**Summary Kent TFF Notes from Launch – 19th June 2017**

Introductions noted around the room.

Debbie Dansey gave background to her role and experience in Counter Fraud, new to Ashford BC. DD nationally has represented local authorities at the Select Committee, working also with DCLG about Fraud. In Ashford BC primary role for Debbie Dansey is looking at Corporate Fraud and safeguarding all of Ashford BC services and assets, including social housing fraud.

**Social Housing Fraud Slides**

* Key issue for local authorities is about the use and number of families in temporary accommodation and how social housing fraud can elevate these numbers.
* Summary of the types of social housing fraud were provided in the slides. This is not an extensive list and not just about subletting.
* TFF main aim is to bring all social landlords together to combat fraud in social housing, this is a free forum, and there is also an online Yammer Forum. This is nationwide and not exclusive to Kent.
* The aim is to form a Kent TFF, with the support of Kent Housing Group.

**Sussex Tenancy Fraud Forum**

* The Sussex TFF has been established for approximately 3.5 years.
* Working with the DWP from 2011 and using funding to look at housing fraud.
* Protecting the Public Purse publications has provided information about losses through fraud.
* All front line services are at risk of fraud.
* The Audit Commission have historically produced figures about losses to organisations through fraud, 2% of all stock (outside of London) are being mis-used potentially.
* Provided examples of successful non occupation cases in Crawley, this is the biggest fraud issue in Crawley. False applications have also been a big issue in this area, and there has been work on this to reduce the number of false applications.
* Through the forum there is support and sharing of success across the board, with colleagues, members. This isn’t undertaken from an audit perspective but detecting the fraud and stopping it. Every time there is a successful case in court it is publicised in the press, awareness is growing.
* In the first year over 30 properties were recovered, without Court action, some with interview under caution.
* Prevention of Social Housing Fraud Act – this has assisted with investigative powers and success.
* The team works across all the departments and has grown over time due to the success of the fraud work.

**Questions/Comments**

How do you get more correct information from local authorities when properties are nominated via an agreement, for example when there is a live in carer? If it is a legal obligation to share the information then this should be done between the two parties. The advice was to go back to the nominating authority.

How do you prove that a person lives elsewhere? It is using all the financial links, visiting, utility usage and consumption, at the beginning of an investigation do not rule out all outcomes, for example is it subletting or non-occupation, use the powers to make decisions and that these are all logged correctly.

Information is received via a hotline, personal visits to the authority, amnesty, repairs and maintenance teams reporting, credit checking and using the success of the press releases. Who goes or has access to properties and can provide information. Running fraud awareness training for staff/contractors is very beneficial.

Data matching has been explored with about 12 properties back from this initially, the housing register and internal systems are all data matched. NFI data matching is successful; it is expensive to do this with core credit companies, a good starting point.

Do the powers in Act apply only to the local authority? HA’s can go through NAFIN (National Anti-Fraud Network) to use the powers, there is a membership fee attributed to this network. Locally in Crawley they assist HA’s with this work and do provide services to some HA’s. The Sussex TFF assists with joint working and picking up these issues.

How do you deal with Intention to Return on Non occupation cases? There is new case law on this, anyone can have intention to return, and this is about background to the case, what have they taken and what have they left. Legal teams can be risk adverse. There has been major success elsewhere in the country. It isn’t easy to get these cases through and this is common still in Crawley.

**Lewes District Council Presentation**

* There has been work on this in Lewes since 2014, a business case supported the team to be established.
* 1.5 FTE investigators in Lewes, accredited Counter Fraud Investigators.
* Lewes DC Head of Audit made a case to keep Clare and Dave in post and work on Fraud.
* Since November 2014 have dealt with tenancy cases 29 cases and recovered 14 properties, also working on illegal activity. There are approximately 68 live cases; these are a mix of RTB and tenancy cases.
* Worked with the housing teams to set up a tenancy key amnesty, this was learning from the Sussex TFF, 4 properties returned in the key amnesty and direct result of an investigation by Clare and Dave.
* Funding from Government Grant to do more advertising about fraud and put in prominent places.
* At the start you have to establish relationships with teams working on the ground, within one week of starting this team they had one property back, there are still referrals from the housing team.
* Successful cases are promoted in local press.
* Key is to prove that they have an address elsewhere to where they are a tenant and documenting all attempts at contact and the responses.
* Examples of successful cases shared with colleagues.
* Colleagues to share any information about RTB cases and fraud to contact colleagues at Lewes DC. This would assist with an on-going case.
* Fraud colleagues were asked by Lewes DC to look closely at RTB cases and there is more details and information request about how an RTB is going to be financed and not subject to Money Laundering Regulations. Since working more closely on RTB approximately 40 withdrew with 18 live cases/applications.
* Since 2014 (Nov) approximate savings to the local authority = £3,500,000, with a team of 1.5FTE.

**Questions/Comments**

There was buy in from members for the key amnesty, sharing good practice of success to get buy in from across the board. Lewes DC took guidance from Crawley and also the support and collective voice from the Sussex TFF. The objective of the Key Amnesty was to raise the profile of the team and the work and wasn’t about a target set of returns. You have to look at the quick wins at the beginning of work and then can work on the more complex areas/cases.

What are the options for Kent through a Kent TFF, can pooling of resources for example help with assisting all partners to support/combat housing/tenancy fraud.

**Discussion Session**

Colleagues from Circle advised that there are colleagues now working on this locally now in Kent and need some guidance about how to take cases forward. It is about sharing, growing and learning from others through a Kent TFF will assist how to become successful at combating fraud. Its about smarter and thorough processes across all areas, how do you verify that a person is entitled to a discounted sale or tenancy.

