# AUDIT AND PENSIONS COMMITTEE

30 June 2011

### **CONTRIBUTORS**

Head of Fraud Service Chief Internal Auditor Director of Finance

# TITLE Corporate Anti Fraud Service Annual Fraud Report 2010/11

This is the annual report on the progress made in delivering the 2010/11 year service plans; key results of the work undertaken; and the performance achieved.

### **RECOMMENDATION:**

To agree the contents of the report.

### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

No.	Description of	Name/Ext. of Holder of	Department/
	Background Papers	File/Copy	Location
1.	Corporate Anti Fraud Service operational investigation files and performance reports	Kirsten Quinn	Corporate Anti Fraud Service, 4th Floor, Town Hall, Hammersmith

WARDS All



Hammersmith & Fulham Council

Corporate Anti Fraud Service

## **Fraud Report**

The Council's Annual Fraud Report to 31<sup>st</sup> March 2011

### **Management Summary**

- This report details the counter fraud work undertaken during the year to 31<sup>st</sup> of March 2011by the Council's Corporate Anti Fraud Service (CAFS).
- 2 CAFS has delivered an exceptional performance this year achieving 29 successful prosecutions, 257 sanctions (these include administrative penalties, recovered properties, removals from the council's Housing Register, etc). This total of 286 successful outcomes compares to a target of 180 and a previous year performance of 278. This is the best performance since the inception of this unit in April 2006 and substantially more of these results are from prosecutions (17 in 2009/10 compared to 29 in 2010/11).
- The service identified fraud and error to the value of £14,621,709 including the housing fraud work from the special projects, this figure includes direct cash benefit to the council of £404,500. This compares to CAFS operating costs of £905k and gross costs of £1.1 million.
- The work undertaken by the service has continued to expand with increased referrals for tenancy fraud and internal fraud, plus joint work undertaken with the police supported by a CAFS officer seconded to Hammersmith police station identifying and working on cases in which both the Council have an interest and which serve to reduce crime in the community.

### 1. Introduction

- 1.1 Counter fraud services for the council are provided by the Corporate Anti Fraud Service (CAFS). The CAFS scope includes suspected fraudulent Housing Benefit and Council Tax Benefit claims, suspected fraudulent tenancies and circumstances of tenancy related matters, and investigating allegations of fraud or irregularity committed within or against the Council. Further coverage is provided by undertaking special projects, which currently covers tenancy issues.
- 1.2 The CAFS service also has responsibility for raising fraud awareness across the Council, managing participation in the Audit Commission's National Fraud Initiative, providing advice and guidance in such areas as Money Laundering and Whistleblowing, and maintaining close working relationships with the police and other partnership organisations in order to facilitate the effective combating of fraud directed against the Council, whilst contributing to the reduction of crime overall.

### 2. Performance

- 2.1 CAFS performance is measured on outputs which is the number of sanctions successfully applied and the number of fraudulent issues stopped or prevented. We also keep under review the value of fraud and error identified plus the amount of recovered and recoverable losses identified for the Council and the public purse.
- 2.2 The CAFS target for the year was 180 successful outcomes, which has been exceeded significantly with a final outturn of 286. This is easily the best performance of the Service since its creation in 2006 and has improved year on year since its inception. **Figure 2** in Appendix 1 show the breakdown of sanctions achieved.
- 2.3 The number of successful prosecutions achieved this year is substantially improved at 29 delivered against last year's total of 17. In order to manage any delays going forward CAFS has identified and monitored progress on all potential prosecution cases. Copies of some of the press releases for the prosecution cases are provided at **Appendix 2** for information.
- 2.4 It is worth mentioning the volume of referrals received which shows that the service continues to receive more volumes than it can investigate.

