

Meeting of the

# STANDARDS (ADVISORY) COMMITTEE

---

Tuesday, 16 April 2013 at 7.30 p.m.

---

## AGENDA

---

### VENUE

ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, LONDON  
E14 2BG

Members:	Deputies (if any):
<b>Chair: Mr Matthew William Rowe</b> <b>Vice-Chair: Mr Eric Pemberton</b>	
<b>Ms. Salina Bagum</b> <b>Mr Denzil Johnson</b> <b>Mr Barry Lowe</b> <b>2 Vacancies</b>	
<b>Councillor Zara Davis</b> <b>Councillor David Edgar</b> <b>Councillor Carli Harper-Penman</b> <b>Councillor Sirajul Islam</b> <b>Councillor Rania Khan</b> <b>Councillor Fozol Miah</b> <b>Councillor Rachael Saunders</b>	<b>Councillor Anwar Khan, (Designated Deputy representing Councillor Carli Harper-Penman, Rachael Saunders, Sirajul Islam and David Edgar)</b> <b>Councillor Joshua Peck, (Designated Deputy representing Councillor Carli Harper-Penman, Rachael Saunders, Sirajul Islam and David Edgar)</b> <b>Councillor Harun Miah, (Designated Deputy representing Councillor Fozol Miah)</b> <b>Councillor David Snowdon, (Designated Deputy representing Councillor Zara Davis)</b> <b>Councillor Gloria Thienel, (Designated Deputy representing Councillor Zara Davis)</b>
<b>Observer:</b> <b>Mr Patrick (Barry) O'Connor</b>	

**(Interim Independent Person)**

Councillor Amy Whitelock, (Designated Deputy representing Councillor Carli Harper-Penman, Rachael Saunders, Sirajul Islam and David Edgar)

**[Note: The quorum for this body is 3 of the total membership and this must include at least one Councillor and one Co-opted member.]**

**Committee Services Contact:**

Angus Taylor: Democratic Services, 020 7364 4333,  
angus.taylor@towerhamlets.gov.uk

## Public Information

### **Attendance at meetings.**

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

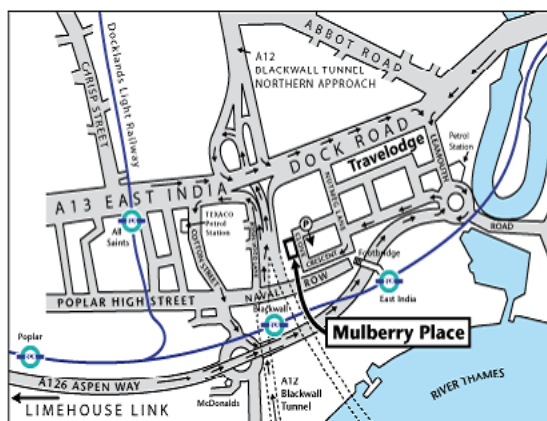
### **Audio/Visual recording of meetings.**

No photography or recording without advanced permission.

### **Mobile telephones**

Please switch your mobile telephone on to silent mode whilst in the meeting.

### **Access information for the Town Hall, Mulberry Place.**



**Bus:** Routes: 15, 277, 108, D6, D7, D8 all stop near the Town Hall.

**Distinct Light Railway:** Nearest stations are East India: Head across the bridge and then through complex to the Town Hall, Mulberry Place Blackwall station. Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.

**Tube:** The closet tube stations are Canning Town and Canary Wharf

**Car Parking:** There is limited visitor pay and display parking at the Town Hall (free from 6pm)

If you are viewing this on line:([http://www.towerhamlets.gov.uk/content\\_pages/contact\\_us.aspx](http://www.towerhamlets.gov.uk/content_pages/contact_us.aspx))

### **Meeting access/special requirements.**

The Town Hall is accessible to people with special needs. There are accessible toilets, lifts to venues. Disabled parking bays and an induction loop system for people with hearing difficulties are available. Documents can be made available in large print, Brail or audio version. For further information, contact the Officers shown on the front of the agenda



### **Fire alarm**

If the fire alarm sounds please leave the building immediately by the nearest available fire exit without deviating to collect belongings. Fire wardens will direct you to the exits and to the fire assembly point. If you are unable to use the stairs, a member of staff will direct you to a safe area. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned.

### **Electronic agendas reports and minutes.**

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk), 'Council and Democracy' (left hand column of page), 'Council Minutes Agenda and Reports' then choose committee and then relevant meeting date.

Agendas are available at the Town Hall, Libraries, Idea Centres and One Stop Shops and on the Mod.Gov, iPad and Android apps.



QR code for smart phone users.

# LONDON BOROUGH OF TOWER HAMLETS

## STANDARDS (ADVISORY) COMMITTEE

Tuesday, 16 April 2013

7.30 p.m.

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

	PAGE NUMBER	WARD(S) AFFECTED
2. <b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST</b>	1 - 4	

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

3. <b>MINUTES</b>	5 - 10	
-------------------	--------	--

To confirm as a correct record of the proceedings the minutes of the ordinary meeting of the Standards Advisory Committee held on 17<sup>th</sup> October 2012.

### 4. REPORTS FOR CONSIDERATION

4 .1 <b>Progress on National Fraud Initiative 2010 and New Initiative 2012</b>	11 - 36	
--	---------	--

4 .2 <b>Covert investigation under the Regulation of Investigatory Powers Act 2000 - quarterly update</b>	37 - 54	
---	---------	--

4 .3 <b>Recruitment of Independent Person - Update (To Follow)</b>		
--	--	--

4 .4 <b>Members' attendance and timesheets (To Follow)</b>		
--	--	--

### 5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

To consider any other business that the Chair considers to be urgent.



This page is intentionally left blank

# Agenda Item 2

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Isabella Freeman, Assistant Chief Executive (Legal Services), 020 7364 4801; or  
John Williams, Service Head, Democratic Services, 020 7364 4204



## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

This page is intentionally left blank

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STANDARDS (ADVISORY) COMMITTEE**

**HELD AT 7.30 P.M. ON WEDNESDAY, 17 OCTOBER 2012**

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, LONDON E14 2BG**

**Members Present:**

Mr Matthew William Rowe (Chair)  
Mr Eric Pemberton (Vice-Chair)  
Councillor David Edgar  
Councillor Sirajul Islam  
Councillor Fozol Miah (Leader of the Respect Group)  
Councillor Rachael Saunders  
Ms Salina Begum (Independent Member)

**Independent Observer:**

Mr Patrick (Barry) O'Connor (Interim Independent Person)

**Other Councillors Present:**

Nil

**Officers Present:**

Isabella Freeman – (Assistant Chief Executive - Legal Services, Chief Executive's)  
Tony Qayum – (Anti Fraud Manager, Internal Audit, Resources)  
Sue Oakley – (Senior Fraud Officer)  
Alan Ingram – (Democratic Services)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Ms Sue Rossiter (Independent Member) and from Councillors Zara Davis and Carli Harper-Penman.

Councillor Sirajul Islam indicated that he would have to leave the meeting at 8.30 p.m., due to other commitments.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. MINUTES**

Mr Barry O'Connor stated that his title should have been recorded in the attendance list as "Independent Person" rather than "Independent Member".

#### **RESOLVED**

That, subject to the above amendment, the minutes of the meeting held on 12<sup>th</sup> June 2012 be approved as a correct record of proceedings.

### **4. REPORTS FOR CONSIDERATION**

#### **4.1 Anti - Fraud Update 2012**

Mr Tony Qayum, Corporate Fraud and Governance Manager, presented the report and introduced Ms Sue Oakley, who covered work on the National Fraud Initiative (NFI) as his deputy.

Mr Qayum commented that the report included appendices relating to:

- Annual Fraud Report
- Fraud Survey Benchmarking exercise undertaken by the Audit Commission
- National Fraud Initiative

These activities had been recently reported to the Audit Committee and were now put before the Standards (Advisory) Committee in order to focus on the ethical matters arising, rather than on the controls, checks and balances already in place, and as a review to confirm that an appropriate level of governance had been established.

The report also included the annual briefing letter from the Audit Commission, which was complimentary on the whole.

Mr Qayum added that the NFI documentation was very detailed to demonstrate the processes involved, which took up a huge amount of staff time. It was necessary to demonstrate that there had been compliance with proper procedures to acquire information and that communication had been undertaken with other colleagues and organisations.

