

REPORT TO:  <b>Audit Committee</b>	DATE  <b>22<sup>nd</sup> March 2011</b>	CLASSIFICATION	REPORT NO.	AGENDA NO.
REPORT OF:  <b>Corporate Director, Resources</b>  ORIGINATING OFFICER(S):  <b>Tony Qayum, Head of Audit Services</b>		<i>Anti Fraud and Corruption Strategy and Proactive Anti Fraud Plan 2011-12</i>  <b>Ward(s) Affected: N/A</b>		

## 1. INTRODUCTION

- 1.1 This report provides the Audit Committee with an updated Anti Fraud and Corruption Strategy and outlines a summary of the proposed Proactive Anti Fraud Plan for 2011-12.
- 1.2 Local Authorities in the United Kingdom are required to maintain high standards of probity and have sound arrangements for protecting the public purse. Sound systems of public accountability are also vital for effective management and in maintaining public confidence. This minimisation of losses from fraud and corruption is essential for ensuring that resources are used for their intended purpose.
- 1.3 The need for effective anti fraud work within local authorities has also been reflected by the Audit Commission, through the Use of Resources Assessment and Protecting the Public Purse publications as well as the CIPFA Better Governance Forum and more recently through the Cabinet Office. The requirements highlight the expectations around the framework local authorities have in place in respect of the prevention and detection of fraud. As such, it is imperative that the Council has adequate processes, skills and resources to support anti fraud and corruption activities.
- 1.4 The work of the Anti Fraud Team will increase in 2011/12 with the transfer of the Parking Fraud Team resource to the Corporate Anti Fraud Team.

## 2. RECOMMENDATIONS

- 2.1 The Audit Committee is asked to note the contents of the report and to endorse the anti fraud plan.

### **3. ANTI FRAUD AND CORRUPTION STRATEGY**

3.1 As part of our ongoing efforts to ensure the strategy and systems in place within the Council remain relevant and meet best practice the Anti Fraud and Corruption Strategy has been reviewed and attached at Appendix 1 is the revised strategy that picks up key changes resultant from new legislation and best practice as identified by CIPFA.

3.2 The key areas of coverage are outlined by the following key tests that were set by the CIPFA Publication- Protecting the Public Purse Red Book 2 which was issued in 2009 and new legislation including the Bribery Act 2011 which will probably come into force in April 2011.

3.3 The key tests were:-

#### **3.3.1 Adopting the right strategy**

*Does the organisation have a counter fraud and corruption strategy that can be clearly linked to the effective policies and procedures in relation to identifying, reporting and investigating suspected fraudulent/corrupt activity are in place.*

#### **3.3.2 Measuring Fraud and Corruption Losses**

*Are fraud and corruption risks considered as part of the organisation's strategic risk management arrangements.*

#### **3.3.3 Creating and Maintaining a strong structure**

*Do those tasked with countering fraud and corruption have the appropriate authority needed to pursue their remit effectively, linked to the organisation's counter fraud and corruption strategy.*

#### **3.3.4 Taking action to tackle the problem**

*Is the organisation undertaking the full range of necessary action.*

#### **3.3.5 Defining Success**

*Relevant officers and committees are made aware of investigations which may affect their Services.*

3.4 It is considered that by updating the Anti Fraud and Corruption Strategy in this way it will remain in compliance with best practice.

#### **4. ANNUAL CORPORATE ANTI FRAUD PLAN 2011/12**

- 4.1 This is the fourth year where we have provided an anti fraud plan highlighting anti fraud work, previously it had been subsumed within the Internal Audit Plan. This is to reflect the increasing priority of the service within the Council.
- 4.2 The overall aims and objectives of this plan reflect the Council's Anti Fraud and Corruption Strategy. The key aims are to:
- Highlight and promote the Council's commitment to stop fraud and corruption;
  - Document the roles and responsibilities of Members and officers in respect of fraud and corruption;
  - Detail the current Council activity in respect of the five key elements of the Strategy, namely, prevention, detection, investigation, sanctions, and deterrence; and
  - Demonstrate the Council has sound arrangements in place to receive and investigate allegations of breaches of proper standards of financial conduct and of fraud and corruption.
- 4.3 The key drivers used to compile the corporate anti fraud plan for 2011/12 has built on experience and takes account of the: -
- Fraud Risk Register (maintained by audit through training with services);
  - Transfer of Parking Fraud Team from Parking Services to Risk Management/Internal Audit
  - Management requests and priorities;
  - Local Knowledge;
  - Joint working arrangements - external (DWP, PCT, Police and other Local Authorities);
  - Resourcing the Government's initiative to examine instances of unlawful sub letting of Registered Social Landlord properties
  - Joint Working arrangements – internal (payroll, pensions, parking services, benefits services, housing services; and
  - Issues identified from planned audit work;
  - Good Practice checklists from the CIPFA Publication-Managing the risk of Fraud- Red Book 2 and The Audit Commissions- Protecting the Public Purse.
- 4.4 Our plan is attached as Appendix 2. The focus of the plan is to cover :-
- Planned activities for Tower Hamlets Homes that will include proactive and reactive work and along with review of access to accommodation, including nominations, transfers, successions and management determinations; as part of the on-going work of the Social Housing Fraud resource

