

**Decision Session: Cabinet Member for
Health, Housing and Adult Social Services**

28 March 2012

Report of the Assistant Director of Housing and Public Protection

**Response to Communities and Local Government 'Social Housing
Fraud' consultation document**

Summary

1. The government are consulting on proposals to reduce the prevalence of Fraud within the stock of social housing. The report provides a response to the government's proposals and invites the cabinet member to endorse and comment on these proposals

Background

2. This consultation is aimed primarily at Local Authorities. Housing Associations, social housing tenants, social tenants and organisations holding data that may be relevant on tenancy fraud situations.
3. The consultation poses 13 questions around strengthening landlords' powers to tackle tenancy fraud. It is specifically interested in views about creating a new criminal offence for tenancy fraud
4. The document suggests that the incidents of tenancy fraud in social housing outside of London is estimated at least 1% of the stock. Based on these estimates it could be argued that there are in the region of 80 properties which could be affected in the City's council stock.
5. With more than 3,000 applicants on the waiting list the authority needs to insure that it is vigorously taking action against perpetrators of housing fraud.
6. The consultation period is 11th January 2012 to 5 pm on 4th April 2012.

Consultation

7. In preparing this response there has been consultation within the housing department, views have been sought from Veritau (internal auditors) who have been working closely with estate managers to uncover housing fraud within the council stock.

Options

8. Option 1:

To submit 1 response contained in appendix 1

9. Option 2:

To suggest amendments to the proposed response.

Analysis

Option 1

10. The responses detailed in option 1 takes account of the views of departments and staff currently engaged in tackling social housing fraud as well as other related fraud activities. It also takes account of the wider duties, responsibilities and strategies of Housing Services as well as the Council.
11. The current work undertaken in this area is fraught with many issues which can stifle successful actions and positive outcomes. These range from the reluctance of incumbent occupants and neighbours to become involved in legal proceedings with no real benefit to them to the inability to access solid corroborative evidence from other organisations which support legal action which can often be costly, especially if challenged.
12. Any measure which support this process or act as a deterrent are to be welcomed.

Council Plan

13. The outcome of this consultation document will affect the tools available to free up housing stock that is being sub-let fraudulently

or not occupied so that it is available for individuals and families who have been assessed as being in housing need. Specifically *'Addressing housing need to ensure that vulnerable people have supply to meet their needs'*.

Implications

14. **Financial** Legal actions can be expensive especially where defended. The Council may be able to recover sums via restitutionary payments.
15. **Human Resources (HR)** None
16. **Equalities** Any changes to the approach taken to tackle housing fraud as a result of any government changes will be subject to a equalities impact assessment.
17. **Legal** None
18. **Crime and Disorder** None
19. **Information Technology (IT)** None
20. **Property** None
21. **Other** None

Risk Management

22. This is a consultation document therefore there are no known risks

Recommendations

23. The Cabinet Member is asked to consider: the detailed response in Appendix 1 and agree to submission.

Reason: To allow officers to submit a response to the government's consultation document.

Contact Details

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**Report
Approved**

Date 8 March 12

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Social Housing Fraud Consultation

Annexes:

Annex 1: Response to consultation document

Annex 2: Social Housing Fraud Consultation