In response to queries from Members, Mr Qayum stated that:

- The Council's operational systems of risk management and control were addressed in the Audit Commission report and the Committee had been given details of irregularities that had been identified.
- The sum of £7.8m shown as tenancy fraud was a notional amount based on the actual losses to the organisation for which recovery was being sought. Where housing properties were recovered, a notional value of £200,000 per unit formed part of the recovery calculations as an indicative value.

- The estimated figure of £8.7m for detected fraud in 2010/11 was not included as a budgetary activity and did not impact on the budgetary process.
- The checklist for action proposed by the Audit Commission would be utilised and a response had been prepared last year on a similar basis, which had been submitted to the Audit Committee. It was hoped that there would be the opportunity to develop a threat assessment check and test corporate systems further.
- Tenancy fraud involving Registered Social Landlords (RSL) was also addressed by the Subletting Team and approximately one third of recovered properties had related to RSL units.
- Notifications of RSL tenancy frauds were received from a range of sources and there was good communication between the Council and the RSLs. Each referral was the subject of much desk top research to make a proper assessment of the likely amounts to be recovered. There might be a period of a year before an outcome was achieved but all referrals would be processed.
- The Council received grant funding from the DWP to deal with Housing benefit fraud on their behalf and there had been a suggestion that there would be a single fraud investigation service from 2017. Tower Hamlets was more successful in this field than most other local authorities and future outcomes would be reported to this Committee as well as the Audit Committee.
- The dismissals of staff in connection with fraud had not previously been reported but demonstrated that security systems were working. There was currently insufficient information to show how the Council compared with other authorities in this respect but it was not considered that Tower Hamlets would stand out highly, in view of the number of staff employed.

Having considered the report, the Committee recommended that:

- 1) The Council should continue to commission detailed review reports on how the Council was dealing with the risk of fraud from the Council's external auditor on an annual basis.
- 2) That Officers adopt the checklists for action as suggested by the Audit Commission in connection with anti-fraud work and maximising the benefits of NFI, as set out in pages 33 and 81 respectively of the report.

#### **RESOLVED**

That the report be noted and Officers take appropriate action on the recommendations of the Committee.

#### **4.2 Enforcement**

Ms Isabella Freeman, Assistant Chief Executive (Legal Services) introduced the report concerning the council-wide enforcement policy as agreed by Cabinet on 3 October 2012. She commented that the Council carried out

prosecutions for offences that have a direct impact on the lives of residents, as the level of these offences was such that the Crown Prosecution Service did not have the resources to pursue..

In reply to queries from Members, Ms Freeman indicated that:

- The Council's Prosecutions Team was dealing with an increasing number of cases, in liaison with Tower Hamlets Enforcement Officers (THEOs).
- There were now more THEOs on the streets and, due to the multi-functional training for their work, they were dealing with a variety of offences.
- When fines were imposed by the Courts, the collection was also by the Courts although this process was much slower than the Council's. The Council also had to decide on whether prosecution action was proportionate and could be justified.
- Much information was shared with the Police to analyse trends for offences of different types in different parts of the Borough, so as to work towards more preventative action on an intelligence-led basis.

With regard to comments by a Member, Ms Freeman confirmed that the number of premises licences suspended by the Licensing Sub-Committee would be included in further enforcement reports.

## **RESOLVED**

That, subject to the aforementioned point, the report be noted.

At this point, the Chair indicated that agenda item 4.4 would be considered as next business, owing to its related nature to 4.3. However, the minutes remain in the original order for ease of reference.

### **4.3 Complaints and Information Annual Report**

Ms Ruth Dowden, Complaints and Information Manager, introduced the report addressing the volume of complaints and information requests received by the Council in the period 1 April 2011 to 31 March 2012, the outcomes of those cases and the standard of performance in dealing with them. She added that the Local Ombudsman was not currently bringing forward any cases for the Council's attention.

In response to queries from Members, Ms Dowden indicated that:

- With regard to communications complaints, these generally related to failure by the delivery contractor to deliver EEL.
- Members asked what would happen if there were concerns raised by the Local Ombudsman. Ms Dowden confirmed that these would be contained in an annual report which would be considered by Corporate Management Team, Overview and Scrutiny Committee and the Standards (Advisory) Committee. Officers would ensure that action would be taken. As a lessons-learned procedure, Internal Audit also

looked at complaints submitted to the Local Ombudsman to determine whether a remedy might be agreed with relevant services.

- It was confirmed that such scrutiny would continue despite changes in the Local Ombudsman's office.
- EGRESS is being piloted to provide a secure email system to communicate sensitive information with members of the public and organisations without secure email. This will also support staff and help avoid incorrect addressing and transmission once the address book is set up. It is a system that affords greater safety and security in the transmission of data and teething problems have been overcome in the pilot.

#### **RESOLVED**

That the report be noted.

#### **4.4 Covert investigation under the Regulation of Investigatory Powers Act 2000**

Ms Isabella Freeman, Assistant Chief Executive (Legal Services), introduced the report concerning the Council's authorisation investigations under the Regulation of Investigatory Powers Act 2000 (RIPA).

Ms Freeman commented that from November it would be necessary for the Council to seek approval from the Magistrates' Court to carry out covert investigations under RIPA. This would mainly be used in cases where there was a requirement to obtain evidence concerning sales of alcohol and cigarettes to children. However, in most other instances the Council would be able to use other ways of securing evidence as at present. So it was not expected that this would impact on enforcement powers unduly.

#### **RESOLVED**

That the report be noted.

#### **4.5 Code of Conduct for Members - Complaints Monitoring Report**

Ms Isabella Freeman, Assistant Chief Executive (Legal Services), introduced the report and added that there were 6 matters outstanding as at the 1<sup>st</sup> July 2012. One of the 5 as is set out in the report had been referred to the First Tier Tribunal and that was under appeal. Four had been subsequently closed following consideration by the Investigations and Disciplinary Sub committee. There was one matter that was at investigation stage which would be reported back to the next meeting. It was proving difficult to meet the tight deadline set in the procedure of completing investigations within one month as witnesses and Councillors were not available and extensions were necessary. This would be a matter for the review in due course.

#### **RESOLVED**

That the report be noted.

**5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

**(1) Recruitment of Independent Person**

Ms Freeman reported that the position had been advertised in October but there had been no response. It was intended to advertise further in East End Life. Further action would be considered if there continued to be a failure to attract candidates.

**(2) Members' On-line Time Sheets**

Ms Freeman indicated that the Service Head, Democratic Services was looking towards the use of an update to the Mod.Gov system to enable Members to upload their attendances directly on time sheets and to update their disclosable pecuniary interests. It was hoped to be able to report progress to the next meeting on 15 January 2013.

The meeting ended at 8.40 p.m.

Chair, Mr Matthew William Rowe  
Standards (Advisory) Committee



# Agenda Item 4.1

REPORT TO: <b>Standards Advisory</b>	DATE <b>16<sup>th</sup> April 2013</b>	CLASSIFICATION <b>Unrestricted</b>	REPORT NO.	AGENDA NO.
REPORT OF: <b>Corporate Director, Resources</b>	<b>Progress on National Fraud Initiative 2010 and New Initiative 2012</b>			
ORIGINATING OFFICER(S): <b>Corporate Anti-Fraud Manager</b>	Ward(s) Affected: <b>N/A</b>			

## 1. SUMMARY

- 1.1 This report updates the Standards Advisory Committee of the current progress of the National Fraud Initiative 2010 and provides an overview of anti fraud work undertaken during the past six months by Audit Services.

## 2. RECOMMENDATIONS

- 2.1 The Standards Advisory Committee is asked to note the contents of the report.

## 3. INTRODUCTION

- 3.1 This report updates the Standards Advisory Committee of the progress of the National Fraud Initiative 2010 and details of the current exercise for 2012.

