


James McLaughlin

From: Freedom Of Information
Sent: 14 December 2016 10:20
To: Anne Cameron
Cc: Katie Rees
Subject: FW: Confirmation from ICO to PA - complaint from Mr Steve Parry accepted[Ref. 

Wendy Kassamani | Information Governance Officer (Information Governance Team) | 4th Floor | Bartholomew House | Bartholomew Square | Brighton | BN1 1JE | Tel: 01273 296636 | Information Security: x5959 | Email: wendy.kassamani@brighton-hove.gov.uk

From: casework@ico.org.uk [<mailto:casework@ico.org.uk>]
Sent: 14 December 2016 10:12
To: Freedom Of Information
Subject: Confirmation from ICO to PA - complaint from Mr Steve Parry accepted[Ref. FS50656438]

14th December 2016

Case Reference Number FS50656438

Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)
Complaint from Mr Steve Parry
Information request reference FOI6954**

The Information Commissioner has received a complaint about the handling of the above request.

We have carried out an initial assessment of this case and consider it eligible for formal consideration under s50 of the FOIA.

The case will be allocated to a case officer who will contact you with further details of the complaint.

We emphasise that although we have assessed the complaint as being eligible for the Information Commissioner to decide whether a public authority has dealt with a request for information in accordance with Part I of the FOIA, no specific decision has been made as to the individual merits of the complaint at this time.

What actions may be required at this stage

Where information has been withheld because you (the public authority) have applied one of the exemptions in Part 2 of the FOIA, the case officer will need to have a copy of the information to judge whether or not any exemptions have been properly

applied. We would also appreciate, where you are able, for you to be specific about which exemptions apply to each part of the information. At this stage we only ask that you prepare this information: please do not send it to us until it is requested by the case officer.

Providing information to the ICO

Finally, you should be aware that the Information Commissioner often receives requests for copies of the letters we send and receive when dealing with casework. Not only are we obliged to deal with these in accordance with the access provisions of the Data Protection Act 1998 (DPA) and the Freedom of Information Act 2000 (FOIA), it is in the public interest that we are open, transparent and accountable for the work that we do.

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However, whilst we want to disclose as much information as we reasonably can, there will be occasions where full disclosure would be wrong. It is also important that the disclosures we make do not undermine the confidence and trust in the Commissioner of those who correspond with him. ? ?

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I would be grateful if, at the appropriate time, you would indicate whether any of the information you provide in connection with this matter is confidential, or for any other reason should not be disclosed to anyone who requests it. I should make clear that simply preferring that the information is withheld may not be enough to prevent disclosure. You should have a good reason why this information should not be disclosed to anyone else and explain this to us clearly and fully.

If you need to contact us about any aspect of this complaint please call our helpline on 0303 123 1113, or 01625 545745 if you would prefer not to call an '03' number, being sure to quote the reference number at the top of this letter.

Yours sincerely

Sent on behalf of
Andrew White
Group Manager
Information Commissioner's Office

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Brighton and Hove City Council
By email only to: freedomofinformation@brighton-hove.gov.uk

22 March 2017

Case reference number FS50656438

Dear Sir or Madam

Freedom of Information Act 2000 (FOIA)

Your ref: FOI6954

Complainant: Steve Parry

WDTK link:

https://www.whatdotheyknow.com/request/housing_and_new_homes_committee

We wrote to you previously to let you know that we have accepted this case for investigation. I have now been asked to investigate it.

You should now reconsider the way the Council has handled this request and respond as detailed below.

ICO's approach

On receipt of a complaint under the FOIA, we will give a public authority one opportunity to justify its position, before proceeding to a conclusion (and if deemed necessary, issuing a decision notice). Please consider the guide for public authorities on our website for more information about how we handle complaints:

http://www.ico.org.uk/for_organisations/freedom_of_information/guide.aspx

The request

On 22 September 2016 the complainant requested information of the following description:

My request is for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct.

On 24 October 2016 the Council responded. It appears to confirm that the sought information is already in the public domain.

The complainant requested an internal review on 28 October 2016, on the basis that the requested information had not been provided.

The Council sent the outcome of its internal review on 21 November 2016. It appears to maintain that its original position is correct.

What you need to do now

Where possible we prefer complaints to be resolved by informal means, and we ask both parties to be open to compromise. It is also your responsibility to satisfy us that you have complied with the law. Our website has guidance which you should refer to in order to check whether your original response to the information request was appropriate.

This is your opportunity to finalise your position. With this in mind, you should revisit the request. After looking at our guidance, and in light of the passage of time, you may decide to reverse or amend your position. If you do, please notify the complainant and me within the timeframe specified at the end of this letter. This may enable us to close this case informally without the need for a decision notice.

In any event, we need the following information from you to reach a decision.

Section 1 – information not held

In scenarios where there is some dispute between the amount of information located by a public authority and the amount of information that a complainant believes may be held, the ICO, following the lead of a number of Information Tribunal decisions, applies the civil standard of the balance of probabilities. In other words, in order to determine such complaints the ICO must decide whether on the balance of probabilities a public authority holds any information which falls within the scope of the request (or was held at the time of the request).

In order to assist with this determination please answer, where relevant, the following questions.

- 1) What searches were carried out for information falling within the scope of this request and why would these searches have been likely to retrieve any relevant information?

- 2) If searches included electronic data, please explain whether the search included information held locally on personal computers used by key officials (including laptop computers) and on networked resources and emails.
- 3) If searches included electronic data, which search terms were used?
- 4) If the information were held would it be held as manual or electronic records?
- 5) Was any recorded information ever held relevant to the scope of the complainant's request but deleted/destroyed?
- 6) If recorded information was held but is no longer held, when did the Council cease to retain this information?
- 7) Does the Council have a record of the document's destruction?
- 8) What does the Council's formal records management policy say about the retention and deletion of records of this type? If there is no relevant policy, can the Council describe the way in which it has handled comparable records of a similar age?
- 9) If the information is electronic data which has been deleted, might copies have been made and held in other locations?
- 10) Is there a business purpose for which the requested information should be held? If so what is this purpose?
- 11) Are there any statutory requirements upon the Council to retain the requested information?

Please note: In addressing the above please be aware that the complainant believes specific documents should have been disclosed in response to this request (please see WDTK correspondence of 21 November 2016):

"My request was "for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct." At no point has there been any attempt to provide this information. As an example it is quite easy (with details of the subcontractor redacted if the Council wishes to hide details of the guilty party) to provide copies of the invoices upon which the fraud was based."

To proceed

We strongly recommend that your response is guided by recent decision notices, our guidance and our lines to take, which demonstrate our approach to the exemptions and procedural sections of the FOIA. These can be found on our website:



Information Commissioner's Office

- <http://search.ico.org.uk/ico/search/decisionnotice>
- <https://ico.org.uk/for-organisations/>

Having revisited the request, you may decide to apply a new exemption. We will consider new exemptions but it is your responsibility to tell the complainant why the new exemption applies and to provide us now with your full submissions.

For the avoidance of doubt, you should now do the following.

- Consider whether to change your response to the information request, and let us know the outcome.
- Answer the section 1 questions in this letter.

Please provide your response within 20 working days of the date of this letter, that is by **20 April 2017**, ensuring that you fully set out your final position in relation to this request. If you have any concerns please contact me at casework@ico.org.uk (quoting the above reference in this format [Ref. FS50656438]) or call me on my direct line.

Yours sincerely

Daniel Perry

Lead Case Officer, Information Commissioner's Office
Direct Dial: 01625 545 214

We are often asked for copies of the correspondence we exchange with third parties. We are subject to all of the laws we deal with, including the Data Protection Act 1998 and the Freedom of Information Act 2000. You can read about these on our website (www.ico.org.uk). Please say whether you consider any of the information you send us is confidential. You should also say why. We will only withhold information where there is good reason to do so.



