
Service Level Agreement (SLA)

**Between
London Borough of Barnet
and
Barnet Homes**

Social Housing Fraud

Document Ownership:

Date: March 2017

Version: 2

Status: Draft

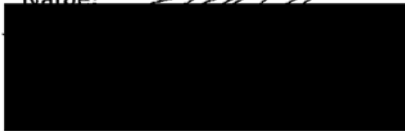
Change Control

Item	Reason for Change	Version	Author	Date
1	Creation of Draft	1.0	Tony Nash	03/03/17
2	Revision of Draft	2.0	Stuart Coleman	06/03/17
3	Revision of Draft	3.0	Declan Khan	03/04/17

1. Introduction

- 1.1 The responsibility for Social Housing Fraud investigation transferred to CAFT in November 2013. This was because the Government passed a new law that made tenancy fraud a criminal offence for the first time - Prevention of Social Housing Fraud Act 2013 (POSHFA) Since then Tenancy Fraud investigation has formed part of CAFT continuous on-going investigation work and results of that work are reported monthly to Barnet Group and within the CAFT quarterly performance indicators to council senior management and the council's Audit Committee.
- 1.2 This Agreement covers a two year period from 01 April 2017 to 31 March 2019 inclusive.
- 1.3 This Agreement is subject to renewal during the third quarter of the last financial year to take effect from 1st April of the following year, subject to any changes agreed by both parties arising from the Purchaser of Services reviewing their timetable for all support services.
- 1.4 This Agreement can be extended for a further 12 month period following 31 March 2019, subject to agreement by both parties. Upon the agreement of such an extension, both parties must sign an addendum to the contract confirming the 12 month extension period.
- 1.5 This agreement has been entered into by both Barnet Council and Barnet Homes as attested to by

Name:



Director of Operations
Barnet Homes

Date: 04/04/2017

Name:



Director of Assurance
London Borough of Barnet

Date: 18/4/17

Name:



Strategic lead Housing
London Borough of Barnet

Date: 10/4/17

2. Financial Arrangements and Scope of CAFT Services

- 2.1 An annual amount of **£146,632** to cover annual staff costs and **£30,615** to cover annual legal and court fees; total of **£177,247**. This is payable by direct transfer from the HRA on receipt of an invoice at the beginning of each financial year.
- 2.2 All charges associated with tenancy fraud work will be funded from the total sum in 2.1 above.
- 2.3 CAFT will commit to:-
- 2.3.1 investigate reports of tenancy fraud in council properties to appropriate outcomes
 - 2.3.2 review and/or investigate all applications for Right to Buy to eliminate any fraudulent applications to appropriate outcomes
 - 2.3.3 investigate reports of fraud in housing applications to appropriate outcomes
 - 2.3.4 progress criminal prosecutions in relation to the above where appropriate
 - 2.3.5 To maximise recovery of properties at all times working towards an annual figure of 60 properties recovered. This figure is based on 6 Tenancy Fraud Investigation Officers staff in post – this will be reviewed (up or down) should staffing numbers change.
 - 2.3.6 To provide training to Barnet Homes staff in relation to the activities outlined above
 - 2.3.7 Keep Barnet Homes staff updated of case status / significant developments in investigations such as:
 - interview / interview under caution
 - decision in case – such as fraud proven /no fraud proven
 - notices being issued (NTQ)
 - referred to legal for proceedings to commence (criminal /civil)
 - court dates and court outcome
 - property recovered.
- 2.4 The agreement is open to amendment at any time subject to the agreement of both parties. Any amendment will become effective when it is signed by an authorised officer both from the Council and from Barnet Homes.

3 Respective Management Roles

- 3.1 The Council and Barnet Homes will assign a management level member of staff from both Services to act as the prime point of contact on all matters related to this agreement. These persons will be responsible for ensuring that the services are delivered to the required standard and all appropriate actions are taken within the Council to achieve a satisfactory resolution of housing related fraud referrals to include:
- Act as a point of contact so either side can raise their concerns and discuss pressing issues related to the SLA.

-
- Monitor service delivery performance and issues and ensure that priorities are raised and issues are escalated where required.
 - Attend monthly performance meetings at Head of Service level
 - Attend regular (Quarterly) meetings at Head of Department level.
 - Attend meetings as required management team or board level
 - Barnet Homes will provide up to date estate and tenancy information to enable the Council to undertake estate audits.