---

### LOCAL GOVERNMENT ACT 1972 (AS AMENDED) SECTION 100D LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background papers"

Name and telephone number of holder  
And address where open to inspection

N/A

*Tony Qayum, 0207 364 4773*

#### **4. NATIONAL FRAUD INITIATIVE 2010-11**

##### **Background:**

- 4.1 The National Fraud Initiative is a bi-annually run Data Matching exercise managed by the Audit Commission.
- 4.2 The exercise matches data provided by some 1,300 participating organisations from across the public and private sectors including government departments and other national agencies.
- 4.3 Since its launch in 1996 the NFI has enabled its participants to detect fraud, overpayments and errors totalling more than £939 million nationally.
- 4.4 The last exercise was run in 2010 with the matched output being received by the Authority in February 2011. Because of the volume of matches received this exercise has been operational ever since, with matches being investigated gradually over the two year period from February 2011 to date. The coverage of the exercise had the objectives of identifying fraud or error on the following key areas:-
- Benefits fraud (Housing and Council Tax)
  - Employee fraud (employees with Border Agency issues and rights to work and employees failing to declare other employment which may have a conflict)
  - Pension fraud/overpayments to deceased pensioners
  - Inappropriate Right - to - Buy applications
  - Illegal tenancies and temporary accommodation
  - Multiple insurance claims
  - Creditors address book
  - Potential duplicate payments
  - In-appropriate issue/abuse of parking permits, blue badge or freedom passes
  - Incorrectly awarded Single Person Discounts on Council Tax accounts
- 4.5 For the 2010 NFI exercise, this Authority received a total of 17,559 matches for examination/investigation. This exercise is now drawing to a close, with many of the investigated cases only reaching court in recent weeks. Some are still awaiting court dates.

## **5. 2010 Exercise Outcomes:**

- 5.1 To date this authority has identified 1146 cases of error and 78 cases of fraud, with overpayments totalling £827,356.
- 5.2 There has been a successful link up with the Department of Work and Pensions Benefit Investigators, who also participated in the exercise, which led to benefit related cases being jointly investigated and prosecuted accordingly.
- 5.3 The results total of £827,356 includes £394,408 of Housing and Council Tax Benefit overpayments, and £164,087 of DWP benefits overpaid. Twelve prosecutions and 41 other sanctions have been levied as a result of the exercise so far.
- 5.4 £109,336 has been identified as incorrectly awarded Single Person Discount on Council Tax accounts to date.
- 5.5 Three social housing properties have been recovered.
- 5.6 £111,382 of duplicated creditor payments were identified and recovery has been sought on these.

A full breakdown of the results to date is included at the end of this report (Appendix 1 & 2)

## **6. National Fraud Initiative Exercise 2012**

- 6.1 The new 2012 National Fraud Initiative exercise has recently commenced and departments preparing to manage the outturn.

## **7. Comments of the Chief Financial Officer**

- 7.1 The comments of the Chief Financial Officer are contained within the body of the report.

## **8. Concurrent Report of the Assistant Chief Executive (Legal Services)**

- 8.1 These are contained within the body of this report

## **9. One Tower Hamlets Considerations**

- 9.1 This progress update on significant issues arising from the National Fraud Initiative should allow the Audit Committee to focus on management action taken to date to improve risk management and control in order to minimise future risk exposure.

## **10. Anti-Poverty Considerations**

10.1 There are no specific Anti-Poverty issues arising from this report.

**11. Risk Management Implications**

11.1 This report highlights risks relating to the National Fraud Initiative data matching exercise findings and shows how the Council is responding to potential risks to the control frame work that may be exploited by fraudsters.

**12. Sustainable Action for a Greener Environment (SAGE)**

12.1 There are no specific SAGE implications.

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

**11-Feb-2013**

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
2 High	Housing Benefit Claimants to Student Loans, high quality, between bodies	184	301	Opened	196	42	23	3	£249859.14
4 Medium	Housing Benefit Claimants to Student Loans, medium quality, between bodies	6	8	Opened	7	1	0	0	£0.00
13 High	Housing Benefit Claimants to Payroll, high quality, within bodies	13	619	Opened	91	7	5	0	£19823.10
13.1 High	Housing Benefit Claimants to Pensions, high quality, within bodies	7	365	Opened	11	0	1	1	£11175.30
14 High	Housing Benefit Claimants to Payroll, high quality, between bodies	25	188	Opened	25	4	2	1	£27218.71
14.1 High	Housing Benefit Claimants to Pensions, high quality, between bodies	33	725	Opened	67	0	7	6	£92203.71
15 Medium	Housing Benefit Claimants to Payroll, medium quality, within bodies	0	5	Closed	5	0	0	0	£0.00
16 Medium	Housing Benefit Claimants to Payroll, medium quality, between bodies	1	2	Closed	2	0	0	0	£0.00
16.1 Medium	Housing Benefit Claimants to Pensions, medium quality, between bodies	0	3	Opened	3	0	0	0	£0.00
17 Low	Housing Benefit Claimants to Payroll, address quality, within bodies	363	1168	Opened	210	54	25	3	£119276.63
17.1 Low	Housing Benefit Claimants to Pensions, address quality, within bodies	21	73	Opened	35	0	0	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

11-Feb-2013

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
18 Low	Housing Benefit Claimants to Payroll, address quality, between bodies	375	906	Opened	106	52	1	1	£1698.45
18.1 Low	Housing Benefit Claimants to Pensions, address quality, between bodies	47	120	Opened	6	0	0	0	£0.00
21 Medium	Housing Benefit Claimants to In-Country Immigration, medium quality, between bodies	3	4	Opened	0	3	0	0	£0.00
23 High	Housing Benefit Claimants to UK Visas, high quality, between bodies	4	9	Opened	6	3	0	0	£0.00
24 Medium	Housing Benefit Claimants to UK Visas, medium quality, between bodies	62	139	Opened	45	0	0	0	£0.00
26 High	Housing Benefit Claimants to Housing Benefit Claimants, high quality, within bodies	1	6	Closed	6	0	0	0	£0.00
27 High	Housing Benefit Claimants to Housing Benefit Claimants, high quality, between bodies	33	75	Opened	60	15	0	0	£0.00
29 Medium	Housing Benefit Claimants to Housing Benefit Claimants, medium quality, between bodies	18	20	Opened	17	3	0	0	£0.00
30 High	Housing Benefit Claimants to Housing Tenants, high quality, within bodies	25	29	Opened	28	1	0	0	£0.00
31 High	Housing Benefit Claimants to Housing Tenants, high quality, between bodies	45	67	Opened	54	13	0	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

11-Feb-2013

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
32 Medium	Housing Benefit Claimants to Housing Tenants, medium quality, within bodies	18	21	Opened	17	1	0	0	£0.00
33 Medium	Housing Benefit Claimants to Housing Tenants, medium quality, between bodies	86	110	Opened	52	19	0	0	£0.00
35 High	Housing Benefit Claimants to Right to Buy, high quality, between bodies	1	2	Opened	1	1	0	0	£0.00
37 Medium	Housing Benefit Claimants to Right to Buy, medium quality, between bodies	3	4	Opened	4	0	0	0	£0.00
45.4 Medium	Housing Benefit Claimants to Insurance Claimants, medium quality, between bodies	0	2	Not Opened	0	0	0	0	£0.00
45.5 Low	Housing Benefit Claimants to Insurance Claimants, address quality, within bodies	0	1	Opened	0	1	0	0	£0.00
45.6 Low	Housing Benefit Claimants to Insurance Claimants, address quality, between bodies	0	4	Closed	4	0	0	0	£0.00
46.1 High	Housing Benefit Claimants to Market Traders, high quality, within bodies	26	107	Not Opened	0	0	0	0	£0.00
46.2 High	Housing Benefit Claimants to Market Traders, high quality, between bodies	1	9	Opened	1	0	0	0	£0.00
46.3 Medium	Housing Benefit Claimants to Market Traders, medium quality, within bodies	1	2	Closed	2	0	0	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

**11-Feb-2013**

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
46.4 Medium	Housing Benefit Claimants to Market Traders, medium quality, between bodies	0	2	Closed	2	0	0	0	£0.00
46.5 Low	Housing Benefit Claimants to Market Traders, address quality, within bodies	53	153	Opened	2	0	2	0	£25984.35
46.6 Low	Housing Benefit Claimants to Market Traders, address quality, between bodies	2	10	Opened	1	1	0	0	£0.00
47.2 High	Housing Benefit Claimants to Taxi Drivers, high quality, between bodies	171	1039	Opened	12	24	1	0	£14352.70
47.4 Medium	Housing Benefit Claimants to Taxi Drivers, medium quality, between bodies	3	11	Opened	3	0	0	0	£0.00
47.6 Low	Housing Benefit Claimants to Taxi Drivers, address quality, between bodies	327	1122	Opened	12	4	1	0	£2405.00
48.2 High	Housing Benefit Claimants to Personal alcohol licences, high quality, between bodies	0	1	Closed	1	0	0	0	£0.00
48.3 Medium	Housing Benefit Claimants to Personal alcohol licences, medium quality, within bodies	6	25	Opened	6	1	1	0	£5012.38
48.4 Medium	Housing Benefit Claimants to Personal alcohol licences, medium quality, between bodies	17	35	Not Opened	0	0	0	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**