- CAFS received 1007 referrals comprised of 415 benefit cases, 328 tenancy related cases, 112 internal or corporate cases, a further 152 tenancy project cases, and 7 others. Of these 212 cases were rejected for investigation either because of insufficient quality of information or due to insufficient capacity to proceed. This is summarised in **Figure 1** of Appendix 1.
- 2.5 The measurable financial value of CAFS work involves cash recoveries received from the application of penalties or court awards, Housing Benefit overpayments which become a debt owed to the Council plus a 40% 'bounty' on these overpayments which is paid to the Council via subsidy, the recovery of property or removals from the Housing Register which the Audit Commission have put a value of £75,000 per property, the prevention of fraudulent Right to Buy applications which would attract a discount of £16,000 per property and is valued by the Audit Commission at £26,000, and other overpaid benefits which are recoverable and while bringing no specific value to the Council do represent a saving made to the public purse. The analysis of the value of fraud identified and recovered is contained in the table at **Figure 3** in Appendix 1.
- 2.6 It was the intention to report how much of council debt generated from CAFS work was recovered in the year. Unfortunately system reports only contain details of debts raised and the outstanding amounts at the time the report is produced. While this has previously been calculated as achieving an average of £72k per annum we agreed to only quote actual recoveries going forward and unfortunately while we are certain that at least £120k has been recovered the reports have not been consistent over the year so an accurate year end figure cannot be provided. This is something we will actively pursue for the future as a priority.
- 2.7 Appendix 1 figure 3 shows that the council recovered £404,522 last year and a further £751k is recoverable. There is a further value to the council from properties retained for welfare housing that according to the Audit Commission is worth £13.5 million to the council. These compare well to the cost of the service which was an operational cost of £950k, and a gross cost of £1.1 million.

### 3. Service Review

- 3.1 The core CAFS service remained temporarily expanded for the year to undertake specialised projects related to tenancy fraud, plus an increase in size of the corporate fraud team reflecting the size of the caseload.
- 3.2 The core CAFS work covers housing benefit, fraudulent tenancies, and corporate fraud. Additional activities include investigating applications on the Housing Register, and a significant amount of fraud and error identified through management of the National Fraud Initiative exercise. The deterrence effect of the publicised work of the Service cannot be ignored, which includes the press releases made for every successful prosecution. Examples of press coverage achieved as a result of these press releases is provided at Appendix 2 for information.
- 3.3 The profile of the Service, the Council, and the fight against fraud in Hammersmith and Fulham has been raised as a result of joint working with the police. One of the CAFS officers has been a dedicated single point of contact between the police and the Council's counter fraud service. The officer spends most of his working time based at Hammersmith police station, working with the police's Payback Unit identifying cases that are of joint interest to the police and the Council, and where there are likely to be identifiable assets which can be seized and confiscation applied for under the Proceeds of Crime Act. The peripheral benefits of this working relationship relate to crime in general.
- 3.4 In order to maximise the realisable benefits from work of this nature, three CAFS officers have trained as accredited Financial Investigation Officers, a further two senior officers have trained as senior authorising officers. We now have the option to apply to the courts to make restraints ourselves, rather than being dependant on the police. The advantage is that currently any assets seized and confiscated and allocated by the court are divided between the Council and the police. If we apply the restraints and bring proceedings ourselves, then we have the opportunity to maximise income to the Council.
- 3.5 Tenancy fraud is being widely recognised as a growing area of concern and the Audit Commission make strong recommendations that Local

Authorities do all in their power to crack down on an estimated 50,000 unlawful tenancies or sublets nationwide. In November 2009 the Minister for Housing announced a national crackdown on tenancy fraud with a series of measures including tenancy data matching. We are reportedly the first Authority nationally to successfully prosecuting a case of Sub-Letting.

### 4. Conclusion

- 4.1 2010-11 have seen the most successful year for counter fraud investigation since the formation of CAFS in 2006 (and indeed prior to that). The level of referral continues to increase due in part to the work of the CAFS team in raising awareness and improving liaison between the Council and its partners, coupled with a long overdue raising of awareness at a national level on tenancy fraud.
- 4.2 Following the reduction in funding at the beginning of the 2010/11 year and a re-structure the unit has now reduced in size. As a result the reliance on temporary staff is reduced and the management structure has been flattened.
- 4.3 The aim of the Corporate Anti Fraud Service going forward is to continually improve the benefit it delivers to the council. With the reduced funding the intention is to focus on achieving better results with the resource available. Options being considered include improving the referral and risk scoring process, making better use of intelligence and increasing our focus on proactive work such as data mining, and by trying to reduce our main operational cost areas such as our legal costs.
- 4.4 The work of local government fraud units will be substantially altered by the proposed national government changes in 2013. CAFS will work together this year to redirect their resources into non benefits related investigations which add value at a more local level. A full pro active programme will be run which will concentrate on areas of risk within the council which are unrelated to the payments of national benefits.