Internal Audit
Head of Internal Audit: Graham Liddell
Brighton & Hove City Council
Kings House
Grand Avenue
Hove BN3 2SR

Date: 29 January 2016

Our Ref: GCL/MW

Your Ref:

Phone: 01273 291323

e-mail: graham.liddell@brighton-hove.gov.uk

Opinion for the Interim Head of Property and Investment on the estimate of the overcharge for work carried out by [REDACTED] for the period April 2014 to August 2015

We have reviewed the overcharge calculation relating to works provided by the Mears Sub-Contractor [REDACTED]. In providing an opinion on the reasonableness of this overcharge we reviewed the arrangements for:

- identifying the work completed by [REDACTED] for the period April 2014 to August 2015 (when they were suspended from working with this Council).
- using a sample of jobs carried out by [REDACTED] to estimate an overcharge percentage rate
- excluding key jobs (with specific criteria) from the overall calculation.

We also reviewed the calculation to consider the risk that excluded jobs (or excluded elements of jobs were double counted.

The following should be noted:

- In carrying out this work we have reviewed and relied on working papers prepared by Mears and sought explanations and confirmation of understanding from BHCC Officers.
- In considering the reasonableness of the 38.48% overcharge rate, the detailed workings to support this calculation were not available. However we consider that this figure, which has been agreed by both Mears and BHCC Officers, is consistent with our expectations based on the percentage overcharge of rate (45.27%) for those high risk jobs examined by Internal Audit in August 2015.
- Other than through reviewing the job summary, we have been unable to confirm the accuracy of the 'adjust job value' which takes into account works allocated to other sub-contractors.

- We were unable to fully reconcile the figure assigned for "Works not relating to [REDACTED]" to supporting information. However the difference in the amount to be paid back to the council arising from this variance is approximately £5 and therefore not material
- The overcharge is subject to an additional 4% profit cost.

Subject to these comments, I consider that £264,293.81 is a reasonable estimate of the overcharge for work carried out by [REDACTED] for the period April 2014 to August 2015.

Graham Liddell

Graham Liddell

Head of Internal Audit

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

James McLaughlin

From: Sarita Arthur-Crow
Sent: 30 June 2017 14:43
To: Glyn Huelin; Graham Liddell; Katie Rees; Theresa Youngman; Martin Reid; Tracy John; Clifford Youngman
Subject: Mears Overcharge
Attachments: ICO Letter 22 March 2017.pdf; Letter sent to ICO with redactions.pdf

Dear All,

I have heard again from the ICO on this matter. The requestor wants to pursue this matter further and holds that:

- a) There is more information that we hold relating to the request
- b) That the sub-contractor's name should not have been redacted from the letter we sent (see attached).

This means we need to respond on both points. I will need to meet with those of you who can help to answer the attached questions (contained in the ICO letter 22 March 2017). Our deadline to respond is 11 July 2017. Our response will be taken into account by the ICO when making their decision.

Please let me know if you are able to meet on **6 July 2017**?

Regards,
Sarita

Sarita Arthur-Crow | Lawyer | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ | DX59286 Hove 1
T 01273 [REDACTED] | sarita.arthur-crow@brighton-hove.gov.uk

My usual working days are Tuesdays and Fridays



*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
Surrey County Council and West Sussex County Council working in partnership*

From: Sarita Arthur-Crow
Sent: 26 May 2017 10:28 AM
To: Glyn Huelin; Graham Liddell; Katie Rees; Theresa Youngman; Martin Reid; Tracy John; Clifford Youngman
Subject: FW: FS50656438 - Mears Overcharge

Dear All,

For completeness, I write to confirm that the below reply was sent out to the requestor last Friday, together with the attachments. (This is the same suggested response as I circulated on Friday).

We heard from Mears last week and they agreed for the attachments to be sent.

The ICO has confirmed that he will now contact the requestor to see if the matter can be settled informally.

If you have any queries, please do not hesitate to contact me.

Thanks,
Sarita

Sarita Arthur-Crow | Lawyer | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ | DX59286 Hove 1
T 01273 [REDACTED] | sarita.arthur-crow@brighton-hove.gov.uk

My usual working days are Tuesdays and Fridays



*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
Surrey County Council and West Sussex County Council working in partnership*

From: Katie Rees
Sent: 19 May 2017 4:57 PM
To: 'steve.thered2012@gmail.com'
Cc: 'casework@ico.org.uk'
Subject: FS50656438 - Mears Overcharge

Dear Mr Parry,

We have been contacted by the Information Commissioner's Office regarding your freedom of information request for "any recorded information that shows how and why this 'overcharge' is correct and who agreed it to be correct".

It has become apparent upon reviewing this matter that although we had provided explanations for the figure, it would be helpful for you to have the tables from which the information stems. Please find these tables attached together with a letter which falls within the remit of the request.

Our apologies, for our previous misinterpretation of your FOI request.

The below explanation may assist when reading the tables:

An initial 15 inspections showed inconsistencies in measurement of Work completed between the dates of April 2014 and August 2015

- *BHCC and Mears then jointly inspected another 40 properties and calculated the percentage of over measurement based on the result of these joint inspections*
- *This percentage of over measure was combined with the initial BHCC only inspections to form a final percentage of 38.48% which was applied to £624k paid to Mears for works associated with the sub-contractor during the period April 2014 - August 2015 to calculate the first payback of £240k*
- *A further payback value was subsequently agreed for all works associated with the sub-contractor back to Jan 2012 using the original overcharge percentages by trade as a guide. It was apparent that instances of inaccurate valuation were rare in the early part of the contract and as such the percentages applied to the Jan 2012 to July 2015 works were based on an increasing scale to the work of the sub-contractor over this period.*

In terms of who agreed the figures in the Committee report to be correct, these figures were considered to be reasonable sums by the Head of Internal Audit, Head of Housing Strategy Property & Investment, Procurement Strategy Manager and Mears.

We hope this assists. If you are not content with this reply, please refer the matter to the Information Commissioner's Office.

Many thanks,

Katie Rees (Data Protection & GDPR)

Information Governance Team

Brighton & Hove City Council

Please find our new suite of Information Governance policies [here](#).

James McLaughlin

From: Freedom Of Information
Sent: 30 May 2018 08:47
To: STEVE PARRY
Subject: RE: Freedom of Information request response

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Parry,

Thank you for your email of 12 May 2018. Please note the following:

1. Within the Appendix B document there is a column entitled Post-Inspection, within this column the 8 orders that have passed post inspection can be identified as they have been marked 'Pass' with the exception of one which states 'Yes (on Job No: 9435016)'. It can be seen from the 'Overcharge' column that an overcharge was calculated for each of these jobs with the exception of job number 9374755 which resulted in an undercharge.
2. Appendix A and Appendix C reflect other visits undertaken as part of the audit, they do not reflect the 7 inspections specifically referred to in the request. TPCT refers to a sub-contractor who undertook the work and this was therefore excluded from our audit.
3. Appendix A as mentioned above reflects visits that were made as part of the audit.

This is now the end of this freedom of information request. If you require further information this will need to be made as a new request.

Kind regards,

James McLaughlin
Information Compliance Officer | Information Governance Team | IT & D

01273 295959 | 01273 295959 | Monday-Friday 8am-4pm Brighton & Hove City Council

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-----Original Message-----

From: STEVE PARRY [mailto:request-433782-7ada2f99@whatdotheyknow.com]
Sent: 12 May 2018 4:49 PM
To: Freedom Of Information
Subject: Re: Freedom of Information request response

Dear Sarita Arthur-Crow,

Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED)

Thank you for the information provided 11.5.18.

I am grateful for this response so quickly after my most recent reminder

As you are aware I requested a reduced amount of information based upon your "Section 12" response; information on the 46 completed repairs inspected by Internal Audit with particular emphasis on the 39 'door to door'

inspections of which 8 had been post-inspected & passed by Mears and 7 of which the audit inspection failed for "significant overcharge".