**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

**11-Feb-2013**

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
48.5 Low	Housing Benefit Claimants to Personal alcohol licences, address quality, within bodies	56	194	Not Opened	0	0	0	0	£0.00
48.6 Low	Housing Benefit Claimants to Personal alcohol licences, address quality, between bodies	9	23	Opened	7	2	0	0	£0.00
52 High	Pensions and Pension Gratuity to Benefits Agency Deceased Persons, high quality, within bodies	10	50	Closed	50	0	0	5	£4308.52
52.1 High	Pensions and Pension Gratuity to DDRI Deceased Persons, high quality, within bodies	16	39	Closed	39	0	0	6	£25388.54
54 High	Pensions to Payroll, high quality, within bodies	53	70	Closed	70	0	0	0	£0.00
55 High	Pensions to Payroll, high quality, between bodies	35	80	Closed	79	0	0	0	£0.00
65 High	Payroll to Payroll, high quality, within bodies	33	180	Closed	0	0	0	0	£0.00
66 High	Payroll to Payroll, high quality, between bodies	4	167	Opened	164	3	0	0	£0.00
67 Medium	Payroll to Payroll, medium quality, within bodies	0	1	Closed	1	0	0	0	£0.00
68 Medium	Payroll to Payroll, medium quality, between bodies	1	4	Closed	4	0	0	0	£0.00
72 High	Payroll to UK Visas, high quality, between bodies	8	8	Closed	8	0	1	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

11-Feb-2013

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
73 Medium	Payroll to UK Visas, medium quality, between bodies	62	68	Opened	65	3	0	0	£0.00
75 High	Payroll to Housing Benefit Claimants, high quality, between bodies	3	3	Closed	3	0	0	0	£0.00
76 Info	Payroll to Housing Benefit Claimants, medium quality, between bodies	1	1	Closed	1	0	0	0	£0.00
78 Info	Payroll to Pensions, high quality, between bodies	0	22	Closed	22	0	0	0	£0.00
81 Low	Payroll to Creditors, address quality, within bodies	28	49	Not Opened	0	0	0	0	£0.00
83 Info	Payroll to NI Number Check, within bodies	0	18	Closed	18	0	0	0	£0.00
85 High	Payroll to Council Tax, high quality, within bodies	0	51	Not Opened	0	0	0	0	£0.00
100 High	Housing Tenants to Housing Tenants, high quality, within bodies	5	7	Closed	7	0	0	0	£0.00
101 High	Housing Tenants to Housing Tenants, high quality, between bodies	15	17	Opened	17	0	1	0	£0.00
102 Medium	Housing Tenants to Housing Tenants, medium quality, within bodies	5	6	Closed	6	0	0	0	£0.00
103 Medium	Housing Tenants to Housing Tenants, medium quality, between bodies	52	57	Opened	51	2	0	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

11-Feb-2013

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
105 Medium	Housing Tenants to In-Country Immigration, medium quality, between bodies	0	1	Closed	1	0	0	0	£0.00
107 High	Housing Tenants to UK Visas, high quality, between bodies	0	10	Opened	5	5	0	0	£0.00
108 Medium	Housing Tenants to UK Visas, medium quality, between bodies	0	156	Opened	2	1	1	0	£0.00
111 High	Housing Tenants to Housing Benefit Claimants, high quality, between bodies	28	31	Opened	22	6	1	0	£0.00
113 Medium	Housing Tenants to Housing Benefit Claimants, medium quality, between bodies	44	64	Opened	45	1	0	0	£0.00
117 Medium	Housing Tenants to Right to Buy, medium quality, between bodies	0	1	Closed	1	0	0	0	£0.00
144 Medium	Right to Buy to UK Visas, medium quality, between bodies	2	10	Opened	2	0	0	0	£0.00
149 High	Right to Buy to Housing Tenants, high quality, between bodies	1	1	Closed	1	0	0	0	£0.00
150 Medium	Right to Buy to Housing Tenants, medium quality, within bodies	1	3	Closed	3	0	0	0	£0.00
151 Medium	Right to Buy to Housing Tenants, medium quality, between bodies	2	2	Closed	2	0	0	0	£0.00
156 High	Right to Buy to Housing Benefit Claimants, high quality, within bodies	53	78	Closed	78	0	0	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

11-Feb-2013

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
157 High	Right to Buy to Housing Benefit Claimants, high quality, between bodies	1	1	Closed	1	0	0	0	£0.00
158 Medium	Right to Buy to Housing Benefit Claimants, medium quality, within bodies	1	3	Opened	2	1	0	0	£0.00
159 Medium	Right to Buy to Housing Benefit Claimants, medium quality, between bodies	0	1	Closed	1	0	0	0	£0.00
170 High	Blue Badge Parking Permit to Blue Badge Parking Permit, high quality, between bodies	0	1	Closed	1	0	0	0	£0.00
170.1 Medium	Blue Badge Parking Permit to Blue Badge Parking Permit, medium quality, between bodies	0	11	Opened	9	2	2	0	£0.00
172.1 High	Blue Badge Parking Permit to Benefits Agency Deceased Persons, high quality, within bodies	48	56	Opened	55	1	1	38	£0.00
172.2 High	Concessionary Travel Passes to Benefits Agency Deceased Persons, high quality, within bodies	103	103	Closed	103	0	0	100	£0.00
172.3 High	Resident Parking Permit to Benefits Agency Deceased Persons, high quality, within bodies	8	13	Closed	13	0	0	13	£0.00
172.4 High	Blue Badge Parking Permit to DDRI Deceased Persons, high quality, within bodies	175	195	Opened	195	0	2	149	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

11-Feb-2013

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
172.5 High	Concessionary Travel Passes to DDRI Deceased Persons, high quality, within bodies	246	246	Closed	246	0	0	220	£0.00
172.6 High	Resident Parking Permit to DDRI Deceased Persons, high quality, within bodies	20	42	Closed	42	0	0	38	£0.00
173 High	Private Residential Care Homes to Benefits Agency Deceased Persons, high quality, within bodies	1	12	Closed	12	0	0	2	£844.13
173.1 High	Private Residential Care Homes to DDRI Deceased Persons, high quality, within bodies	19	19	Closed	19	0	0	1	£1363.36
180.1 High	Insurance Claimants to Insurance Claimants, high quality, within bodies	1	1	Closed	1	0	0	0	£0.00
312 High	Housing Benefit Claimants to Fraud Data, High Quality, Between Bodies	0	1	Opened	0	1	0	0	£0.00
313 Medium	Housing Benefit Claimants to Fraud Data, Medium Quality, Between Bodies	0	2	Opened	0	2	0	0	£0.00
315 High	Housing Rents to Fraud Data, High Quality, Between Bodies	0	1	Closed	1	0	0	0	£0.00
316 Medium	Housing Rents to Fraud Data, Medium Quality, Between Bodies	0	1	Not Opened	0	0	0	0	£0.00
321 High	Market Traders to Fraud Data, High Quality, Between Bodies	0	2	Not Opened	0	0	0	0	£0.00
322 Medium	Market Traders to Fraud Data, Medium Quality, Between Bodies	0	2	Not Opened	0	0	0	0	£0.00

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

11-Feb-2013

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
328 Medium	Personal Licence to Supply Alcohol to Fraud Data, Medium Quality, Between Bodies	0	1	Not Opened	0	0	0	0	£0.00
330 High	Payroll to Fraud Data, High Quality, Between Bodies	0	1	Not Opened	0	0	0	0	£0.00
343 Medium	Residential Parking Permit to Fraud Data, Medium Quality, Between Bodies	0	2	Not Opened	0	0	0	0	£0.00
344 Low	Residential Parking Permit to Fraud Data, Address Only, Between Bodies	0	1	Not Opened	0	0	0	0	£0.00
701 High	Duplicate creditors by creditor name	0	304	Opened	298	0	0	251	£0.00
702 High	Duplicate creditors by address detail	0	502	Opened	20	1	0	3	£0.00
703 High	Duplicate creditors by bank account number	0	69	Opened	62	0	0	59	£0.00
707 High	Duplicate records by invoice reference, invoice amount and creditor reference	0	6	Closed	6	0	0	0	£0.00
708 High	Duplicate records by invoice amount and creditor reference	0	4270	Opened	119	10	0	0	£0.00
709 High	VAT overpaid	0	6	Closed	6	0	0	0	£0.00
710 High	Duplicate records by creditor name, supplier invoice number and invoice amount but different creditor reference	0	13	Closed	13	0	0	3	£2988.97

