



Performance Advisory Group (PAG)

23 April Board Room 4th floor Barnet House

Main Meeting 6:30pm until 8:30pm

Present:

John Davies	(JD)	Chair Person
Aruna Bhatt	(AB)	Vice Chair
Elizabeth Fitzgerald	(EF)	Member
Amlan Ghoshal	(AG)	Member
Carol Douet	(CD)	Member
Norah Fallon	(NF)	Member
Maxell Doku	(MD)	Member
Aletah Drake	(AD)	Member
Peter Williams	(PW)	Data & Information Manager
Deborah Beckford	(DB)	Customer Engagement Co-Ordinator
David Atta	(DA)	Resident board member
Tony Nash	(TN)	Counter Fraud Manager

Item	Title	Action
1	Apologies and welcome Apologies received from Eleanor, Adanna, Angela and Hazel Introductions were made around the table	
2	Minute Approval All agreed the minutes were a true reflection.	Minutes to be published on website
3	Matters Arising No actions arising	

4	<p>Quarter 3 Performance Indicators</p> <p>4.1 PW attended the meeting to discuss with the members how they would like to receive the quarterly performance indicators report moving forward. DB informed members that she had received some feedback from the new CEO on this following the last meeting in March that he attended. DB asked the members if they still wanted to receive the full report or only the area's in the RED. DB also asked members if that moving forward they felt it may be more beneficial to invite the heads of services of areas that are consistently not meeting their targets to attend the meetings so that they could explain in more details what the issues are.</p> <p>4.2 The members then went on to have a discussion</p> <p>AB said she would like a service manager to attend the meetings.</p> <p>MD said he would still like to receive the full report and would like a service manager to attend rather than the head of service</p> <p>PW replied that should depend on the service area and that it was a target that was consistently in the RED it may be better to have the head of service attend the meeting to explain the long term strategy to reverse this</p> <p>PW said that PI for Mears will be added to the report from now on</p> <p>DB made the point that she would need to know in advance which areas were in the red so that could ensure enough time to invite the right officer to attend the meeting</p> <p>PW said that he would usually have that information a few weeks in advance</p> <p>4.3 To conclude the general agreed plan moving forward would be for members to receive the full report as usual, invite the service manager to attend the meetings or invite the head of service to attend if the area was consistently not meeting targets.</p>	
5	<p>Tenancy Fraud</p> <p>5.1 Started off by asking the members if they were aware of the Corporate Anti-Fraud Team and a few had. I confirmed that I was a corporate fraud manager in charge of the tenancy fraud team, but we also had a corporate team who dealt with internal fraud.</p> <p>I explained that I had taken over the running of the tenancy fraud team in November 2013 and managed a team of five investigators, plus an intelligence officer. All officers are fully qualified investigators.</p> <p>We then discussed the different kinds of tenancy fraud below;</p> <p>Fraudulently obtaining affordable housing, subletting for personal gain or not occupying a property as your main or principal home uses up</p>	

	<p>valuable resources. These should be available to families in most need. Types of Social Housing Fraud are:</p> <ul style="list-style-type: none"> • Application fraud – If you have made a false declaration, or submitted fraudulent documents to obtain a council tenancy • Unlawful subletting - If you are sub-letting the whole or part of your home, this includes to family members • Non-occupation - If you are not occupying your council property as your main or principal home. It was discussed that some people go and live elsewhere (possibly with a new partner) but keep the property as they still wish to claim benefits. • Succession fraud - Unlawful tenancy succession – wrongful succession to a property to a person who does not qualify and has submitted false information. CAFT deal with all succession applications to confirm the person making the application is entitled to do so. Obviously this is a very delicate matter as it is usually a loved one who has passed away and it is imperative to deal with these matters in a sympathetic manner. One of the members confirmed he had taken over his late mother's tenancy and it was a very traumatic time. • Right to buy fraud – Where a false application has been submitted. CAFT look at all right to buy applications and visit the property and discuss how the purchase would be funded. Lots of people say they would be getting monies from family and friends and I explained that we would request proof of where the monies are coming from because of money laundering issues. CAFT were involved in the stopping of 45 right to buy applications in 2017/18 • Key selling – selling the keys for an amount of cash and having no further interest in the property 	
5.2	<p>Service Level Agreement with BH</p> <p>We have a service level agreement with Barnet Homes and report figures monthly, and do quarterly reports and an annual report. As part of the SLA we conduct 4 pro-active exercises throughout the financial year. The SLA agreement is that we recover 60 properties per years and last financial year we obtained 61.</p> <p>We also stopped 12 housing applications and this is something CAFT are looking into doing further work on.</p> <p>We then did an exercise on what information can we obtain under section 29(3) of data protection act (prevention and detection of a crime)</p>	