- Manage the internal audit process and continue to support the Authority on providing assurance on data quality to the organisation and the External Auditor.
- Continue management of the National Fraud Initiative process for the Authority, ensuring we meet our requirements under the Audit Commissions Code of Data Matching Practice and that the NFI exercise is appropriately resourced and finalised within prescribed deadlines;
- Ensure that the work of those engaged in Anti Fraud work supports the Council's Strategic Plan;
- Work jointly internally and externally by maintaining existing arrangements and developing better co-ordination;
- Continue to lead on the Anti Fraud Forum which brings together all services within the Council and with the Police and PCT responsible for enforcement and financial governance thus maximising opportunities to share intelligence and joint working.
- Continue to provide anti fraud training and awareness to members and officers;
- Continue to hold monthly meetings with the Assistant Chief Executive (Legal Services) on Governance issues;
- Ensure that appropriate training and development on ethical governance matters is rolled out to staff and members as appropriate;
- Publicise all our successes;
- Ensure that all agreed timescales prescribed for the completion of investigation work are met and that all cases are adequately reported to senior management as part of our ongoing reporting procedures; and
- Develop mechanisms for categorising and quantify fraud for more accurate reporting to enable better informed risk assessments.

#### 4.5 Social Housing Fraud Team – Key activities

- to recover unlawfully let properties;
- Jointly investigate Housing Benefit Fraud where the accommodation is unlawfully let;
- Investigate and support THH on suspicious assignments, successions and Mutual exchanges;
- Investigate and support THH on suspicious right to buys where there may be unlawful letting issues;
- Work with RSLs on unlawful lettings and assist in recovery of property for releasing to Housing Pool; and
- Work with other LAs to enhance outcomes for Tower Hamlets.

A more detail report on the work and success of the Social Housing Fraud Team is included elsewhere in the agenda.

#### 4.6 The Parking Fraud Team was transferred to Risk Management in February 2011 to undertake the day to day management and co-ordinate their work , the key activities, being

- Investigation, recovery and prosecution of blue badge abuse;
- Investigation, recovering and sanctions as appropriate on Parking permits (residents and business) and parking scratch cards abuse;
- Investigate and support parking services on persistent offenders; and
- Investigate and consider action as appropriate on abuse of parking meter income.

#### 4.7 The plan makes provision for the existing resource plus a buy in of circa 100 additional days to be utilised as emerging issues arise.

#### 4.8 The following table shows the Corporate Anti Fraud Team resources for 2011/12 and the resource required to complete the anti fraud work in 2011/12.

Reactive resources	Days
Fraud Manager	200
Fraud Co-ordinator	200
Allocation from Internal Audit Plan	100
	<b>500</b>
3 x Social Housing Fraud Officers	600
2 x Parking Fraud Officers (one term time)	315

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

These are contained within the body of this report.

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

There are no immediate legal implications arising from this report.

#### **6. One Tower Hamlets**

7.1 There are no specific one Tower Hamlets considerations.

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

#### **7. Risk Management Implications**

8.1 This report highlights how actions of the anti fraud team in dealing with the fraud risks that can arise from the abuse of public sector properties. There are no other risks that need to be considered in addition to those already highlighted within this report.

#### **8. Sustainable Action for a Greener Environment (SAGE)**

9.1 There are no specific SAGE implications.

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#### **Local Government Act, 1972 SECTION 100D (AS AMENDED) List of "Background Papers" used in the preparation of this report**

Brief description of "background papers"

**Contact :**

N/A

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