**IMPORTANT : This summary includes matches that occurred in previous years.**

**NATIONAL FRAUD INITIATIVE 2010/2011**

**AUTHORITY SUMMARY:** London Borough of Tower Hamlets

**11-Feb-2013**

No.	Report Name	Total Recommended	Total All	Status	Processed	In Progress	Frauds	Errors	Savings
711 High	Duplicate records by supplier invoice number and invoice amount but different creditor reference and name	0	105	Closed	105	0	0	13	£1111478.82
712 High	Duplicate records by postcode, invoice date and invoice amount but different creditor reference and supplier invoice number	0	15	Closed	15	0	0	1	£2647.14
713 High	Duplicate records by postcode, invoice amount but different creditor reference and supplier invoice number and invoice date	0	75	Closed	75	0	0	0	£0.00
801 High	Council Tax single persons discount to Electoral Register	0	2265	Opened	412	2	0	229	£109335.83
802 High	Council Tax rising 18s	0	247	Not Opened	0	0	0	0	£0.00
<b>TOTAL</b>									

**IMPORTANT : This summary includes matches that occurred in previous years.**

This page is intentionally left blank



# NFI 2010/11 Outcomes Summary - Delivered Only

London Borough of Tower Hamlets

Date of Generation : 2/11/2013 12:25:25 PM

## 1. Benefit Fraud Investigations (for HB paying bodies only)

		Confirmed					Estimates		
		(i) Overpayments (fraud & non fraud)			(ii)	(iii)	(iv)	(v)	(vi)
		HB/CTB	IS/JSA	Other (e.g. pension credit)	Weekly reduction in benefit	No. where recovery is in progress	Value of overpayments where recovery is in progress	Value of over-payments	Administrative Penalty Amount (30% of HB/CTB)
		£	£	£	£		£	£	£
<b>A</b>	<b>Total Amount</b>	394,408	164,087	0	4,819	78	549,321	0	22,490
<b>B</b>	<b>No. UKBA have deported or are deporting</b>					0			

## 2. Pensions Investigations (for pension administering bodies only)

		(i)	(ii)	(iii)	(iv)	(v)	(vi)
		No. of cases not previously identified	Confirmed value of overpayments / forward savings	No. where recovery is in progress	Value of overpayments where recovery is in progress	No. of prosecutions	Weekly reduction in pension
<b>A</b>	<b>Deceased pensioners (report 52)</b>	11	29,697	10	29,601	0	
<b>B</b>	<b>Deferred Pensioners (report 53)</b>	0					
<b>C</b>	<b>Pension abatements</b>	0	0	0	0	0	
<b>D</b>	<b>Pension abatements (forward savings)</b>		0				
<b>E</b>	<b>Injury benefits</b>	0	0	0	0.00	0	0.00

### 3. Housing

	(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)	(viii)
Match Type	No. of properties recovered; No of applicants removed from waiting list.	No. of cases where action is being taken	Amount of : - overpayment; discount awarded per annum; arrears; lost rates; weekly rent; value of removing ineligible applicants from waiting list (£)	No. of cases where recovery is in progress	Value of overpayments where recovery is in progress	No. of applications revoked or withdrawn	No. of prosecutions	Total discount incorrectly awarded
A Housing Rents	3							
B Right To Buy		0	0	0	0	0		
C Former tenant arrears		0	0	0	0			
D ER Pilot (NI)		0					0	
E Rates v ER pilot (NI)		0	0	0	0		0	
F Temp accomodation (pilot)	0		0				0	
G Waiting Lists	0		0				0	
H No. UKBA have deported or are deporting	0							

### 4. Payroll and other investigations (i.e. investigations resulting from NFI but not associated with NFI match e.g. expenses claim fraud)

	(i)	(ii)	(iii)	(iv)	(v)
	No. of cases where: - fraud or error found; or action taken	Amount of overpayment or error	No. of cases where recovery is in progress	Value of overpayments where recovery is in progress	No. of prosecutions
A Payroll to payroll	0	0	0	0	0
B Payroll to UK visas	1	0	0	0	0
C Payroll to failed asylum seekers	0	0	0	0	0
D Payroll to student loan (pilot)					
E Other fraud and error (e.g. expenses claim fraud)	10	18,454	4	6,637	0

## 5. Additional Questions - housing benefit\*

<b>A</b>	<b>Case Status re: the HB cases you have actioned so far how many are:</b>	<b>No. of cases</b>
	i. Fraud	72
	ii. Customer Error	9
	iii. Official Error	237

**\* the number of cases and value of overpayments reported for questions B-K of this section should agree to the confirmed values in Section 1 above**

Housing benefit overpayment cases linked to matches with:		<b>(i) No. of cases</b>	<b>(ii) Confirmed value of overpayments</b>
<b>B</b>	Students eligible for student loans	30	249,859
<b>C</b>	NHS employees	2	26,726
<b>D</b>	Local government employees	33	130,777
<b>E</b>	Local government pensioners	6	45,933
<b>F</b>	Failed asylum seekers	0	0
<b>G</b>	UK visas	0	0
<b>H</b>	Insurance claim payouts	0	0
<b>I</b>	<b>Licences</b>		
<b>a</b>	Market traders	2	25,984
<b>b</b>	Taxi drivers	2	16,758
<b>c</b>	Personal alcohol	1	5,012
<b>J</b>	Right to buy	0	0
<b>K</b>	Central Government employees	0	0
<b>L</b>	Central Government pensioners	9	57,446
<b>M</b>	Housing benefits	0	0
<b>N</b>	Housing tenants	0	0

**In accordance with the NFI Guidelines employers should be notified of cases that are reported in 5 O-Q below.**

**Please confirm this in 6 C below.**

<b>O</b>	Number of prosecutions	12	
<b>P</b>	Number of administrative penalties	26	
<b>Q</b>	Number of official cautions	15	

## 6. Additional Questions - employees

		(i)	(ii)
		No. of cases	Confirmed value of overpayments
<b>A Number of employees dismissed/resigned involving:</b>			
i)	Housing benefit claimants	0	0
ii)	Failed asylum seekers	0	0
iii)	Invalid UK visas	1	0
iv)	A match to another payroll	0	0
v)	Council tax	0	0
vi)	Procurement matches	0	0
vii)	Other	0	0
<b>B Number of employees removed from the UK involving:</b>			
i)	Housing benefit claimants	0	0
ii)	Failed asylum seekers	0	0
iii)	Invalid UK visas	0	0
iv)	A match to another payroll	0	0
v)	Other	0	0
vi)	Other council tax	0	0
<b>C If you have identified cases in section 5 C, D &amp; K above:</b>			
	In how many cases was the employer notified?	2	
<b>D Number of National Insurance numbers corrected</b>			
		0	

## 7. Overpayments relating to ad-hoc areas

		(i)	(ii)	(iii)	(iv)	(v)
		No. confirmed as deceased	No. revoked or withdrawn	Value of overpayment	No. of cases where recovery is in progress	Value of overpayments in the process of recovery
<b>A</b>	<b>Blue badge parking permits</b>	190				
<b>B</b>	<b>Private care home residents/ continuing care payments</b>	5		0	0	0
<b>C</b>	<b>Serial insurance claimants</b>		0	0	0	0
<b>D</b>	<b>Blue badge parking permits matched to payroll</b>		0			
<b>E</b>	<b>Market traders with failed asylum seekers/ UK visas</b>		0			
<b>F</b>	<b>Taxi drivers with failed asylum seekers/ UK visas</b>		0			
<b>G</b>	<b>Blue badges to blue badges (pilot)</b>		2			
<b>H</b>	<b>Residents permit to residents permit (pilot)</b>		0			
<b>I</b>	<b>Concessionary fares</b>	320				
<b>J</b>	<b>Residents permits</b>	51				

## 8. Creditors

	(i)	(ii)	(iii)	(iv)	(v)
	No. of cases where action take to correct error	No. of frauds/overpayments	Value of fraud/overpayments	No. of cases where recovery is in progress	Value of overpayments in the process of recovery
<b>A</b> Duplicate creditors by creditor reference (700)	0				
<b>B</b> Duplicate creditors by creditor name (701)	251				
<b>C</b> Duplicate creditors by address (702)	3				
<b>D</b> Duplicate creditors by bank account details (703)	59				
<b>E</b> Invalid VAT number (704)	0				
<b>F</b> Invalid VAT number structure (705)	0				
<b>G</b> No address details recorded on file (706)	0				
<b>H</b> Duplicate by invoice reference, invoice amount and creditor reference (707)	1	1	0	0	0
<b>I</b> Duplicate by invoice amount and creditor reference (708)	1	1	0	0	0
<b>J</b> Incorrect VAT (709)	0	0	0	0	0
<b>K</b> Duplicate by cred name, invoice no., invoice amount, but different cred ref (710)	7	7	2988.97	1	1045.17
<b>L</b> Duplicate by invoice no., invoice amount, but diff cred ref & name (711)	17	16	105746.88	13	105746.88
<b>M</b> Duplicate by postcode, invoice date and invoice amount, but diff cred ref & invoice number (712)	1	1	2647.14	1	2647.14
<b>N</b> Dups by postcode, invoice amount, but diff cred ref, invoice no. & invoice date (713)	0	0	0.00	0	0.00

