

Blackburn with Darwen Borough Council



Counter Fraud Annual Report 2021/22

**Audit & Assurance
Finance Department
June 2022**

1. Background

- 1.1. The Council is committed to ensuring that opportunities for fraud and corruption are reduced to the lowest possible level through a combination of the following:
- Acknowledging and understanding fraud risks, and the harm they cause to the organisation, its objectives and service users, and committing support and resource to tackling fraud in order to maintain a robust anti-fraud response;
 - Preventing and detecting fraud by making better use of information and technology, enhancing fraud controls and processes and developing a more effective anti-fraud culture; and
 - Responding by punishing fraudsters and recovering losses by prioritising the use of civil sanctions, developing capability and capacity to investigate fraudsters and developing a more collaborative and supportive law enforcement response.
- 1.2. The purpose of this report is to present the work carried out during the past financial year to minimise the risk of fraud, bribery and corruption across the Council. This supports the requirements of the Accounts and Audit Regulations (England) 2015 which states that the Council must have measures in place 'to enable the prevention and detection of inaccuracies and fraud'.
- 1.3. The report also sets out planned work for 2022/23 and highlights some of the current areas of fraud risk.

2. Key mechanisms – policies and procedures

- 2.1. Effective policies and procedures are essential to ensure that all officers and members are aware of their roles and responsibilities in identifying and managing the risk of fraud. All policies and associated documents are available on the Council's intranet.

Whistleblowing Policy

- 2.2. The Council has an up to date Whistleblowing Policy which is available to all staff and members via the intranet.

Counter Fraud Strategy

- 2.3. The Counter Fraud Policy Statement and Counter Fraud Strategy 2016/21 were updated and approved in 2016. A revised Counter Fraud Policy Statement and Counter Fraud Strategy 2022/25 has been produced and presented to the Executive Member for Resources for approval. These key documents were reviewed and updated to ensure that they are consistent with the Fighting Fraud and Corruption Locally Strategy 2020.

Fraud Risk Register

- 2.4. To enable managers to identify and mitigate fraud risks a fraud risk register was created in 2016/17. Work has been undertaken with service managers in to ensure that risk owners review and update the fraud risks for which they are responsible.

Reporting and awareness

- 2.5. Audit & Assurance reports to the Audit & Governance Committee on a regular basis with corporate fraud updates.
- 2.6. The Council subscribes to the National Anti-Fraud Network (NAFN), which promotes the sharing of information between Authorities and publishes regular bulletins on fraud cases and attempted scams. These fraud alerts are then cascaded to ensure that key officers receive key messages and take appropriate action where appropriate. In addition, the Lancashire Chief Audit Group shares information and alerts regarding potential scams which are being attempted, or have been carried out in the region, as and when these are identified locally. These are also cascaded to relevant departments and highlighted on the Council's website where appropriate. Fraud cases are also discussed at the Group's meetings during the year.
- 2.7. The Principal Internal Auditor (Counter Fraud) is also a member of the North West Chief Auditors Counter Fraud sub group. This group has met on a regular basis during the year to consider the scope for joint working across the region on areas such as business rates and personal budgets, as well as to develop a common approach to key fraud risks and share best practise.
- 2.8. A fraud awareness training course is available on the Council's e-learning portal. This course has been undertaken by 782 people since its introduction (61 people during 2021/22) and Audit & Assurance continue to promote the course during its engagement with departments and schools. Members of the Audit & Governance Committee have also been provided with a copy of the CIPFA Counter Fraud Workbook for Councillors during the year. This has been produced by CIPFA and the Local Government Association. It is designed as a learning aid on this area for elected members and includes guidance, challenges cases studies and links to other information on this area.

3. Risk based planning to minimise the risk of fraud

- 3.1. The annual audit planning process includes consideration of the fraud risk. The 2021/22 Annual Audit Plan, approved by the Audit & Governance Committee in March 2021, included provision to support a programme of proactive work that minimises the risk of loss to the Council. The annual plan also includes an allocation of time for reactive investigations.

4. Work and investigations carried out in 2021/22

National Fraud Initiative (NFI)

- 4.1. The Council is required by law to provide send data to the Cabinet Office who administers this national data matching exercise. The returned data matches identify anomalies for further follow up and review by the Council to determine any actions required. Audit & Assurance co-ordinate the exercise and carry out further review of certain reports, including Payroll anomalies and suspected fraudulent Council Tax Support claims.
- 4.2. A total of 5,835 data matches were received from the Cabinet Office in February 2021 as part of the 2020/21 exercise. The results of work undertaken to date show that 665 matches have been processed and a further 12 investigations are ongoing. A total of 74 errors have been found to

date resulting in savings of £72,257 and arrangements are in place to recover this money from the individuals concerned where appropriate. The table below illustrates main areas of activity, and where savings have been identified.

Summary of Results

Area	No. of Errors	Value (£)
Benefits (Housing/Council Tax Support)*	23	£43,507
Resident Parking Permits**	1	£0
Blue Badge Parking Permits***	50	£28,750
TOTAL	74	£72,257

* Includes Cabinet Office 'forward estimate savings' figures

** Residents parking permits cancelled and system updated as a result of NFI information

*** The value attached to the Blue Badges Parking Permits has been determined by the Cabinet Office, which considers the average loss of fraud/error to be £575 per case. These permits have either been recovered and destroyed or are in the process of being recovered.

Direct Payments Fraud

- 4.3. Direct payments are made to Council service users which allow them to pay for their own assessed social care needs as an alternative to the Council directly providing or commissioning those services. Audit & Assurance has undertaken several investigations into suspected fraud in this area in the past, including a case concluded during the year involving an overpayment of £20,000 which resulted in a successful prosecution. The defendant was sentenced by the Court to a 12 months custodial sentence suspended for 2 years. The debt is being recovered via a Court Order.

Other counter fraud activity and investigations

- 4.4. During the year, Audit & Assurance carried out an investigation following a complaint made under the Council's Whistleblowing Policy. The complaint related to the alleged financial abuse of a service user and the apparent failure of the Council to protect a vulnerable adult. The complaint was reviewed by Audit & Assurance with the conclusion that due process was followed throughout the Council's handling of the case and that the service had not failed in its obligation to protect the service user.
- 4.5. Others areas brought to the attention of Audit & Assurance during the year were discussed with management and have been included within the 2022/23 audit plan for detailed review.

5. Priorities for 2022/23

- 5.1. The 2022/23 Internal Audit Plan makes provision for the following counter fraud activity during the year:
- Review and update of the Corporate Counter Fraud Policy Statement and Strategy

- National Fraud Initiative – co-ordination of the 2022/23 exercise and investigation into data matches;
- Reactive fraud investigations; and
- Development of a pro-active plan of work.

6. Conclusion

- 6.1. The range of activities and incidents covered in this report highlights the extent to which fraud and error exist as risks to the achievement of the Council's objectives. Our conclusion is that the Council had effective measures to enable the prevention and detection of fraud and irregularities. Work will continue in 2022/23 to ensure that the Council has all the necessary policies and procedures in place to create and promote an environment where fraud, bribery and corruption are not tolerated.