From the information provided it is clear that Appendix B contains some information on the 39 'door to door' visits'. Would it be possible to show which 8 had been post-inspected & passed by Mears and the 7 which the audit inspection failed for "significant overcharge" as I had understood that this information is contained in Appendix A and Appendix C

Appendix C (Specific Visits) is a little confusing as dates are not provided and one job has been included for the Primary Care Trust. Am I correct in assuming that Appendix C together with Appendix A is the 7 inspections specifically referred to in my request?

Would I need to submit a further FOI request for information showing that the 'Initial Visits' (Appendix A) were made to jobs because they had been sub contracted to MA Construction?

Yours truly,

Steve Parry

-----Original Message-----

Dear Mr Parry,

Thank you for your email. Your email of 14 April 2018 requested the following information:

I confirm the need for information on the 46 completed repairs inspected by Internal Audit with particular emphasis on the 39 'door to door' inspections of which 8 had been post-inspected & passed by Mears and 7 of which the audit inspection failed for "significant overcharge".

Please find this information attached.

Should you have any further queries about this request, please contact us via email to [Brighton and Hove City Council request email] quoting the reference number given above.

If you are not satisfied with the handling of your request, you can appeal (Internal Review) within 2 months of the completed FOI. Write to:

[Brighton and Hove City Council request email]

Freedom of Information Appeals
Brighton & Hove City Council
4th Floor Bartholomew House
Bartholomew Square
Brighton BN1 1JE

If you are still not satisfied after your Internal Review has been investigated, you can escalate your complaint to the Information Commissioners Office. The contact details are:

The Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Helpline: 0303 123 1113 (local rate) or 01625 545 745 (national rate)
e-mail: [email address]
Website: www.ico.org.uk

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Please use this email address for all replies to this request:
request-433782-7ada2f99@whatdotheyknow.com

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<https://www.whatdotheyknow.com/help/ico-guidance-for-authorities>

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If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

James McLaughlin

From: Freedom Of Information
Sent: 23 May 2018 13:38
To: Sarita Arthur-Crow
Subject: FW: Freedom of Information request response FOI 6954

Follow Up Flag: Follow up
Flag Status: Completed

Hi Sarita,

I just found the original email from Mr Parry and for some reason the last question was not included when I forwarded it to you. Please see below, which now puts my comments previously in context.

Apologies for this. I haven't sent reply yet, but should I suggest a new FOI be made?

Kind regards,

James McLaughlin
Information Compliance Officer | Information Governance Team | IT & D

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-----Original Message-----

From: STEVE PARRY [mailto:request-433782-7ada2f99@whatdotheyknow.com]
Sent: 12 May 2018 4:49 PM
To: Freedom Of Information
Subject: Re: Freedom of Information request response

Dear Sarita Arthur-Crow,

Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED)

Thank you for the information provided 11.5.18.

I am grateful for this response so quickly after my most recent reminder

As you are aware I requested a reduced amount of information based upon your "Section 12" response; information on the 46 completed repairs inspected by Internal Audit with particular emphasis on the 39 'door to door' inspections of which 8 had been post-inspected & passed by Mears and 7 of which the audit inspection failed for "significant overcharge".

From the information provided it is clear that Appendix B contains some information on the 39 'door to door' visits'. Would it be possible to show which 8 had been post-inspected & passed by Mears and the 7 which the audit inspection failed for "significant overcharge" as I had understood that this information is contained in Appendix A and Appendix C

Appendix C (Specific Visits) is a little confusing as dates are not provided and one job has been included for the Primary Care Trust. Am I correct in assuming that Appendix C together with Appendix A is the 7 inspections specifically referred to in my request?

Would I need to submit a further FOI request for information showing that the 'Initial Visits' (Appendix A) were made to jobs because they had been sub contracted to MA Construction?

Yours truly,

Steve Parry

-----Original Message-----

Dear Mr Parry,

Thank you for your email. Your email of 14 April 2018 requested the following information:

I confirm the need for information on the 46 completed repairs inspected by Internal Audit with particular emphasis on the 39 'door to door' inspections of which 8 had been post-inspected & passed by Mears and 7 of which the audit inspection failed for "significant overcharge".

Please find this information attached.

Should you have any further queries about this request, please contact us via email to [Brighton and Hove City Council request email] quoting the reference number given above.

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[Brighton and Hove City Council request email]

Freedom of Information Appeals
Brighton & Hove City Council
4th Floor Bartholomew House
Bartholomew Square
Brighton BN1 1JE

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Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Helpline: 0303 123 1113 (local rate) or 01625 545 745 (national rate)
e-mail: [email address]
Website: www.ico.org.uk

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non-commercial purposes, private study, criticism, review and news reporting. Authorisation to re-use copyright material not owned by Brighton & Hove City Council and/or its contractor(s) should be sought from the copyright holders concerned. If you are considering re-using the information disclosed to you through this request, for any purpose outside of what could be considered for personal use, then you are required under the Public Sector Re-use of Information Regulations 2005 to make an Application for Re-use to the organisation from which you have requested the information. Applications for Re-use should be directed to the Data Protection Manager at the address above.

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James McLaughlin

From: STEVE PARRY <request-433782-7ada2f99@whatdotheyknow.com>
Sent: 12 May 2018 16:49
To: Freedom Of Information
Subject: Re: Freedom of Information request response

Follow Up Flag: Follow up
Flag Status: Completed

Categories: James

Dear Sarita Arthur-Crow,

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Appendix C (Specific Visits) is a little confusing as dates are not provided and one job has been included for the Primary Care Trust. Am I correct in assuming that Appendix C together with Appendix A is the 7 inspections specifically referred to in my request?

Would I need to submit a further FOI request for information showing that the 'Initial Visits' (Appendix A) were made to jobs because they had been sub contracted to MA Construction?

Yours truly,

Steve Parry

-----Original Message-----

Dear Mr Parry,

Thank you for your email. Your email of 14 April 2018 requested the following information:

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Cheshire SK9 5AF
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e-mail: [email address]
Website: www.ico.org.uk

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Please use this email address for all replies to this request:
request-433782-7ada2f99@whatdotheyknow.com

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James McLaughlin

From: Freedom Of Information
Sent: 11 May 2018 10:10
To: STEVE PARRY
Subject: Freedom of Information request response
Attachments: Appendix A.PDF; Appendix B.PDF; Appendix C.PDF; Photos.docx

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Parry,

Thank you for your email. Your email of 14 April 2018 requested the following information:

I confirm the need for information on the 46 completed repairs inspected by Internal Audit with particular emphasis on the 39 'door to door' inspections of which 8 had been post-inspected & passed by Mears and 7 of which the audit inspection failed for "significant overcharge".

Please find this information attached.

Should you have any further queries about this request, please contact us via email to freedomofinformation@brighton-hove.gov.uk quoting the reference number given above.

If you are not satisfied with the handling of your request, you can appeal (Internal Review) within 2 months of the completed FOI. Write to:

freedomofinformation@brighton-hove.gov.uk

Freedom of Information Appeals
Brighton & Hove City Council
4th Floor Bartholomew House
Bartholomew Square
Brighton BN1 1JE

If you are still not satisfied after your Internal Review has been investigated, you can escalate your complaint to the Information Commissioners Office. The contact details are:

The Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Helpline: 0303 123 1113 (local rate) or 01625 545 745 (national rate)
e-mail: casework@ico.org.uk
Website: www.ico.org.uk

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-----Original Message-----

From: STEVE PARRY [mailto:request-433782-7ada2f99@whatdotheyknow.com]

Sent: 08 May 2018 5:46 PM

To: Freedom Of Information

Subject: Re: Freedom of Information request - Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED)

Dear Sarita Arthur-Crow,

It is now nearly eight months since this request was first submitted and nearly a month since you informed me you were out of the office for 2/3 days but would respond upon your return.

I believe that to remind you of the need for a response is more than justified.

Yours truly,

Steve Parry

-----Original Message-----

Thank you for your email.

I am not in the office until 17 April 2018. I shall see your email upon my return.