In Lewes DC Dave and Clare have worked with the RTB team and asked for them to stop the statutory clock so enable the necessary checks. An applicant can ask for compensation in respect over paid rent between time of application and the sale, but this isn’t always acted upon by the applicant. There are some guide lines for vRTB for HA properties about sales of social housing stock.

Ashford BC are exploring this new process of verification and having discussions with the legal team internally. Debbie Dansey will share the outcome of these discussions, since 2012 Ashford BC have only stopped one RTB application.

Is there training for interviewing in cases and how to extract the information correctly. There is training available and colleagues from Crawley suggested sharing all the information you have to give the tenant the choice about the options going forward, do they want to go through a court process.

DCLG have agreed that you can ask applicants for additional information regarding RTB applications, Epping Forest have shared learning on this. If additional questions are asked but not answered then the local authority is not adhering to money laundering legislation/due diligence, which is a crime.

**TFF National Chair, Katrina Robinson - A National Overview.**

* Head of legal services for Optivo, recently merged Viridian and Amicus Horizon Limited.
* Commonly hear about frustrations with risk adverse legal teams.
* Provided a list of What is Tenancy Fraud, including abandonment
* No succession claims go ahead until Tenancy Fraud Investigators have looked at the case.
* Some of the work of the investigators covers elements of their salary through their work.
* The LGA have recently stated that local authorities are spending £2m per day housing people in temporary accommodation.
* Tenancy fraud is often linked to other criminality, for example HB fraud.
* The HCA now ask all HA’s to report back on how many properties they have got back through tenancy fraud.
* Unlawful Profit Orders – these are simple to undertake. In correspondence to tenants who you think may be committing tenancy fraud you can add more appropriate words about reserving the right to go to court following keys being handed in, see the Yammer sight for the Tenancy Fraud Forum for more information.
* The Yammer site is completely secure and only accessible to those employed by social housing organisations, with access to over 800 colleagues to ask for advice and support.
* Katrina offered to liaise with senior management colleagues who may be hesitant about investment into tenancy fraud.
* There is in house training via the Tenancy Fraud Forum or access to other training sessions.
* Membership of the TFF is free; the only charge is the annual conference that is £99. There are details of the 2017 Conference in the slides, the TFF website and Yammer sight. The aim is to set up regional groups; there are new groups in Northern Ireland and Wales.

**Questions/Comments**

The Prevention of Social Housing Fraud Act is available for use by HA’s, the local authority have to undertake the prosecution under the Act, the HA can serve a Notice or draw up an Unlawful Profit Order. There is legislation and process to follow should a decision be taken to use CCTV to gather evidence. CCTV is a good tool to use on more complex cases.

Intention to Return defence is most common, it has to be real intent and has to be evidenced. They would need to be registered to a local GP/Hospital for example. There has to be creative thinking about how to extract information to evidence tenancy fraud. There is correspondence good practice on the Yammer site.

TFF are going to start lobbying and one item is improving the documentation that applicants have to complete for a RTB application.

Yorkshire TFF have done some joint publicity through their TFF, as a collective voice, using all media forms, sharing details about hotline numbers, a key amnesty was also undertaken. Other groups have had interview training from local police forces, some undertake door knocking at weekends and evenings without notice. Another area have used a bus to share information about tenancy fraud. Sussex TFF wrote a letter to all members to inform them about the cost of tenancy fraud and the implications on social housing to get their support locally.

It is difficult to measure and quantify the scale of tenancy fraud; you can measure through prevented RTB applications. There are a variety of sources not used to quantify the true impact of tenancy fraud. There is a strong synergy between this work and the budgetary pressures on local authorities and partner agents around Temporary Accommodation.

Is there any pattern or theme or age group linked to tenancy fraud? Loan properties are difficult to manage and carry out inspections, potentially more at risk of tenancy fraud. Other than this there is no pattern identified. Sub-letting and also vulnerable residents identified by working with repairs teams to establish who hadn’t reported a repair for two years or more, with an unannounced tenancy audit.

**Kent TFF – Terms of Reference Discussion**

* KHG will provide the administration support for the group.
* Debbie Dansey happy to take on the role of Chair until the group is formally established.

Aims and Objectives to include:

* **Raising awareness** – meetings are generally a few hours to work through an agenda. Other groups have established work plans to look at joint working and how to obtain funding to support initiatives. This will be a Kent group.
* **Key amnesty**
* **Training and development** – using contacts for interview skills, gathering evidence, themed training
* **Mapping** / point of contact about provision/expertise within the groups organisations. A directory of contacts, including roles, what resources each organisation has – LA’s are not restricted by boundaries/area to support investigative work
* Develop a **Communications Plan** for internal and external partners/organisations

Debbie Dansey shared an example TFF Terms of Reference; this has been seen by KHG, who are happy with this as a template to use for Kent. These will be adopted and can be reviewed as appropriate.

**Next Steps**

The Chair of the London TFF (Sara Weller) advised that there was working with two local authorities and messages were shared with the TFF, providing an overview of what the TFF would do and discuss. The meetings are well attended from across all housing providers in the area. There is a big focus on training and development. The London TFF meets quarterly.

It was suggested that the group should meet in October, with colleagues to share agenda topics with Debbie Dansey and Rebecca Smith. This will be a half-day session and Ashford BC can host but other organisations are able to host if they are able to do.

KCC are supporting this group going forward, although not in attendance today.

It was agreed that one of the first objectives is to raise the profile of the group as Kent wide initiatives are costly and will require investment; the more invested the reduced sharing costs.

**Committee**

Colleagues to contact Debbie and Rebecca about being a key contact, a core of five colleagues to go through agendas and work planning ahead of meetings.

**Feedback**

The feedback about the session was positive. Debbie is happy for organisations to send the appropriate colleagues to meetings dependant on the theme.

Thanks noted to Ashford BC for providing the lunch and the room.