4 Responsive Tenancy Fraud Work

- 4.1 CAFT will acknowledge all referrals of tenancy fraud including housing applications within 1 working day.
- 4.2 CAFT will consider legal action when appropriate and proportionate to prosecute individuals suspected of tenancy fraud in accordance with our Counter Fraud Framework.
- 4.3 CAFT will work with Barnet Homes to support applications for possession proceedings issued against suspects of tenancy fraud, to include providing witness statements and officer witness attendance at court.
- 4.4 CAFT will maximise recovery of properties as a priority at all times working towards an annual target of 60 properties recovered per year.
- 4.5 CAFT will work closely with Barnet Homes officers in regards to 'Key Fob' exercises and GAS Safety Check visits.

5 Right to Buy Applications

- 5.1 CAFT to acknowledge referrals from Right to the Buy (RTB) Team relating to new applications within 1 working day. All RTB applications will be checked by CAFT and the results / statistics reported on a quarterly basis.

6 Housing Applications

- 6.1 CAFT to complete agreed checks on all new applications and respond according within 5 working days (in cases where further investigation is identified /required this will be dealt with as per normal investigation procedure).

7 Planned Tenancy Fraud Works

- 7.1 CAFT will undertake 4 Proactive tenancy fraud audits as identified from intelligence gathering and referrals. These Exercises will be carried out on a quarterly basis. Barnet Homes will be advised of the exercise prior to its commencement and of the results on conclusion.

8 Tenancy Fraud Training and Awareness

- 8.1 CAFT will deliver approx. 4 targeted focused training sessions to Barnet Homes' staff to update them on changes in legislation and best practice in detecting fraud.
- 8.2 CAFT will attend Barnet Homes departmental team meetings quarterly to strengthen partnership working with neighbourhood staff.

9 Barnet Homes Responsibilities

- 9.1 Barnet Homes will provide access as may reasonably be deemed necessary to any premises, and information relating to housing applications, 'Right to Buy' applications and tenancy details to allow the services to be delivered by the Council on a timely basis to facilitate adherence to statutory requirements.
- 9.2 Barnet Homes will provide up to date estate and tenancy information to enable the Council to undertake estate audits.
- 9.3 Barnet Homes will provide named officers to act as the contact point for Barnet Homes with respect to the provision of the various services covered by the agreement.
- 9.4 Barnet Homes will promote staff awareness of Tenancy Fraud and ensure that all relevant staff receives appropriate training in this respect.
- 9.5 Barnet Homes will keep CAFT informed of Barnet Homes' priorities, issues and initiatives in relation to tenancy fraud, application fraud and RTB fraud

10 Performance Monitoring and Reporting

- 10.1 CAFT will provide monthly detailed statistical reports to Barnet Homes with a summary of all civil / criminal actions detailing:
 - The original source of the case referral
 - The date CAFT received the referral
 - The date the case was passed to legal
 - Type of Case (tenancy fraud, Right to Buy, housing applications, successions)
 - Action taken to date
 - Legislation
 - Outcome of case & date final outcome determined
 - Commentary
- 10.2 CAFT will provide monthly summary reports showing the following:
 - Properties recovered by fraud type by address and Officer responsible
 - (for subletting and Non Occ will also detail property type and number of bedrooms)
 - Right to Buy completions prevented (and financial value) as a direct result of CAFT involvement by address and Officer responsible. (Including properties also recovered as above).

-
- Housing applications declined as a direct result of CAFT involvement including Officer responsible.
 - Succession & Assignment applications declined as a direct result of CAFT involvement including Officer responsible.
 - The report will show where possible, dates of recovery and cancelled applications.
 - The report will show the source of referral.

10.3 CAFT will provide a quarterly summary report which will also include noteworthy case summaries and statistics relating to the number of on-going investigations and cases closed.

11 Dispute Resolution

11.1 The parties agree that Barnet Homes will be responsible for regular monitoring of performance under each SLA. Where Barnet Homes (acting reasonably) considers that there has been an unacceptable level of performance for an SLA then it will notify the relevant team providing the services to Barnet Homes comprised within the relevant SLA and liaise with them directly in order to agree measures to be put in place to address any such under-performance.

11.2 Should Barnet Homes and the relevant team providing the services to Barnet Homes comprised within the relevant SLA have a difference of opinion or dispute in relation to the relevant team's performance in respect of providing the relevant services to Barnet Homes the difference of opinion or dispute may be escalated by either party for resolution with appropriate evidence:

1.1.1 to the Contract Manager through the monthly performance review meetings, and if the Contract Manager cannot resolve the difference of opinion or dispute it should be escalated for resolution;

1.1.2 to the Performance Review Board, and if Performance Review Board cannot resolve the difference of opinion or dispute it should be escalated for final resolution;

1.1.3 to the Council's Section 151 Officer (who in reaching any decision is to take soundings as to the final resolution in person, by email and/or telephone from those officers sitting on the Strategic Housing Board), whose decision will be final and binding.