Many thanks,

Sarita Arthur-Crow

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References

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Specific Visits			
A schedule of visits were arranged, the visits were designed to identify whether 'hidden works' such as Joists, Thermaboard and double plasterboard were used. We visited the properties with a Quantity Surveyor and an Electrical Engineer to isolate power to allow access to hidden works through ceiling rose's and light switches as necessary. It was only for one of these jobs that we were able to ensure that double plasterboard had been in use, as for the other jobs it was clear the work had not been provided as charged			
Job Ref	Findings	Other comments	Overcharge Job Value
9329107	Tenant confirmed all ceilings upstairs were overboarded (but not double boarded) and thermaboard was applied to all skellings. These were then skimmed. Tenant also confirmed a layer of insulation was added to the loft. Skellings measure 12m x 0.5m = 6m2 + 2m2 in cupboards. Ceilings total 30m2.	Whilst the job requested thermaline for ceilings, there was no request for double plasterboard.	£ 1,137.80 £ 2,648.61
9345056	Inspection through ceiling rose suggested that the ceiling had been double boarded. Skelling measurement is reasonable. Slight overmeasurement on ceiling area.	Order doesn't request double boarding, so why provided?	£ 101.94 £ 540.09
9384698	Tenant confirmed no boarding to ceiling, skim only on ceiling and wall. Inspection of loft hatch within the bedroom confirmed no additional boarding had been installed. Tenant confirmed works were completed in a couple hours, which would not be sufficient to complete the work paid for.	Initial job seems to be to repair a crack in the bedroom wall. The crack appears to have been filled and the wall skimmed, however, according to the tenant the crack is returning – it certainly was very prominent during our visit. Tenant is keen to redecorate and is worried the crack will continue and they were looking for some assurance that the crack wouldn't get worse and that no further work was required, of course, we couldn't provide this assurance – however I did state I would see if someone could return to look at the crack. Raised with {Name Removed} - 2/9/2015	£ 346.40 £ 699.01
9392735	Very elderly tenant with carer. Lounge ceiling had no works completed; hall and kitchen had a skim, not double plasterboard as charged for. For this reason, no additional joists can have been used.	Unclear if polystyrene ceilings have been removed, this could be an additional £167.26 overcharge on this job? Indeed, the code used (413323) includes to take down existing ceiling	£ 1,045.82 £ 1,305.98
9338814	Measurements seem reasonable. Unclear what the £135.45 subcontractor costs relate to	Confirmed that this is a IPCT job, not completed by	£ 135.45 £ 1,164.71
Conclusions			
Significant overcharging, over 50% on work paid at £5.1k.			
Charging for 'double boarding' even though not requested and not delivered.			
Works requested not delivered.			

Appendix B - Door to Door Visits				resource_ name	job_description	Findings upon inspection		Post Inspected
job_no	upn	address	issue_date	comp_date	status	job_value	Overcharge	
9374755	64551		14/08/2014	08/09/2014	10	207.96	-£ 11.44	Pass
9382509	64655		22/09/2014	28/10/2014	10	662.14	£ 340.70	no_pi
9392754	64717		05/11/2014	19/11/2014	10	174.11	£ 108.29	no_pi
9382094	64824		18/09/2014	14/10/2014	10	125.49	£ 112.31	no_pi
9350951	65709		23/04/2014	16/05/2014	10	751.09	£ 551.22	no_pi
9400067	66402		04/12/2014	17/12/2014	10	526.76	£ 517.74	no_pi
				<p>: Please attend to replace the front bedroom ceiling on the ... as asbestos test came back negative. Any problems, then please let Mears know.</p> <p>BUILD: Fwks to 9380799 ...PATH ONLY STEPS DO NOT NEED DOING. Path irreparable, tenant disabled (wheel chair/zimmer frame used). Repair will not survive winter. Requires 6mtrs of path broken up, shutter, re-concrete, widen next to front door. FWRKS ADDED 02/10 As per quote: Break out old concrete path and clear all waste from site Supply and build temporary shutter ready to form path Supply and lay a gauged concrete mix and leave a nonslip finish with a smooth edging 6m2</p> <p>: Please attend to replace bathroom ceiling (textured coating) as asbestos test concluded negative. Please update Mears once an appointment has been ...de so that we can send an electrician round to isolate the lighting. Any concerns, please let us know. electrician attending on 9394432</p> <p>: Please attend to replace Hallway wall (textured coating) as asbestos test concluded negative. Please update Mears if you have any concerns.</p> <p>..., replace soldier course x8lm. Hack out and repair facing brick wall x5m2</p> <p>PLASTER: Bedroom Ceiling overboard and skim x18m2. Tenant has new carpets/wallpaper/bed, ensure they covered properly for duration of works. Asbestos test negative</p>				
				<p>Ceiling rose left hanging. Photo taken. Amendment for an undermeasurement and adjustment for double plasterboard not ordered results in an undercharge of £11.</p> <p>Measurement of path area is reasonable (5.26m2). However additional rate for 150mm hardcore has been applied in addition to 150mm of hardcore included within the concrete rate (003007), visit confirmed 300mm of hardcore not provided. Photo. As with additional costs for jack hammer hire and creation of formwork. Also unclear why LAB000125 included as on Schedule of Rates basis. Circa £340 overpayment.</p> <p>Double plasterboard rate but no evidence of double plasterboard. Overmeasurement of 2sqm ceiling area. Also included is 6m of floor joist? Tenant confirmed no significant timbers were used when replacing plasterboard ceiling. Circa £108 overpayment.</p> <p>Job includes 4m2 of hack off plaster and replaster. Plastered area is less than 0.5m2 patch. And 8m2 bonding - no evidence of this. £102 overcharge. Photo taken.</p> <p>Incorrect rate and measurements used. Also no coping installed (also confirmed by tenant). Actually measured @ 2sqm of 1/2 brick wall and 0.5m2 of 1 brick wall, no coping. Photo taken. Overcharge of £551.22</p> <p>Tenant declined full reboard / replaster due to the only area affected was a patch and did not want to damage her new wall paper. Never the less ...charged for full room double plasterboard and skim and 8m of 100mm floor joists. Rate should have been for patch repair (413305). Photo taken. Over charge circa £517.</p>				

9366819	66499	07/07/2014	11/07/2014	10	813.56	SPEC: ...FWK to 9364022 - Please attend to fit new metal handrail up left side of external steps. Re-bed re-point top block on right side and sand/paint hand-rail to get rid of sharp edges.	Incorrect balustrade rate used should be 943017. Also allowed for additional metal shield and wire brush rate so shouldn't be doubled up. Photo. Over charged circa £750	£ 750.24	Pass
9356325	66506	19/05/2014	24/06/2014	10	467.92	PLASTERERS - please attend to renew the bedroom ceiling (bedroom 2 and 3) as they have been damaged and have tested negative for ACM. Sizes unknown, but please advise Mears when booked in for so we can arrange you an electrician. Please also check loft insulation in case this has been damaged by water and top up / replace if necessary. Report back SORs upon completion	Not clear on site that 2 bedrooms were boarded and plastered. On site one bedroom and landing ceiling was evident. These measured 13m2 not 18m2. Also continued use of double plasterboard rate. Over charged £182.69	£ 182.69	no_pi
9357899	66506	27/05/2014	08/07/2014	10	213.05	SPEC FAO - Fwks to the below - Toilet upstairs needs re boarding then vinyl fitting. 1.2x900mtr, Bathroom downstairs (2x1.9mtr) Needs floor tiles taking up (Already had asbestos test on floor tiles, no asbestos detected) and re latex as surface uneven and blown. Please also refit bath panel.	Measurement seems slightly under measured by 1m2 although self level screed was not evident due to bumpy / un level finish of flooring upstairs. Downstairs bathroom was in use so unable to check measurements. Over charged circa £65	£ 64.84	no_pi
9413732	66895	03/02/2015	20/02/2015	10	193.36	SPEC: WC & bathroom floor are lifting up, also splashback around bath coming loose daughter ... FW's to ...9413351 tenant wants passivent in lounge hallway wall need hack off float set less than 1m2 3m cracks	Tenant confirmed passi vent fitted and a very good job was done. Evidence of replastering in areas of stairs hall although no evidence of metal beading or bonding agent. Circa £20 over charged. Quality of replastering did not look particularly good.	£ 19.93	no_pi
9440076	67163	04/06/2015	04/06/2015	15	186.8	BUILDER - C/O for incorrect SORs on order 9415635; BUILDER see pictures, refer to mears EX, lead above lounge window needs dressing down and sealing, cavity clear between lounge window and front door, and under window seal trim inside front door. As cold spotting as per (NAME REMOVED) DUMMY APPT	Area of cavity clear seems ok. Query why 215001 - Roof Sweep was used?	£ 57.59	no_pi
9386356	67225	08/10/2014	24/11/2014	10	115.38	...: FWK to below: Please attend to fit new vinyl in toilet. SPEC - please asses damp from leaking toilet floor - tenant has pulled up old floor to dry out as mouldy	Floor area overmeasured 1m2. No evidence of new ply wood flooring, flooring was uneven, split after one day tenant claimed. See photo. Overcharge of £70.93	£ 70.93	Pass
9356198	67783	19/05/2014	09/06/2014	10	290.16	FAO ...: FWK to 9351423 concrete patio req breaking out x approx 4 mtrs digout + reconcrete as req adjacent to steps and shed area as per (NAME REMOVED)	Patch repairs to rear garden concrete patio job order was for breakout / dig out and reconcrete. Measured 2.7m2 (we allowed 3 for our calcs) not 4m2. Also included additional 150mm hardcore on top of 150mm included in concrete rate. Also no non-slip finish applied. Overcharge circa £136	£ 136.82	no_pi