## 9. NHS student loans/bursaries - NHS Student Grant Unit only

	(i)	(ii)	(iii)	(iv)
	No. of cases	Amount of overpayments	No. of cases where recovery is in progress	Value of overpayment where recovery is in progress
<b>Overpayment relating to :</b>				
<b>A</b>	Failed asylum seekers	0	0	0
<b>B</b>	Invalid UK visas	0	0	0
<b>C</b>	Amberhill	0	0	0
<b>Forward savings relating to :</b>				
<b>A</b>	Failed asylum seekers	0	0	
<b>B</b>	Invalid UK visas	0	0	
<b>C</b>	Amberhill	0	0	

## 10. Other Agencies

	(i)	(ii)	(iii)	(iv)	(v)
	No. of cases not previously identified	Confirmed value of overpayments / forward savings	No. where recovery is in progress	Value of overpayments where recovery is in progress	No. of prosecutions
<b>A</b>	Deceased Students	0	0	0	0
		No. Removed	No. Where other action taken		
<b>B</b>	Removed failed asylum seekers	0	0		
<b>C</b>	Removed UK visas	0	0		

## 12. Council Tax

	(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)
Match Type	No of cases where action is being taken	Total amount of discount awarded per annum for those where discount withdrawn	No. of cases where recovery is in progress	Value of overpayments where recovery is in progress	No. of applications revoked or withdrawn	No. of prosecutions	Total discount incorrectly awarded
<b>A</b>	Council Tax Single Person Discount	230	62,211	229	109,336	0	0
<b>B</b>	Rising 18s	0	0	0	0	0	0

**13. Procurement**

	(i)	(ii)	(iii)	(iv)	(v)	(vi)
	No. of cases with undeclared interest.	No. where action taken.	No. where contract has been terminated.	Value of contracts.	No. of cases where recovery is in progress.	Value of payments in recovery.
<b>A</b>	0	0	0	0	0	0

**14. SLAB**

Match Type	(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)
	No. of cases closed error or fraud	No of cases where legal aid was cancelled or reduced	Amount of overpayment where legal aid was cancelled or reduced	No. of cases where recovery is in progress	Value of overpayments where recovery is in progress	Amount of forward savings	Prosecution case reported to PF?
<b>A</b> Legal aid applications	0	0	0.00	0	0.00	0	0



<b>15. Amberhill pilot</b>				
<b>Match Type</b>		<b>(i)</b>	<b>(ii)</b>	<b>(iii)</b>
		<b>No of cases resulting in prosecution</b>	<b>No of cases resulting in Administrative Penalty</b>	<b>No of cases resulting in Official Caution</b>
<b>A</b>	<b>Amberhill</b>	0	0	0

This page is intentionally left blank

# Agenda Item 4.2

<b>Committee:</b> Standards Advisory	<b>Date:</b> 16 April 2013	<b>Classification:</b> Unrestricted	<b>Report No:</b>	<b>Agenda Item:</b>
<b>Report of:</b> Assistant Chief Executive (Legal Services)  <b>Originating officer(s)</b> David Galpin, Head of Legal Services - Community		<b>Title:</b> Covert investigation under the Regulation of Investigatory Powers Act 2000  <b>Wards Affected:</b> All		

## 1. SUMMARY

- 1.1. The codes of practice issued by the Home Office in relation to Part 2 of the Regulation of Investigatory Powers Act 2000 ("RIPA") recommend that elected members have oversight of the Council's use of these provisions. The Standards Committee's terms of reference enable the committee to receive reports on the Council's authorisation of covert investigations under RIPA.

## 2. DECISIONS REQUIRED

Standards Committee is recommended to:-

- 2.1. Consider and comment upon the information provided in the report.

## 3. BACKGROUND

### 3.1. Covert investigation and RIPA

- 3.2. The Council has broad statutory functions and takes targeted enforcement action in relation to those functions, having regard to the Tower Hamlets Community Plan, the Council's Local Development Framework, any external targets or requirements imposed under relevant legislation and the Council's enforcement policy. There may be circumstances in the discharge of its statutory functions in which it is necessary for the Council to conduct directed surveillance or use a covert human intelligence source for the purpose of preventing crime or disorder.

- 3.3. RIPA was enacted to provide a framework within which a public authority may use covert investigation for the purpose of preventing or detecting crime or of preventing disorder. It is designed to ensure that public authorities do not contravene the obligation in section 6(1) of the Human Rights Act 1998 not to act in a way which is incompatible with an individual's rights under the European Convention on Human Rights ("ECHR"). It is particularly concerned to prevent

contravention of the qualified right in Article 8 of the ECHR to respect for private and family life, home and correspondence.

#### **3.4. The Council's use of RIPA**

3.5. The Assistant Chief Executive (Legal Services) ("ACE") is the Senior Responsible Officer for ensuring the Council complies with RIPA. The Head of Legal Services (Community) ("HLS") is her deputy.

3.6. The Council has policies on the use of directed surveillance or covert human intelligence sources. The current versions of these policies were approved by Cabinet on 3 October 2012, as appendices to the Council's enforcement policy. The Council also has in place guidance manuals to assist officers in the authorisation process. The policies and guidance are designed to help the Council comply with RIPA and the Codes of Practice issued by the Home Office in relation to directed surveillance and the use of covert human intelligence sources.

3.7. The Council's priorities for using RIPA, as specified in its policies are -

- Anti-social behaviour
- Fly-tipping
- Unlawful street vending of DVDs and tobacco
- Underage sales of knives, tobacco, alcohol and fireworks
- Fraud, including misuse of disabled parking badges and claims for housing benefit
- Illegal money-lending and related offending
- Breach of licences
- Touting.

3.8. Since 1 November 2012, the Council has only been permitted to use covert investigation for the purposes of serious offences. This means an offence of the following kind –

- An offence punishable by a maximum term of at least 6 months of imprisonment.
- An offence under section 146 of the Licensing Act 2003 (sale of alcohol to children).
- An offence under section 147 of the Licensing Act 2003 (allowing the sale of alcohol to children).
- An offence under section 147A of the Licensing Act 2003 (persistently selling alcohol to children).
- An offence under section 7 of the Children and Young Persons Act 1933 (sale of tobacco etc. to persons under eighteen).

- 3.9. It has also been a requirement since 1 November 2012 that the Council must have approval from a court, in addition to an internal authorisation granted by its authorising officer, before carrying out covert surveillance.
- 3.10. In accordance with the Council's policies and manuals, a central record is maintained in Legal Services of all authorisations and approvals granted to carry out either directed surveillance or to use covert human intelligence sources (authorisations under Part 2 of RIPA). To date this year, all applications for authorisation have been received from the Council's Communities Localities and Culture directorate ("CLC"). The Council provides an annual return to the Office of Surveillance Commissioners ("OSC"), based on the central record.
- 3.11. In order to ensure that applications for RIPA authorisation are of an appropriate standard, the Council's policies and manuals provide that all applications for authorisation to conduct directed surveillance or to use covert human intelligence sources should be considered by a gatekeeper before being passed on to the authorising officer. The Council has a single gatekeeper (the Head of Community Safety Enforcement & Markets within the Community Safety Service). In the absence of the Head of Community Safety Enforcement & Markets, the HLS may act as gatekeeper. The gatekeeper must work with applicant officers to ensure an appropriate standard of applications, including that applications use the current template, correctly identify known targets and properly address issues of necessity, proportionality and collateral intrusion.
- 3.12. The Council has a single authorising officer (Service Head - Community Safety), who has responsibility for considering applications to use directed surveillance or covert human intelligence sources. The policies provide that the Head of Internal Audit may stand in for the Service Head - Community Safety where the ACE or HLS consider it necessary.
- 3.13. The Council's policies and manuals require officers who apply for RIPA authorisations to expeditiously forward copies of authorisations, reviews and cancellations to Legal Services for the central record. The HLS attends fortnightly at CLC's internal deployment meetings to ensure the central record is being kept up to date. Representatives of each service area in CLC attend these meetings. The Council's authorising officer and gatekeeper attend. The meetings provide an opportunity to check the status of applications and authorisations under RIPA and a forum at which officers may present any operations plans where covert investigation may be required and seek a steer from those at the meeting.

