



LONDON BOROUGH OF
HARROW

**Report for: GOVERNANCE, AUDIT,
RISK MANAGEMENT &
STANDARDS
COMMITTEE**

Date of Meeting:	20 th September 2023
Subject:	Corporate Anti-Fraud Team Year-End Report 2022/23
Responsible Officer:	Sharon Daniels – Interim Director of Finance & Assurance
Exempt:	No
Wards affected:	All
Enclosures:	Appendix 1: Corporate Anti-Fraud Team Year-End Report 2022/23

Section 1 – Summary and Recommendations

This report sets out the performance of the Corporate Anti-Fraud Team in 2022/23.

Recommendations:

The Committee is requested to consider the report and appendix and note its contents.

Section 2 – Report

Background

- 2.1 Annually the GARMS Committee considers a mid (not this year due to work undertaken on other governance matters) and full year reports from the Corporate Anti-Fraud Team covering progress against the agreed annual plans to help fulfil it's purpose in accordance with the Committees Terms of Reference.

Corporate Anti-Fraud Team Year-End Report (Appendix 1)

- 2.2 Of the 12 work streams contained within the plan, 6 (50%) were achieved, 1 (8) was substantially achieved, 3 (25%) were partially achieved, 1 (8%) was carried over to 2023-24 and 1 (8%) was not achieved.
- 2.3 In terms of the team's key performance indicators; all 5 were achieved.
- 2.4 The plan is delivered by an in house Corporate Anti-Fraud Team of 5 FTE's including the Service Manager. All officers in the team are Accredited Counter Fraud Officers and the Service Manager is a qualified as Accredited Counter Fraud Manager.

The Regulation of Investigatory Powers Act 2000 use (RIPA)

- 2.5 The Regulation of Investigatory Powers Act 2000 (RIPA) sets out the ways in which the council can lawfully carry out investigations when we want to use surveillance techniques. There are 3 types of surveillance techniques available to local authorities:
- the acquisition and disclosure of communications data (such as telephone billing information or subscriber details);
 - directed surveillance (covert surveillance of individuals in public places);
 - and

- covert human intelligence sources (CHIS) (such as the deployment of undercover officers)
- 2.6 Local authorities may use covert techniques where they are responsible for enforcing the law in respect of: environmental crime; consumer scams; loan sharks; taxi cab regulation; underage sale of knives, alcohol and tobacco; and the employment of minors. CHIS and directed surveillance techniques are used in test purchase operations to investigate the sale of tobacco, alcohol and other age-restricted products.
- 2.7 Local authorities may only use covert surveillance for the prevention and detection of crime, and only in those cases where the offence under investigation is subject to a term of imprisonment of 6 months or more. In addition, since the Protection of Freedom Act 2012 came into force, all local authorities must get approval from a magistrate before they undertake any form of covert surveillance.
- 2.8 Harrow's use of surveillance powers is kept under review by the Chief Surveillance Commissioner, the Council is required to submit an annual return which it has done every year. Regular inspection visits are made the last one being in 2019. These powers have not been used since 2017 and the council have found other ways to obtain the information required.

Legal Implications

None

Financial Implications

The functions of the Corporate Anti-Fraud Team are delivered within the budget available.

Risk Management Implications

None

Equalities implications / Public Sector Equality Duty

Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome.

The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) Tackle prejudice, and
- (b) Promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil partnership

The Internal Audit plan will have positive equalities impacts for example ensuring and measuring compliance with HR policies and the financial management of schools to give two examples.

Council Priorities

The Corporate Anti-Fraud Team contributes to all the corporate priorities by enhancing the robustness of the control environment and governance mechanisms that directly or indirectly support the priorities.

Section 3 - Statutory Officer Clearance

Statutory Officer: Sharon Daniels

Interim Director of Finance & Assurance, Sharon Daniels

Date: 06/09/23

Chief Officer: Sharon Daniels

Interim Director of Finance & Assurance, Sharon Daniels

Date: 06/09/23

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

Section 4 - Contact Details and Background Papers

Contact: Justin Phillips, Corporate Anti-Fraud Manager, 02084241609

Background Papers: None.

If appropriate, does the report include the following considerations?

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|-----------------|----------|
| 1. Consultation | YES / NO |
| 2. Priorities | YES / NO |