9380712	67796	09/06/2014	18/06/2014	10	194.01	FAO ... Fwks to 9356055 - Please attend to replace vinyl in toilet, will need non-slip vinyl.	WC floor measured 1.07m2 not 3m2; also no evidence of self levelling screed as floor finish was bumpy or 2 coats of flooring preservative. Over charge circa £130	£ 132.27	no_pi
9348893	68006	11/04/2014	06/05/2014	10	553.65	FAO ... builder to clear cavity to all three sides of bay window 4 hours work. roofing work has been passed to cps seperately if tenant asks	Clear cavity rate applied and removal and replacement of bricks externally was evident. 7m2 slightly high but would allow for clearing cavity and making good. Although additional rates included for roof sweep, 1m2 of 1 brick wall rebuild and shrub clearance (tenant confirmed no shrubs were present). Over charged circa £240.	£ 241.83	no_pi
9373346	68006	07/08/2014	04/09/2014	10	252.09	: Please attend to replace Kitchen ceiling as asbestos test came back negative. Any problems, then please let Mears know.	Ceiling overmeasured by 1m2 plus included for 6m of 100mm floor joists which would not be required. Charged for double plasterboard. Work was to a good standard. Over charged £98.50	£ 98.50	Pass
9389870	68791	23/10/2014	04/11/2014	10	771.28	FAO..., please install new GRP Canopy over front door, reported as missing by resident rep to (NAME REMOVED) (Mears did not remove it). **Post Inspection raised 9392639 please leave job in status 4**	Evidence of new canopy, fitting looks ok.	£ -	no_pi
9383608	68811	25/09/2014	21/10/2014	10	818.72	BUILD: Please attend to take down canopy to the front door as this is rotten and irreparable. This needs to be taken down urgently and made good as a H&S issue. Please also provide a quote to supply new GRP princess style canopy. FWRKS ADDED 07/10 As per quote, please remove existing canopy and clear from site Supply and fit new Royal UPVC canopy with silicone-bead including making good	Evidence of new canopy, fitting looks ok. Query 2 additional labour hours for removing existing canopy (H&S)	£ 47.45	no_pi
9385733	68853	12/01/2015	20/01/2015	10	494.91	BUILD: SCAFFOLD TEAM: scaffold required to front elevation see photo provided by (NAME REMOVED) BUILD: : Once scaffold is ready for use, please cut out head of window, fit new lintel and repair brickwork x2m2.	Very poor looking job - See photo. DPC rate is included in lintel rate, as is rake out and repaint. Also query additional 6 hours labour for H&S. Also job requires a revisit to tidy up external finish.	£ 312.91	Pass
9420612	68853	03/03/2015	03/03/2015	10	416.86	Further works order to 9384669 - attended to re-board and plaster lounge ceiling following roof repair - work completed 9th Feb	Ceiling is over measured by 7m2.	£ 153.57	no_pi
9352498	68986	30/04/2014	10/06/2014	10	181.89	BUILD: Fwks to 9348847 Please replace bath panel . inspect for leak on waste pipe and make good concrete surround .	Bath panel was replaced (confirmed by tenant); concreting was completed although no evidence for additional hardcore or non slip finish. Also plastic waste pipe was 50mm wide not 32mm (620135). Over charge £82	£ 82.80	no_pi

9391108	69069	29/10/2014	18/12/2014	10	552.06	BUILD: Fwrks to 9387710 ... please attend provide SOR quote of works to replace lintel around living room window and repair brickwork anglian are trying to fit new window and can't till this is done but we need SOR quote first - SEE ADJUT LOG PLEASE TH 05/11/14 FWRKS ADDED 17/11 : As per quote, please carry out works to lintel and brickwork take down loose brickwork along with brick on edge heads to windows. Supply and fit new lintel to windows with cavity trays matching existing brickwork. Re-point up to 2m2 following new lintel and tray install. Access equipment to be hired to support brickwork to outside skin using strongboys and across props.	DPC rate is included in lintel rate, as is rake out and re-point. Also query additional labour rates for equipment hire, would expect equipment hire to be included within SOR.	£ 370.06	no_pi
9375846	69556	19/08/2014	24/09/2014	10	1245.83	PLASTER: Please attend to replace the kitchen ceiling (2.5m x 8m) which is textured coating and also the kitchen walls (textured coating) once asbestos removal works take place which are due on 08/09/2014. Please update Mears once an appointment has been made so that we arrange an electrician to disconnect/reconnect the lighting. Please report SOR's upon completion. Any problems, please let us know.	Ceiling over measured by 7m2 and double plasterboard applied. Walls measured at 35m2; additional 10m2 of 411115 float set - dub out no evidence. No evidence of bonding 45m2 wall twice, only measured 35m2 of wall. Overcharged £658	£ 658.06	no_pi
9382006	69803	18/09/2014	20/10/2014	10	314.35	FW's to 9381135 will need new ceiling batten board 7m2 sparky for light all day job 9377816 plumber went to washing machine valve is tenants own so if leak not repaired it's down to the tenant in just incase tenant asks electrician attending on 9383315	Measurements ok. 18m Joists unsubstantiated and double plasterboard rate included. Tenant confirmed they had seen no joists/battens being installed. Overcharge circa £160	£ 160.92	no_pi
9358210	69952	28/05/2014	24/06/2014	10	1249.21 skimcoat bedroom walls x 18m2, skimcoat landing, stair case and bottom hall x32m2. angle beads x9 ADDED 13/06- Please also repair the airing cupboard ceiling, tnt has said this was damaged by the roof leak. Please note if this is just decorative damage this is tenants responsibility	Measurements generally in line with works charged. Unclear why £84 subcontractor costs included as works on an SOR basis.	£ 84.00	no_pi
9402979	70239	16/12/2014	09/01/2015	10	411.49	PLAST - please attend to carry out renewal of bedroom ceiling, tnt report this as bowing after an old leak, it has been tested and results are negative for ACM - size unknown, report back SORs upon completion please.	1m2 overmeasurement of ceiling area. Applied double plasterboard rate and 10m joists. Overcharge £148	£ 148.48	no_pi
9425576	70304	26/03/2015	13/04/2015	8	1294.74	See PI on order 9432719 - FW's to 9421765 ceiling needs approx 16mt overboard and skim lights need removing	Overmeasurement of ceiling area by 1m2. Thermalboard rate used £47.49/m2 includes battens for dry lining. Standard 12.5mm plasterboard was sufficient from description. Also includes 36m joists, tenant confirmed ceiling had been lowered. Joists used as battens rate, although already included. Also included 3 layers of bonding, no damp issue present, just cracked ceiling. Overcharge £834	£ 834.01	no_pi