### **Appendix 1**

Fig. 1 Cases Opened, Rejected, and Closed 2010-11

Fraud Area	B/fwd from 2010/11	Referred	Rejected	Closed	C/fwd into 2011/12
Benefit Fraud	389	415	201	239	364
Tenancy Fraud	172	328	11	185	304
Housing Register Project	161	146	-	265	42
Other Housing Fraud	47	-	-	47	0
PSL/HAL Tenancy Project	252	6	0	258	0
Internal or Corporate Project	120	112	-	140	92

Fig. 2 Performance by Outcome Achieved

	Prosecutions Successfully Undertaken	Caution, Penalty, Recovery or Disciplinary Sanction	Positive Outcome / Action Achieved	Totals
Housing Benefit	29	50	24	103
Tenancy	01	53	0	54
Tenancy projects	0	92	0	92
Corporate	01	34	02	37
Total	31	229	26	286

### Performance Outturn against Target

	Annual Outturn			
	Total			
Target 2010/11	180			
Total outturn	286			
Target 2009/10	150			
Total 2009/10	278			
Total 2008/09	186			
Total 2007/08	130			
Total 2006/07	132			
Total 2005/06	96			

Fig.3 Financial Value of Counter Fraud Work Undertaken 2010-11

		Recovered		Recoverable		Additional value to public purse	Speculative Income
		Recovered by CAFS	Recovered to LBHF via subsidy	Recoverable by CAFS	Recoverable by LBHF	Value of properties recovered or lets avoided	Value of Assets Currently Restrained
Benefits	Penalties (31)	£39,625					
	Costs, Compensation, POCA	£22,574				£3,628.07	
	HB Overpayments				£726,819		
	40% Bounty on HB O/Ps		£290,728				
	Fraud Training	£600					
Tenancy	Tenancies recovered (48)					£3,600,000	
	Housing Register removals (90)					£6,750,000	
	HR Removals2009/10**					£2475,000	
	Right to buys					£52,000	
	Housing other (8)					£407,000	
Corporate	Corporate cases	£41,277				£82,555	
NFI*	HB Overpayments				£24,296	95,889	
	40% Bounty on HB O/Ps		£9,718				
	Pay & pensions						
	Creditors						
Assets Restrained: Benefits cases							950,375
Assets Restrained: Corporate cases							0
Total		£104,076	300,446	0	751,115	13,466,072	930'375
Total recovered		404522					
Total balance recoverable		751,115					
Total overall recoverable value to the council		1,155,637					
Total value to council due to CAFS work		14,621,709					

<sup>\*</sup>NFI is a bi-annual exercise. Results for the last exercise were published as part of the 2009-10 Annual Fraud Report. No results expected in this area until Q4 at the earliest.

\*\*33 Housing Register removals effected in March 2010 but not counted or reported in 2009/10 outturns, hence included here

### Appendix 2 – Press Releases

### CAFS PRESS CUTTINGS - 2010/11

### May



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putting residents first

Council Services

News

### Benefit fraudster foiled

Friday May 21, 2010

A woman who deceived the council out of more than £18,500 of benefits has avoided jail by the skin of her teeth.

Elizabeth Abisuga, of Bloemfontein Avenue, Shepherds Bush, failed to tell the council that she worked at St Bernard's Hospital, Southall

Investigations by the council's corporate anti-fraud team also revealed that Abisuga was using two alternative National Insurance numbers to that used for her benefit claims. This meant that it was especially difficult for her fraud to be detected.

The 42 year-old admitted during interview that she had failed to declare that she worked and that she was using a bank account that the council had not been made aware of

In total, the mother of two swindled the council out of £15,996 of housing benefit and £2,593 of council tax benefit. She also defrauded the Department of Work and Pensions out of £23,729 of income support

Abisuga was sentenced to six months imprisonment, suspended for two years, at Isleworth Crown Court on Friday. May 7. She would had served with a custodial sentence had it not been for her two children. She will also have to pay back the money that she was not entitled to. Abisuga served a three year jail term in 1992 for conspiracy to defraud.

