

## **REPORT OF THE CABINET TO COUNCIL: 18 November 2013**

### **Report No 2 2013/14**

Chair: Councillor Claire Kober

#### **Recommendation from Cabinet: Children and Young People's Plan**

Cabinet received the Children and Young People's Plan (CYPP) for agreement and recommendation to Council for adoption on 12 November 2013.

There is a separate report in relation to the CYPP at Item 10 of the Full Council Agenda for 18 November 2013:

<http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?Cid=143&Mid=6249>

#### **Background Information**

The new CYPP demonstrates the commitment of the Children's Trust to multi-agency partnership working and will form the Trust's work-plan for the next three years.

The CYPP recognises that there have been a number of successful initiatives for children and young people in recent years but also recognises that inequalities persist in the borough and commits the Council to an early help approach to identifying the problems facing families and to improving the life chances of disadvantaged children living in the borough.

The plan's outcomes will, in the main, be delivered through the actions detailed in existing key documents and programmes including:

- The Clinical Commissioning Group document: "Improving the Health and Well Being of people in Haringey"
- Haringey 54,000
- Haringey Families First
- Child Poverty Strategy
- Health and Well-being Strategy
- Clinical Strategy for 2013-18 for the Barnet, Enfield and Haringey Mental Health Trust (BEH- MHT)
- Homelessness Strategy 2012-14
- Jobs for Haringey Programme

#### **CABINET RECOMMENDS:**

That Council adopts the Children and Young People's Plan.

#### **Recommendation from Cabinet: Armed Forces Community Covenant**

Cabinet received a report on 12 November 2013 informing it of a decision taken by the Leader to sign a local Armed Forces Community Covenant in partnership with other

organisations such as the Police and Fire Brigade. The report also requested that Cabinet recommended that Full Council endorse the Armed Forces Community Covenant.

### **Background Information**

The national Armed Forces Community Covenant initiative was launched by the Government in May 2011. A Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

The Community Covenant is designed as a **statement of intent. It is not a legal contract.** The Covenant aims to:

- Encourage local communities to support the armed forces community in their areas and to nurture public understanding and awareness among the public of issues affecting the armed forces community
- Recognise and remember the sacrifices faced by the armed forces community
- Encourage activities which help to integrate the armed forces community into local life
- To encourage the armed forces community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

The covenant sets out what the local area seeks to achieve on particular issues and, where possible, will be signed by representatives from all parts of the community, in particular public service providers. It is for the local area to decide on the issues it wants to support, depending on the need of the local armed forces community.

### **CABINET RECOMMENDS:**

That the Armed Forces Community Covenant be endorsed by Full Council.

### **Recommendation from Cabinet: Prevention of Social Housing Fraud Act 2013; RIPA 2000 and Benefit Fraud – Delegation of Functions**

On the 12 November 2013 Cabinet received a report setting out changes brought in under the new Act and seeking approval of changes to the relevant departmental scheme of delegations in order to reflect the requirements of the new legislation.

### **Background Information**

The Prevention of Social Housing Fraud Act 2013 received Royal Assent on 31 January 2013 and was brought fully into force in England on 15 October 2013.

There are various different types of tenancy fraud (including obtaining a tenancy through false statement and unauthorised assignment). The Prevention of Social Housing Fraud Act 2013 is primarily concerned with strengthening the powers of social landlords to tackle tenants who sublet the whole of their dwellings for a profit. Current estimates put the number of unlawfully sublet social housing dwellings at around 98,000 at a total cost to

social landlords of over £900m. The Audit Commission reports that social housing fraud is the single largest category of fraud loss in local government, in terms of value.

The Act creates new criminal offences of unlawful subletting by assured and secure tenants in social housing and gives local authorities powers to prosecute in cases of unlawful subletting. It also enables courts to order the recovery of any profit made from unlawful subletting from tenants and provides that assured tenants who unlawfully sublet the whole of their dwelling cannot subsequently regain their security of tenure.

Under the Act, the authority to prosecute rests with local authorities and legal proceedings cannot be brought under this legislation by other social landlords, including arms length management organisations. The Council will need to consider the impact of this on existing investigation and legal resources if the local authority were required to act on behalf of housing associations.

Therefore operational responsibility for investigation and prosecution of cases in respect of social housing fraud now rests with the Head of Audit and Risk Management.

A report on the use and implementation of the Regulation of Investigatory Powers Act 2000 (RIPA) was provided to Cabinet on 10 September 2013 and a list of officers was approved to authorise directed surveillance and the use of covert intelligence under s.28 and S.29 of RIPA 2000 prior to judicial approval.

These sections of RIPA relate specifically to the use of directed surveillance. The Council also has the facility under s. 21-25 of RIPA to apply for certain types of communications data: the 'who, when and where' of communications, such as a telephone billing or subscriber details. All applications must be authorised by a Justice of the Peace before they can take effect. This requirement applies to all areas of RIPA, including communications data and the relevant sections of the Act were omitted from the September Cabinet report. Approval is now sought for delegated authority to the Assistant Director for Operational Services and Community Safety to be permitted to authorise the obtaining of communications to cover this aspect of RIPA. The officer nominated has been trained in the use and application of RIPA.

The operational responsibility for investigation and prosecution of cases in respect of fraudulent benefit claims rests with the Head of Audit and Risk Management. Previously this was with the Head of Revenues, Benefits and Customer Services and Cabinet are requested to approve the Head of Audit and Risk Management to be permitted to authorise, under delegated authority, all action to recover overpayments and monies lost through fraudulent claims in relation to Housing Benefit and the Council Tax Reduction Scheme including powers to impose administrative penalties, to prosecute and to bring proceedings in relation to fraudulent claims.

#### **CABINET RECOMMENDS:**

That Council notes the changes to the delegation to officers and consequent changes to the Constitution agreed by Cabinet on 12 November 2013.