### **3.14. The Council's RIPA applications**

### **3.15. Quarter 3 of 2012/2013**

3.16. A single authorisation was granted in quarter 3 of 2012/2013. This was granted on 17 October 2012 in respect of application CS0002. The subject matter of the investigation was touting and details of the authorisation are set out in Appendix 1 to this report.

3.17. A unique reference number (CS0003) was issued on 3 December 2012, but the matter did not proceed to the gatekeeper for consideration.

### **3.18. Quarter 4 of 2012/2013**

3.19. There were no authorisations granted in quarter 4 of 2012/2013.

### **3.20. Directed surveillance authorisations in 2012/2013**

3.21. In total 3 covert surveillance matters are recorded on the central record for the 2012/2013 financial year. These applications all came from the council's communities localities and culture directorate and were dealt with as follows –

#### **Application outcomes:**

Authorisation granted	2
Authorisation refused	0
Application rejected by gatekeeper	0
Application withdrawn	1
<b>Total:</b>	<b>3</b>

3.22. The 2 authorisations granted compared to 3 in 2011/2012. The authorisations were granted for investigations in relation to touting. Both were focussed on Brick Lane and surrounding streets. Following revision of the enforcement policy in October 2012, touting is recorded as one of the priority areas for covert investigation, so the authorisations may be considered to be broadly in line with the Council's policy.

3.23. Throughout the year, covert investigation was the subject of regular discussion at safer communities operations meetings organised by the Council's communities, localities and culture directorate. These meetings are attended by relevant officers in the Council, as well as police and a representative from Tower Hamlets Homes Ltd. The meetings provided an opportunity to discuss the appropriateness of covert surveillance in individual cases and to check the progress of any live authorisations (additional to formal review by the authorising officer).

3.24. Training has not been carried out since 8 February 2012 for officers who may engage in covert investigation, but is in the process of being scheduled.

### **3.25. Enforcement activity**

3.26. The enforcement work arising from the covert investigations authorised under CS0001 may be summarised as follows –

- 19 prosecutions with guilty pleas, resulting in fines of £8,531.00 and costs of £6,184.50. There are 2 prosecution cases in which the defendants have pleaded not-guilty and the trials have yet to take place.
- 10 premises have had their licences reviewed. 8 premises had their licences suspended for periods of between 1 week and 4 weeks. 1 of the premises had additional (anti-touting) conditions imposed on the licence. In the remaining case no action was taken.

3.27. More detailed information is set out in Appendix 2 to this report.

3.28. The enforcement work in relation to CS0002 is still at an early stage. The outcomes can be reported to the Committee at a later date.

## **4. Covert Human Intelligence Sources**

4.1 There were no authorisations granted during 2012/2013 for authorisation to use covert human intelligence sources. This is consistent with the Council's policy, which requires officers to first demonstrate to the satisfaction of the Assistant Chief Executive (Legal Services) that they have the skill and experience to handle a covert human intelligence source, before seeking authority to use a covert human intelligence source.

## **5. Interception of communications**

5.1 The interception of communications is dealt with under Part 1 of RIPA (by contrast, directed surveillance and the use of covert human intelligence sources are dealt with under Part 2 of RIPA). The interception of communications is regulated by the Interception of Communications Commissioner's Office (IOCCO). The IOCCO reports on a calendar year. During 2012, the Council had: zero notices requiring disclosure of communications data (compared with two the previous year); and 23 authorisations to acquire communications data (compared with 59 the previous year). All of these were processed by the National Anti-Fraud Network (NAFN) as the Council's single point of contact. All of these were subsequently approved by the Council's designated person (who is also the Council's authorising officer for covert surveillance). In each case the applications were for subscriber records.

## **6. Inspections in 2012/2013**

- 6.1. The Council was not inspected by the Office of Surveillance Commissioners or the Interception of Communications Commissioner's Office during 2012/2013. NAFN was inspected by the IOCCO and the feedback received is summarised in Appendix 2.

## **7. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 4.1 This is a report of the Council's use of the Regulation of Investigatory Powers Act 2000 ("RIPA") to the Standards Committee. There are no financial implications arising from the recommendations in this report.

## **8. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)**

- 8.1. Legal implications are addressed in the body of the report.

## **9. ONE TOWER HAMLETS CONSIDERATIONS**

- 9.1. Enforcement action that complies with the five principles expressed in the Council's enforcement policy should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.
- 9.2. The enforcement policy should enhance Council efforts to align its enforcement action with its overall objectives disclosed in the Community Plan and other key documents such as the local area agreement and the Local Development Framework. For example, one of the key Community Plan themes is A Great Place to Live. Within this theme there are objectives such as reducing graffiti and litter. The enforcement policy makes clear the need to target enforcement action towards such perceived problems. At the same time, the enforcement policy should discourage enforcement action that is inconsistent with the Council's objectives.
- 9.3. The exercise of the Council's various enforcement functions consistent with the enforcement policy and its principles should also help achieve the following key Community Plan themes –
- A Safe and Cohesive Community. This means a safer place where feel safer, get on better together and difference is not seen as a threat but a core strength of the borough.
  - A Great Place to Live. This reflects the aspiration that Tower Hamlets will be a place where people live in quality affordable housing, located in clean and safe neighbourhoods served by well-connected and easy to access services and community facilities.
  - A Prosperous Community. This encompasses the objective that Tower Hamlets will be a place where everyone, regardless of their background



and circumstances, has the aspiration and opportunity to achieve their full potential.

- 9.4. An equality analysis was conducted prior to approval of the revised enforcement policy by Cabinet on 3 October 2012. Enforcement action may lead to indirect discrimination in limited circumstances, but this will be justified where the action is necessary and proportionate. Necessity and proportionality are key considerations in respect of every application for authorisation under RIPA.

## 10. **SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 10.1. The enforcement policy seeks to target the Council's enforcement action in accordance with the Community Plan. The Community Plan contains the Council's sustainable community strategy for promoting or improving the economic, social and environmental well-being of Tower Hamlets and contributing to the achievement of sustainable development in the United Kingdom. To the extent that the enforcement policy aligns enforcement action with the Community Plan it will tend to promote sustainable action for a greener environment.

## 11. **RISK MANAGEMENT IMPLICATIONS**

- 11.1. Enforcement action carries with it a variety of inherent risks, including the potential for allegations of over- or under-enforcement, discrimination, adverse costs orders and damage to the Council's reputation. It is considered that proper adherence to RIPA, the codes of practice, the Council's policies and guidance will ensure that risks are properly managed. Oversight by the Standards Committee should also provide a useful check that risks are being appropriately managed.

## 12. **EFFICIENCY STATEMENT**

- 12.1. The report does not propose any direct expenditure. Rather, it is concerned with regularising decision-making in areas in which the Council is already active. The enforcement policy seeks to ensure that enforcement action is targeted to the Council's policy objectives. This is more likely to lead to efficient enforcement action than a less-controlled enforcement effort. It is also proposed that members will have an oversight role through the Standards Committee. This will provide an opportunity to judge whether the Council's enforcement action is being conducted efficiently.