Cllr Greg Smith, Cabinet Member for crime and street scene, said. "Benefit fraud will not be tolerated in Hammersmith & Fulham and we will continue to bring those who cheat the system to justice. The council carefully scrutinises how every penny of tax-payers money is spent and will continue to clamp down hard on those who think that fraud is acceptable."





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### June



### August



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### Housing fraudster foiled

Tuesday August 10, 2010

A man who lied in order to get a place on the housing waiting list has been fined almost £2,000.

When filling in his housing register application form, Hassama Ahmed, 25, of Wolfe House, White City Estate, failed to tell council officers that he was the joint owner of the property.

Ahmed's bid was successful but investigations by the council's corporate anti fraud service quickly revealed his lies.

The conman pleaded guilty to fraud and at West London Magistrates on Tuesday July 20 was fined £315 with costs of £1,560.

A council spokesman said: "This kind of behaviour will not be tolerated in Hammersmith & Fulham. There are thousands of people waiting patiently on the housing waiting list and we will not people lying in order to jump to the front of the queue is unacceptable."

\* Send us your comments now

Your comments





### September



September continued

Daily Express Tuesday September 21 2010

7

# nts of two-week-old rare sent to jail for .000 benefits fraud



# 1290,000 scam of the Lady and the tenant'

ATTILED, vicinius helpiscosis en i baggiores y cult al 190 000 in Burnellione govern helpiscosis

Lindy Giffel Bowden, 70; is accussed of claiming benefits for a house in Hammerswith, west London, while living with a man claiming to be a tenant.

Her late husband was Sh Prank Bowden whose grandlather set up the Balaks contestion in

Greham? oung allegadly claimed thousands in pension credits and housing and council tax benefits from Hammersmith and Futhern Council.

The pair were found living together at Lady Bowden's address Islaworth Crown Court heard Govin Irwin, prosecuting, said properties in both their names had been transferred into Lady Bowden's comership during the four-year scarn.

Jason Cross, defending Lady Bowden, said the close friends were living in the same house because Mr Young had a cold.

of billing to disclose a

change of circumstances between 2004 and 2008.

Lidy Bowden derries five counts of money laundering and one of dishonestly relaining unlawful credit. The jury is expected to retire

### October



Close:



### Suspended prison sentence for benefit cheat

Lorraine King, Sub-Edtor Friday, October 15, 20 10 2 22 Pk/

Greedy 36-year-old tried to hide her £26,000 nest egg

A GREEDY benefit cheat who withdrew £25,000 out of her bank account when she discovered she was being investigated has received a suspended prison sentence.

Collette Anazodo, of Uxbridge Road, Shepherds Bush, hastily took out the cash when she realised Hammersmith and Fulham Council were probing her entitlement to Housing and Council Tax benefit.

The 36-year-old had not only been claiming benefits while working but she also tried to hide thousands of pounds she had saved in three separate bank account.

When she was invited to attend an interview under caution by the council's fraudbusters she failed to turn up, withdrew the money out of her account and subsequently snubbed a further five invitations.

When she was eventually collared in October last year, she claimed she was entitled to the benefit because she was ill thus did not have to declare her job.

She also pleaded ignorance about declaring her nest eggs.

She eventually admitted fleecing the council out of £17,766 in Housing Benefit and £4,130 of Council Tax Benefit.

She also swindled £37,000 of the Department for Work and Pensions.

Anazodo was convicted of benefit fraud and money laundering, due to her withdrawing the large sum, and was sentenced to two years in jail suspended for ten months.