	<p>CAFT investigate all referrals and do a lot of background checks to establish where the tenant is residing. This was discussed with members</p>	
5.3	<p>Prosecuting Fraud</p> <p>It is a criminal offence to commit the above offences. The prevention of Social Housing Fraud Act 2013 carries a sentence of up to 2 years and a fine of up to £50,000. Also, any profit deemed to have been made from tenancy fraud can be ordered to be repaid to the Council</p> <p>We also prosecute under the Fraud Act 2006, which carries a maximum sentence of 10 years or unlimited fine or both. On more serious cases, we will look to recover monies under the Proceeds of Crime Act 2002. We will also consider recovering monies under the Proceeds of Crime Act 2002 where a tenant has had financial gains when subletting a property.</p> <p>There will be occasions when we take civil action to recover a property through the County Courts,</p> <p>Mr L had a 2 bedroom house in NW9. As part of a pro-active data matching exercise, this case was investigated as there were concerns that the tenant may not be resident. He was invited in for an interview under caution regarding the tenancy, as evidence indicated his wife and he owned two other properties and had been sub-letting their council property. A week before the interview, Mr L handed the keys to the property back, however he was advised that he still needed to be interviewed under caution as we had reasonable grounds to believe a criminal offence had been committed. After his interview under caution and the decision was taken to prosecute Mr L for 5 offences of obtaining property by deception and subletting contrary to the Theft Act 1968 and Fraud Act 2006. In May 2016 he pleaded guilty and was given a 14 month suspended sentence and ordered to carry out 180 hours of unpaid work. A compensation order for Mr L to repay £127,000 was awarded to Barnet Council, in addition to costs of £20,000. This was ordered to be repaid within 6 months. This has now been repaid in full.</p> <p>Ms M had a two bedroom flat in Barnet. A referral was received following the gas safety team visiting the property and having concerns that the tenant was not resident. An investigation showed that the tenant actually owned another property in Luton where she had been living since the start of her tenancy with Barnet. Following an interview under caution, Ms M decided to hand the keys back and surrendered the tenancy. The matter was passed to our legal team for criminal proceedings. Ms M pleaded guilty and received a custodial sentence of 12 months and ordered to pay £20,000 in compensation, along with £3,174 prosecution costs. Ms M worked in another local authority in housing and part of her remit was tenancy fraud</p> <p>Ms S had a two-bedroom flat in Barnet. As part of the Right to Buy verification process officers identified evidence showing that Ms Sutherland had links to another property. Officers visited this other</p>	

	<p>property and found Ms Sutherland answered the door. She was subsequently interviewed under caution which resulted in her voluntarily handing the keys back. The case is currently with our legal team for criminal proceedings.</p> <p>Ms D had a two-bedroom flat in N11. As a result of a pro-active exercise, Tenancy Fraud Officers obtained evidence that the tenant was living elsewhere. An unannounced visit was made to the property where persons other than the tenant were found to be residing. Ms D was interviewed under caution regarding the matter and stated that she split her time between the tenancy address and the other address that she was also living at. The case was passed to our legal team for criminal and civil proceedings. Ms D pleaded guilty to the criminal offence and received a 12 months conditional discharge. She was also ordered to pay £12,000 compensation and costs of £1,308. She also agreed to voluntarily surrender the tenancy.</p>	
6	<p>Members Update</p> <p>JD updated the members on the new gas contract with Mears. He said it was all going well, although there had been some issues with the IT system. He said that the new monthly contract meetings would be starting again soon but he had already received some positive feedback from a couple of residents. He said the vans were well stocked and even carried vacuum cleaners so that the engineers could clean up when the work was complete.</p>	
7	<p>A.O.B.</p> <p>DB confirmed the date of the Finest Flower judging day was Friday 27 July if any of the members were interested in being a judge to let her know</p> <p>DB handed out the PAG improvement plan that she devised from the results of the End of Year Review. She invited members to comment and make suggestions</p> <p>DB reminded the members that there was an induction and borough tour planned for our 2 new members on Friday 27 April and there was space for one more if anyone would like to join them</p> <p>DB said that a date for the first meeting with the Major Work team was planned for 9 May 3-5pm at BH and would encourage as many members as possible to attend</p> <p>Date of next meeting</p> <p>Monday 11 June 6.30-8.30pm Room 1.1 1st floor Barnet House</p>	

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