9364123	70995	24/06/2014	16/07/2014	10	363.84	<p>SCAFF REQ: Fwrks to 9359639 tower scaffold required above/left hand side of front door to cut out cracked bricks, 2 lifts.</p> <p>BUILD: ... to cut out and stich in 3m2 of cracked brick work above front door and lhs of bedroom window as per (NAME REMOVED)</p> <p>: Please attend to replace the bathroom ceiling beyond poly tiles (plaster) and also the WC ceiling beyond poly tiles (insulating board) as asbestos test concluded negative. Please update Mears once an appointment has been made so that we can send an electrician round to disconnect/reconnect the lighting. Please let us know if you have any concerns.</p> <p>electrician attending on 9383327</p> <p>FAO ... replace concrete canopy with plastic type, to include lead tray. Hack off plaster x2m2 inside makegood. Subby.</p>	<p>...measured 3m2 of 1 brick thick wall, actual area closer to 1m2 of 1/2 brick wall. Overcharged circa £294</p>	£	294.22	Pass
9362090	72742	18/09/2014	21/10/2014	10	241.45	<p>: Please attend to replace the bathroom ceiling beyond poly tiles (plaster) and also the WC ceiling beyond poly tiles (insulating board) as asbestos test concluded negative. Please update Mears once an appointment has been made so that we can send an electrician round to disconnect/reconnect the lighting. Please let us know if you have any concerns.</p> <p>electrician attending on 9383327</p> <p>FAO ... replace concrete canopy with plastic type, to include lead tray. Hack off plaster x2m2 inside makegood. Subby.</p>	<p>Tenant was elderly so wasn't clear what works were done by her son or ...</p> <p>Ceilings measured 4.19m2 not 6.50m2. Double plasterboard rate used as usual. Over charged of £92.</p>	£	92.54	no_pi
9352552	73007	30/04/2014	21/07/2014	10	1039.5	<p>: Please attend to replace kitchen ceiling as asbestos test concluded negative. Please update us once an appointment has been agreed so we can arrange an electrician to disconnect/reconnect the lighting. Any problems, then please let us know.</p> <p>Electrician attending on 9377652</p> <p>job for ... must be booked in for week starting 23RD may. Hack up and relay front path and steps, hack off slab to steps at back door, relay with 3x equal steps leading to garden with hand rail both sides, contact (NAME REMOVED) if need be. and repair gutter above back door also the front gutter</p> <p>please add to job [...attending today] thermal line walls x14, new skirting x6 m. Cover board to window x1 1m</p>	<p>External photo taken of installed plastic canopy. Information provided on MCM not sufficient for quoted works. £1039 seems high, would not expect work costs to exceed £700. No evidence of lead flashing installed and services including telephone line covered by canopy.</p>	£	300.00	no_pi
9375587	73078	18/08/2014	17/09/2014	10	337.94	<p>: Please attend to replace kitchen ceiling as asbestos test concluded negative. Please update us once an appointment has been agreed so we can arrange an electrician to disconnect/reconnect the lighting. Any problems, then please let us know.</p> <p>Electrician attending on 9377652</p> <p>job for ... must be booked in for week starting 23RD may. Hack up and relay front path and steps, hack off slab to steps at back door, relay with 3x equal steps leading to garden with hand rail both sides, contact (NAME REMOVED) if need be. and repair gutter above back door also the front gutter</p> <p>please add to job [...attending today] thermal line walls x14, new skirting x6 m. Cover board to window x1 1m</p>	<p>Double plasterboard rate used and over measure by 4.5m2. Over charged by circa £151.</p>	£	151.63	no_pi
9351199	73490	24/04/2014	20/05/2014	10	1812.8	<p>: Please attend to replace kitchen ceiling as asbestos test concluded negative. Please update us once an appointment has been agreed so we can arrange an electrician to disconnect/reconnect the lighting. Any problems, then please let us know.</p> <p>Electrician attending on 9377652</p> <p>job for ... must be booked in for week starting 23RD may. Hack up and relay front path and steps, hack off slab to steps at back door, relay with 3x equal steps leading to garden with hand rail both sides, contact (NAME REMOVED) if need be. and repair gutter above back door also the front gutter</p> <p>please add to job [...attending today] thermal line walls x14, new skirting x6 m. Cover board to window x1 1m</p>	<p>Tenant wasn't in but measured front garden path and rails. Overmeasurement on rails (943005) by 3m. Over measurement on path (003007) and finish (003009) by 4m2. And additional hardcore rate, no evidence of. Overcharge of £911.04 (Photos taken)</p>	£	911.04	no_pi
9353692	74164	07/05/2014	30/05/2014	10	889.13	<p>: Please attend to replace kitchen ceiling as asbestos test concluded negative. Please update us once an appointment has been agreed so we can arrange an electrician to disconnect/reconnect the lighting. Any problems, then please let us know.</p> <p>Electrician attending on 9377652</p> <p>job for ... must be booked in for week starting 23RD may. Hack up and relay front path and steps, hack off slab to steps at back door, relay with 3x equal steps leading to garden with hand rail both sides, contact (NAME REMOVED) if need be. and repair gutter above back door also the front gutter</p> <p>please add to job [...attending today] thermal line walls x14, new skirting x6 m. Cover board to window x1 1m</p>	<p>Remeasured walls to bedroom. Walls undermeasured by 5m2 although no skirting board was installed which is claimed. These results in an underpayment of circa £207</p>	-£	207.73	no_pi

9428477	74693	08/04/2015	05/05/2015	8	828.23	Plastering - COMP 05/05/15 - JAMES PIVD ON 9435016 ESP, are attending on the 29th April to remove the remainder of the damaged lounge ceiling. ACM report in, positive for coating, and round beam and the ceiling above this also shows as positive so maybe two layers of 15sqm to come down. Please advise Mears when booked for, for a sparky.	Original order was for 15m2, although only half of the ceiling was replaced, where damaged by leak. Ceiling now has 50% artex finish and 50% skim finish. Joist rate used, although battens were likely to be required? No evidence of artex. Double bonding applied... (thermaboard wall rate used)	£ 683.56	Yes (on Job No: 9435016)
9420336	75370	02/03/2015	13/03/2015	10	536.47	Elec attend last call to put up light after new ceiling is done on the 17th UPDATED NOW BEING REMOVED 16TH MARCH bedroom ceiling 14sqm has tested positive for ACM this is being removed on the 12th of March. We need you to book in for 14m2 board and skim, also hack off the chimney breast, notes on original order state call (NAME REMOVED) from site to inspect, job to go to SORs on NOC please.	Measurements generally accurate, but skim finish was poor. No evidence of work to chimney breast, which gives us an overcharge of £131.79	£ 131.79	no_pi
9380532	75627	11/09/2014	11/09/2014	10	100.93	BUILD: Following joint inspection with (NAME REMOVED) Please attend to renew gutter and run into felt and seal.	Tenant confirmed the work was done. 2 men using scaffolding. Photo's taken but hard to distinguish completed works from ground level.	£ -	no_pi
9350338	76106	21/04/2014	13/05/2014	10	1061.8	SEE AUDIT 13/05/14: Plasterer and elec (ELC please help tnt move table and a display cabinet too as they cannot shift by themselves) - Amstech are removing the lounge ceiling. 1 day's work. 18m2 12th May 2014 - elec, please attend first call to remove light fitting and attend last call to refix. Plasterer to renew ceiling complete - please call tnt to book in date after 12th May and let Mears know so we can arrange you an electrician. (Plasterers - states removal of AMC plasterboarding, but could be tentex if top floor)	Measurements were ok; however 58m joists included, not clear what was used, battens perhaps? Additional £142.55 for moving table and cabinet, seems very unreasonable for size of furniture, tenant also confirmed easy to move.	£ 642.31	no_pi
9374800	77685	14/08/2014	08/10/2014	10	259.96	: Please attend to replace kitchen ceiling because asbestos test concluded negative. Any problems, then please let Mears know. electrician attending on 9380528	Over measured by 1m2 although double plasterboard rate has been used for no apparent reason.	£ 59.49	Pass
9398664	79023	28/11/2014	11/12/2014	10	402.93	: Please attend to replace the right hand bedroom ceiling (board) as asbestos test concluded negative. Please update Mears once an appointment has been made so that we can send an electrician round to isolate the lighting. Any concerns, please let us know.	Tenant confirmed the ceiling was only skimmed, not double plasterboarded. Rate should be 413107.	£ 281.75	no_pi
					£21,353.85			£9,567.32	

