration issues and for assisting in a range of counter fraud work.

Right to Buy: The Right to Buy (RTB) process is a statutory scheme whereby a tenant(s) can apply to purchase their property at a significant discount from its market value. There are strict conditions that must be met by the applicant(s) if they are to qualify for the discount.

Revenue Maximisation: The use of internally held data and the utilisation of external data partners to identify previously unlisted commercial and domestic properties, along with identifying commercial properties that have undertaken modifications or improvements that would result in the revaluation of its Rateable Value (RV). Commercial entities are under no obligation to inform Council Tax as to when they have started trading or if their RV needs to be recalculated. The Council will only retain 15% of the identified rates.

Section 17: The CFT provides assurance and mitigate the risk of fraud within Children's Social Care, in particular the allocation of emergency accommodation provided under Section 17 of the Children's Act 1989. The verification process seeks to validate a family's reason for approach as well as their financial circumstances, as applicants claim to be destitute and requiring accommodation and or financial support. The CFT conducts verification checks on all applicants approaching the Council.

Small business Rates Relief: The Small Business Rates Relief (SBRR) scheme is designed to reduce the amount of business rates payable by small businesses. This reduction is available to ratepayers who occupy a property with a rateable value of no more than £15,000.

Tenancy Fraud Forum Valuation: As of the 2022/23 financial year, the CFT will be using the new Tenancy Fraud Forum valuation for property recovery. Working in conjunction with the London Boroughs' Fraud Investigators' Group (LBFIG) a new formula has been created to determine how much tenancy fraud costs. The formula considers the annual average temporary accommodation cost per family, the average duration for tenancy fraud, as well as the average investigation, legal and void costs. The agreed calculation for tenancy fraud within the borough is now valued at £56k per property (Previously £18k). The new calculation allows Hillingdon Council to accurately calculate financial savings by factoring in local figures.

Unaccompanied Asylum-Seeking Children: Unaccompanied Asylum-Seeking Children (UASC) are children and young people who are seeking asylum in the UK but have been separated from their parents or carers. Whilst their asylum claim is processed, they are cared for by the Council and provided with accommodation and or financial support.