## 13. **APPENDICES**

- Appendix 1 – Summary of Quarter 3 RIPA authorisations
- Appendix 2 – Summary of enforcement action to date for CS0001
- Appendix 3 – Summary of IOCCO inspection of NAFN

---

**Local Government Act, 1972 Section 100D (As amended)**  
**List of “Background Papers” used in the preparation of this report**

Brief description of “back ground papers”	Name and telephone number of holder and address where open to inspection.
<b>None</b>	<b>N/A</b>

## APPENDIX 1 - SUMMARY OF QUARTER 3 RIPA AUTHORISATIONS

CS0001	Summary information
Service area:	Community Safety
Date URN granted:	11 October 2012
Application on correct form?	Yes
Date of gatekeeper clearance:	17 October 2012
Date of authorisation:	17 October 2012
Expiry date and time:	16 January 2013 @ 23.59
Scheduled review date(s):	16 November 2012 20 December 2012
Dates of reviews:	20 November 2012
Cancellation:	20 December 2012
Total time open:	64 Days
Type of covert investigation:	Directed surveillance
Subject matter of investigation:	Touting in the Brick Lane area
Necessity:	Preventing or detecting crime, namely offences against: section 136(1) of the Licensing Act 2003; section 237 of the Local Government Act 1972; regulations 9 and 11 of the Consumer Protection From Unfair Trading Regulations 2008. Test purchases are considered necessary in order detect offences and combat the recognised touting problem in the Brick Lane area. Test purchasers will wear recording equipment, which requires authorisation.
Proportionality:	Every restaurant in Brick Lane was written to in February 2011, warning of the criminal consequences of touting. A further letter was sent in July 2011 inviting businesses to sign up to the Council's anti-touting policy. Overt walk-throughs do not gather sufficient evidence to identify the agency relationship between touts and restaurants. Using test purchasers without recording equipment leads to challenges against the reliability of evidence. Use of recording equipment produces an objective record.
Collateral intrusion:	Visual images would be recorded of passers-by and restaurant customers. A tape would be prepared of highlights and any remaining material kept under seal to be made available in criminal proceedings in

	accordance with the Criminal Procedure Rules.
Outcome:	A number of breaches were identified which have resulted in prosecution referrals to Legal Services and licence reviews. A full summary will be provided in the annual report.

PROSECUTIONS 2012 TO 2013 - OUTCOMES

A	B	C	D	E	F	G	H	I	J	K
Offences	Offence Date	Client/Case Type	Final Hearing Date	Court	Outcome	Fines (including victim surcharge)	Costs	Cash Confiscation/ Forfeiture/ Compensation	Other Sentence	Further details of Outcome (if applicable)
(1) s.138(1)(a) Licensing Act 2003 (Breach of condition in Annex 2)	13/07/2012	SC - Licensing - Touting	20/12/2012	TMC	Guilty	£165.00	£500.00	£0.00		(2) withdrawn - alternative charge to (1)
(2) s.138(1)(a) Licensing Act 2003 (Breach of condition in Annex 2)	13/07/2012	SC - Licensing - Touting	20/12/2012	TMC	Guilty	£165.00	£0.00	£0.00		(2) withdrawn - alternative charge to (1)
(1) s.138(1)(a) Licensing Act 2003 (Breach of condition in Annex 2)	27/08/2012	SC - Licensing - Touting	08/01/2013	TMC	Guilty	£1,000.00	£0.00	£0.00		(1) No evidence offered & dismissed - due to change of plea to guilty on (2)
(2) s.138(1)(a) Licensing Act 2003 (Breach of condition 7 in Annex 3)	27/08/2012	SC - Licensing - Touting	08/01/2013	TMC	Guilty	£1,015.00	£850.00	£0.00		
(1) s.138(1)(a) Licensing Act 2003 (Breach of condition 1 in Annex 2)	21/06/2012	SC - Licensing - Touting	11/10/2012	TMC	Guilty	£165.00	£175.00	£0.00		
(2) s.138(1)(a) Licensing Act 2003 (Breach of condition 1 in Annex 2)	27/06/2012	SC - Licensing - Touting	06/12/2012	TMC	Guilty	£881.00	£500.00	£0.00		(2) withdrawn - part of plea bargain
(1) s.138(1)(a) Licensing Act 2003 (Breach of condition 1 in Annex 2)	28/09/2012	SC - Licensing - Touting	06/12/2012	TMC	Guilty	£1,015.00	£807.00	£0.00		(1) Fine £500 (2) Fine £500
(2) s.138(1)(a) Licensing Act 2003 (Breach of condition 1 in Annex 2)	06/07/2012	SC - Licensing - Touting	22/11/2012	TMC	Guilty	£65.00	£300.00	£0.00		(2) withdrawn - alternative offence
(1) s.138(1)(a) Licensing Act 2003 (Breach of condition 5 in Annex 3)	06/07/2012	SC - Licensing - Touting	22/11/2012	TMC	Guilty	£110.00	£450.00	£0.00		(2) & (4) withdrawn - alternative offences
(2) s.138(1)(a) Licensing Act 2003 (Breach of condition 6 in Annex 3)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(1) s.138(1)(a) Licensing Act 2003 (Breach of condition 10 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(2) s.138(1)(a) Licensing Act 2003 (Breach of condition 10 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(3) s.138(1)(a) Licensing Act 2003 (Breach of condition 13 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(4) s.138(1)(a) Licensing Act 2003 (Breach of condition 10 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(5) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(6) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(7) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(8) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(9) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(10) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(11) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(12) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(13) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(14) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(15) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges
(16) s.138(1)(a) Licensing Act 2003 (Breach of condition 11 in Annex 2)	05/07/2012	SC - Licensing - Touting	25/10/2012	TMC	Guilty	£915.00	£250.00	£0.00		(4), (5) & (6) - Withdrawn as alternative charges

This page is intentionally left blank

PROSECUTIONS 2012 TO 2013 - STATISTICS

Client/Case Type	Cases	Guilty	Council win - Appeal dismissed	Simple Caution	Other success (e.g. engaged in Diversion Scheme)	Lost	No Evidence Offered Case dismissed	Not served	Count left to lie on file	Withdrawn	Discontinued	Fines (inc. Victim Surcharge)	Costs	Confiscation	Forfeiture	Compensation
SC - Licensing - Touting	20	19	0	0	0	0	0	1	0	0	0	£8,531.00	£6,184.50	£0.00	£0.00	£0.00
	<u>20</u>	<u>19</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>£8,531.00</u>	<u>£6,184.50</u>	<u>£0.00</u>	<u>£0.00</u>	<u>£0.00</u>

This page is intentionally left blank



RIPA Authorisation	Review Hearing Date	Outcome	Appeal	Appeal Outcome
12-13 - CS - 0001	13/09/2012	Two (2) conditions added: (1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within 500 metre radius of the premises; and (2) Clear signage is to be placed in the restaurant windows stating that the premises supports the Council's No Touting policy	No	-
12-13 - CS - 0001	08/11/2012	2 week suspension & removal of DPS	Yes	Still awaiting 1st date of hearing from Court
12-13 - CS - 0001	15/11/2012	2 week suspension	No	-
12-13 - CS - 0001	15/11/2012	2 week suspension & removal of DPS	No	-
12-13 - CS - 0001	15/11/2012	4 week suspension	No	-
12-13 - CS - 0001	15/11/2012	1 week suspension	No	-
12-13 - CS - 0001	29/11/2012	4 week suspension & removal of DPS	Yes	To be determined
12-13 - CS - 0001	29/11/2012	4 week suspension & removal of DPS	No	-
12-13 - CS - 0001	29/11/2012	Due to papers being missing from agenda pack, members decided that no further action would be taken at this time	No	-
12-13 - CS - 0001	06/12/2012	4 week suspension Standard CCTV conditions added	No	-

This page is intentionally left blank

# IoCCO Report Feedback

**NAFN are very pleased to report that we have had yet another successful Interception of Communication Commissioners Officer (IoCCO) inspection.**

Despite this being our fourth positive inspection in a row, this has not been achieved without considerable effort. Our legal team, SPoCs, and RIPA Administrators have all worked hard to ensure that these high standards continue to be maintained on a daily basis. With the proposed introduction of judicial authorisation for RIPA applications, our management team is also in negotiations to ensure that we continue to manage the lion's share of the process.

## What did IoCCO have to say?

IoCCO's feedback to NAFN emphasised just how few problems they encountered when auditing our service. The standard of application was considered to be impressively high, a fact attributable not just to our SPoCs but also to you, as Applicants and Designated Persons. As we learn together, the standard of incoming applications is improving and ever more complex cases are confidently being pursued. The trust that our members have in us is evinced by the increasingly serious nature of the crimes we are assisting you to investigate. The volume of applications has also increased, and we now have more local authorities than ever before on board for RIPA. This is thanks in part to IoCCO, who actively encourage and endorse membership of NAFN wherever possible, but also down to the strong lines of communication that we are building between different authorities.

IoCCO also noted that the data expansion suggested by our SPoCs was of a good standard, adding significant value to your investigations. Applicants should remember that it may significantly benefit a case to cover the full dates of the offences being investigated, ensuring that you don't miss out on any vital information by restricting the data period unnecessarily. For example, very few Pay As You Go customers will top up every day. If you know the offences took place over a couple of weeks, tell us, because the chances of getting a useful result are increased if you search over a longer period. It may also mean that the need for further applications is avoided if we cover the relevant dates and conduct in the initial request, saving both time and effort.



This page is intentionally left blank