Appendix A - Initial Visits

uprn	job_no	address	issue_date	comp_date	status	job_value	resource_name	job_description	Results of Visit	Overcharge
10077	9435097		13/04/2015	14/05/2015	15	1,988.57		we have attended and tested the living room ceiling for ACMs. This has come back negative, woodchip finish on ceiling. (Name Removed) @ BHCC has authorised us to either make good the damaged area or renew, once authorised we are to redecorate the ceiling in white as she has agreed this with the tenant. + 21/05/15 - (Name Removed) has confirmed that we are to also paint the walls in the living room (email in job docs) ELEC - first & last calls	No evidence of joists replaced, suggests battens have been used as per the rate. No order for thermal board, so incorrect SOR used. 2 lots of bonding agent applied, so the most expensive considered an overcharge	£1,413.43
2698	9428890		10/04/2015	08/05/2015	15	1,461.67		PI passed. Complete - awaiting NOC FW's to 9428031 FAO ... as per site meeting with Hack off all defective plaster, bond and skim whole room. please book (Name Removed) to PI	Measurements generally in line with works charged. Possible over use of Bonding Agent. Minor overcharge on measurements	£27.45
264876	9405357		02/01/2015	07/01/2015	10	619.50		Access open 24hour - See on arrival to see if you need to be accompanied - please attend to replace the lino flooring in room number 13 this was due to an internal fire -	Over measurement, floor is 'bumpy' therefore unlikely to have been screed.	£207.44
						£4,049.74				£1,648.32

James McLaughlin

From: Sarita Arthur-Crow
Sent: 10 May 2018 16:34
To: James McLaughlin
Subject: FW: Response
Attachments: Appendix A.PDF; Appendix B.pdf; Appendix C.PDF; Photos.docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi James,

I forgot to add – could you email me a copy of the response when it has been sent?

Thanks,
Sarita

Sarita Arthur-Crow | Lawyer | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ | DX59286 Hove 1
T 01273 [REDACTED] | sarita.arthur-crow@brighton-hove.gov.uk

My usual working days are Tuesdays and Fridays



*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
Surrey County Council and West Sussex County Council working in partnership*

From: Sarita Arthur-Crow
Sent: 10 May 2018 4:31 PM
To: foicases@mail.brighton-hove.gov.uk
Subject: Response

Hi James,

No, the ICO letter relates to other FOIs. I shall forward separately. Has the ICO contacted us since that letter?

The below relates to the end of the ICO matter from last year. Would you be able to send out the below response to the requestor with the attached documents? It is probably best that this goes through the FOI system.

If this could go out today that would be great, if not tomorrow will still be fine. Let me know if you have any queries.

Many thanks,
Sarita

Sarita Arthur-Crow | Lawyer | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ | DX59286 Hove 1
T 01273 [REDACTED] | sarita.arthur-crow@brighton-hove.gov.uk

My usual working days are Tuesdays and Fridays



Dear Mr Parry,

Thank you for your email. Your email of 14 April 2018 requested the following information:

I confirm the need for information on the 46 completed repairs inspected by Internal Audit with particular emphasis on the 39 'door to door' inspections of which 8 had been post-inspected & passed by Mears and 7 of which the audit inspection failed for "significant overcharge".

Please find this information attached.

[Insert usual wording at the end.]

-----Original Message-----

From: Freedom Of Information

Sent: 09 May 2018 9:42 AM

To: Sarita Arthur-Crow

Subject: FW: Freedom of Information request - Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED) FOI 8943 following on from FOI 8771

Morning Sarita,

Please see below from Mr Parry. Were you compiling a response to this. Is this in regards to the ICO letter we received?

Kind regards,

James McLaughlin

Information Compliance Officer | Information Governance Team | IT & D

01273 295959 | 01273 295959 | Monday-Friday 8am-4pm Brighton & Hove City Council

Working in partnership

GDPR is coming.... To find out more click here.

-----Original Message-----

From: STEVE PARRY [mailto:request-433782-7ada2f99@whatdotheyknow.com]

Sent: 08 May 2018 5:46 PM

To: Freedom Of Information

Subject: Re: Freedom of Information request - Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED)

Dear Sarita Arthur-Crow,

It is now nearly eight months since this request was first submitted and nearly a month since you informed me you were out of the office for 2/3 days but would respond upon your return.

I believe that to remind you of the need for a response is more than justified.

Yours truly,

Steve Parry

James McLaughlin

From: Freedom Of Information
Sent: 09 May 2018 09:42
To: Sarita Arthur-Crow
Subject: FW: Freedom of Information request - Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED) FOI 8943 following on from FOI 8771
Attachments: Confirmation from ICO to PA - complaint from Mr Steve Parry accepted[Ref. FS50718495]
Follow Up Flag: Follow up
Flag Status: Completed

Morning Sarita,

Please see below from Mr Parry. Were you compiling a response to this. Is this in regards to the ICO letter we received?

Kind regards,

James McLaughlin
Information Compliance Officer | Information Governance Team | IT & D

01273 [REDACTED] | 01273 295959 | Monday-Friday 8am-4pm Brighton & Hove City Council

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To: Freedom Of Information

Subject: Re: Freedom of Information request - Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED)

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I believe that to remind you of the need for a response is more than justified.

Yours truly,

Steve Parry

-----Original Message-----

Thank you for your email.

I am not in the office until 17 April 2018. I shall see your email upon my return.

Many thanks,

Sarita Arthur-Crow

Notice to recipient:

The information contained in this electronic mail message is intended only for the use of the individual to whom it is addressed and may contain information which is privileged and confidential, the disclosure of which is prohibited by law.

If the reader of this message is not the intended recipient, please note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify the sender immediately.

Thank you in anticipation of your co-operation.

You can visit our website at [1]<http://www.brighton-hove.gov.uk>

Please consider the environment, only print out this email if absolutely necessary.

Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation

References

Visible links

1. <http://www.brighton-hove.gov.uk/>

Please use this email address for all replies to this request:
request-433782-7ada2f99@whatdotheyknow.com

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://www.whatdotheyknow.com/help/officers>

For more detailed guidance on safely disclosing information, read the latest advice from the ICO:
<https://www.whatdotheyknow.com/help/ico-guidance-for-authorities>

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

James McLaughlin

From: STEVE PARRY <request-433782-7ada2f99@whatdotheyknow.com>
Sent: 08 May 2018 17:46
To: Freedom Of Information
Subject: Re: Freedom of Information request - Brighton & Hove City Council Internal Audit Report (Ref: A118/001/2016) (CONFIDENTIAL - NOT TO BE DISCLOSED)

Follow Up Flag: Follow up
Flag Status: Completed

Categories: James

Dear Sarita Arthur-Crow,

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I believe that to remind you of the need for a response is more than justified.

Yours truly,

Steve Parry

-----Original Message-----

Thank you for your email.

I am not in the office until 17 April 2018. I shall see your email upon my return.