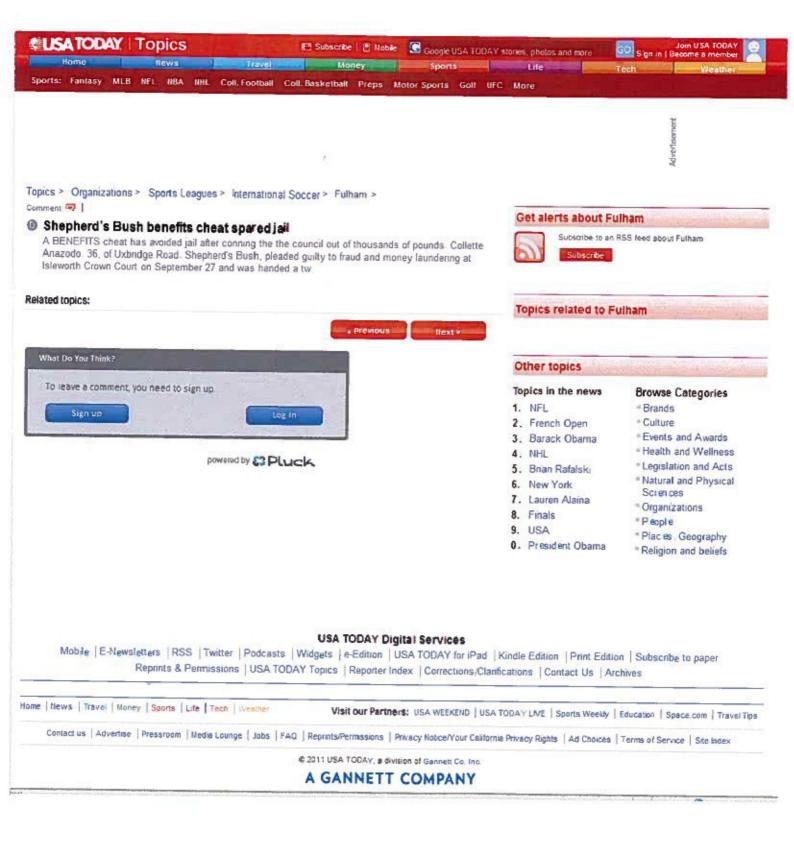
Clir Greg Smith, cabinet member for residents' services, said: 'It beggars belief that people think they can commit benefit fraud and get away with it.

'This council will work tirelessly to catch those who think it is acceptable to con the benefits system.

"Every penny counts as the council works to cut its historic debt of £133 million and we will not let fraudsters help themselves to hard working taxpayers" money."

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October continued: CAFS coverage in the United States of America.



### October continued:



### October continued:



### November

Thursday, November 18, 2010 Sun 49

A COUPLE ran a multi-million-pound drug empire while on housing benefit.

Michael Lawrence, 42, and Tracy Lucas, 44, went on luxury holidays in Florida and Mexwent on luxury hondays in Florida and Mexico while raking in \$60,000 of taxpayers' cash.

Their gang, who flooded London with cocaine and cannabis for ten years, were caught after under-cover cops mounted an 18-month operation.

Lawrence and Lucas

Lawrence and Lucas sometimes spent £4,000 a

sometimes spent £4,000 a night on champagne, owned a £365,000 house in Chessington, Surrey, and had £500,000 in the bank.

But they defrauded Hammersmith and Fulham Council out of £60,358 from 2005.

Lawrence was jailed for 8½ years after admitting drug and fraud charges. Lucas got seven months for benefit fraud. Lawrence's brother James, 44, got ten months

\*\*Two friends were jailed for helping the couple supply the drugs.

\*\*afrance@the sun.co.uk\*\* James, 44, got ten months



a france@the-sun.co.uk

### November continued

### 4

12 November 2010

### **NEWS**

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### **News** in brief

### Con artist caught

**WEST KENSINGTON:** A fraudster who claimed benefit pretending to be a lone parent has narrowly escaped a jail sentence.

Jetmira Barjami, 29, of Ivatt Place, West Kensington, claimed state benefits as a single mother with two children and was also collecting income support, housing benefit and council tax benefit.

However, following an anonymous tip-off, Hammersmith and Fulham

However, following an anonymous tip-off, Hammersmith and Fulham Council's corporate anti-fraud service (CAFS), found that Barjami was living with her partner, an employee of Jobcentre Plus.

Barjami admitted defrauding the

Barjami admitted defrauding the council out of £10,762 of housing benefit and £1,975.38 of council tax benefit. She was given a three-month sentence suspended for 12 months at Isleworth Crown Court on November 5.

### January