Many thanks,

Sarita Arthur-Crow

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References

Visible links

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Please use this email address for all replies to this request:
request-433782-7ada2f99@whatdotheyknow.com

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://www.whatdotheyknow.com/help/officers>

For more detailed guidance on safely disclosing information, read the latest advice from the ICO:

<https://www.whatdotheyknow.com/help/ico-guidance-for-authorities>

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

Brighton and Hove City Council
By email only to: freedomofinformation@brighton-hove.gov.uk

22 March 2017

Case reference number FS50656438

Dear Sir or Madam

Freedom of Information Act 2000 (FOIA)

Your ref: FOI6954

Complainant: Steve Parry

WDTK link:

https://www.whatdotheyknow.com/request/housing_and_new_homes_committee

We wrote to you previously to let you know that we have accepted this case for investigation. I have now been asked to investigate it.

You should now reconsider the way the Council has handled this request and respond as detailed below.

ICO's approach

On receipt of a complaint under the FOIA, we will give a public authority one opportunity to justify its position, before proceeding to a conclusion (and if deemed necessary, issuing a decision notice). Please consider the guide for public authorities on our website for more information about how we handle complaints:

http://www.ico.org.uk/for_organisations/freedom_of_information/guide.aspx

The request

On 22 September 2016 the complainant requested information of the following description:

My request is for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct.

On 24 October 2016 the Council responded. It appears to confirm that the sought information is already in the public domain.



The complainant requested an internal review on 28 October 2016, on the basis that the requested information had not been provided.

The Council sent the outcome of its internal review on 21 November 2016. It appears to maintain that its original position is correct.

What you need to do now

Where possible we prefer complaints to be resolved by informal means, and we ask both parties to be open to compromise. It is also your responsibility to satisfy us that you have complied with the law. Our website has guidance which you should refer to in order to check whether your original response to the information request was appropriate.

This is your opportunity to finalise your position. With this in mind, you should revisit the request. After looking at our guidance, and in light of the passage of time, you may decide to reverse or amend your position. If you do, please notify the complainant and me within the timeframe specified at the end of this letter. This may enable us to close this case informally without the need for a decision notice.

In any event, we need the following information from you to reach a decision.

Section 1 – information not held

In scenarios where there is some dispute between the amount of information located by a public authority and the amount of information that a complainant believes may be held, the ICO, following the lead of a number of Information Tribunal decisions, applies the civil standard of the balance of probabilities. In other words, in order to determine such complaints the ICO must decide whether on the balance of probabilities a public authority holds any information which falls within the scope of the request (or was held at the time of the request).

In order to assist with this determination please answer, where relevant, the following questions.

- 1) What searches were carried out for information falling within the scope of this request and why would these searches have been likely to retrieve any relevant information?

- 2) If searches included electronic data, please explain whether the search included information held locally on personal computers used by key officials (including laptop computers) and on networked resources and emails.
- 3) If searches included electronic data, which search terms were used?
- 4) If the information were held would it be held as manual or electronic records?
- 5) Was any recorded information ever held relevant to the scope of the complainant's request but deleted/destroyed?
- 6) If recorded information was held but is no longer held, when did the Council cease to retain this information?
- 7) Does the Council have a record of the document's destruction?
- 8) What does the Council's formal records management policy say about the retention and deletion of records of this type? If there is no relevant policy, can the Council describe the way in which it has handled comparable records of a similar age?
- 9) If the information is electronic data which has been deleted, might copies have been made and held in other locations?
- 10) Is there a business purpose for which the requested information should be held? If so what is this purpose?
- 11) Are there any statutory requirements upon the Council to retain the requested information?

Please note: In addressing the above please be aware that the complainant believes specific documents should have been disclosed in response to this request (please see WDTK correspondence of 21 November 2016):

"My request was "for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct." At no point has there been any attempt to provide this information. As an example it is quite easy (with details of the subcontractor redacted if the Council wishes to hide details of the guilty party) to provide copies of the invoices upon which the fraud was based."

To proceed

We strongly recommend that your response is guided by recent decision notices, our guidance and our lines to take, which demonstrate our approach to the exemptions and procedural sections of the FOIA. These can be found on our website:

- <http://search.ico.org.uk/ico/search/decisionnotice>
- <https://ico.org.uk/for-organisations/>

Having revisited the request, you may decide to apply a new exemption. We will consider new exemptions but it is your responsibility to tell the complainant why the new exemption applies and to provide us now with your full submissions.

For the avoidance of doubt, you should now do the following.

- Consider whether to change your response to the information request, and let us know the outcome.
- Answer the section 1 questions in this letter.

Please provide your response within 20 working days of the date of this letter, that is by **20 April 2017**, ensuring that you fully set out your final position in relation to this request. If you have any concerns please contact me at casework@ico.org.uk (quoting the above reference in this format [Ref. FS50656438]) or call me on my direct line.

Yours sincerely

Daniel Perry
Lead Case Officer, Information Commissioner's Office
Direct Dial: 01625 545 214

We are often asked for copies of the correspondence we exchange with third parties. We are subject to all of the laws we deal with, including the Data Protection Act 1998 and the Freedom of Information Act 2000. You can read about these on our website (www.ico.org.uk). Please say whether you consider any of the information you send us is confidential. You should also say why. We will only withhold information where there is good reason to do so.

BHCC reference: FOI6954

Requestor: Steve Parry

Email: request-360687-cb005a5d@whatdotheyknow.com

Date: 11 April 2017

ICO Investigation Response: Freedom of Information Request

Thank you for your recent letter regarding the acceptance of Mr Steve Parry's complaint under the Freedom of Information Act 2000 relating to 'Housing and New Homes Committee, 21.9.16; Repairs & Improvement Partnership Update'.

Our recorded timeline of events:

22 nd September 2016	Freedom of Information Request Received
24 th October 2016	FOI Response Provided
28 th October 2016	Request for Internal Review Received
21 st November 2016	Internal Review Response Given

Steve Parry wrote: *"My request was "for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct." At no point has there been any attempt to provide this information. As an example it is quite easy (with details of the subcontractor redacted if the Council wishes to hide details of the guilty party) to provide copies of the invoices upon which the fraud was based"*.

Section 1 – information not held

- 1) What searches were carried out for information falling within the scope of this request and why would these searches have been likely to retrieve any relevant information?
 - 2) If searches included electronic data, please explain whether the search included information held locally on personal computers used by key officials (including laptop computers) and on networked resources and emails.
 - 3) If searches included electronic data, which search terms were used?
 - 4) If the information were held would it be held as manual or electronic records?
 - 5) Was any recorded information ever held relevant to the scope of the complainant's request but deleted/ destroyed?
-

- 6) If recorded information was held for longer held, when did the Council cease to retain this information?
 - 7) Does the council have a record of the document's destruction?
 - 8) What does the Councils formal records management policy say about the retention and deletion of records of this type? If there is no relevant policy, can the Council describe the way in which it has handled comparable records of a similar age?
 - 9) If the information is electronic data which has been deleted, might copies have been made and held in other locations?
 - 10) Is there a business purposes for which the requested information should be held? If so what is the purpose?
 - 11) Are there any statutory requirements upon the Council to retain the requested information?
-

James McLaughlin

From: Katie Rees
Sent: 11 April 2017 11:19
To: [REDACTED]; Freedom Of Information; Housing FOI's
Cc: Elizabeth Culbert; Graham Liddell; Glyn Huelin; Theresa Youngman
Subject: RE: Approved Response: foi6954: Freedom of Information Request
Attachments: Steve Parry - ICO Investigation Response (DRAFT).docx; ICO Letter.pdf

Good Morning All,

I have received a case from the ICO in regards to the below FOI made by Mr Steve Parry.
Could anyone advise me who would be the best person to speak to in order for me to begin investigating?

Please see attached the questions (highlighted in yellow) that we need to look at.

Link if you want to look at background to refresh your memories:

https://www.whatdotheyknow.com/request/housing_and_new_homes_committee#incoming-872186

The deadline for this is 20th April 2017.

Kindest Regards,

Katie Rees

Freedom of Information & Data Protection Team (Information Governance)
Brighton & Hove City Council

Please find our new suite of Information Governance policies [here](#).

From: Nadia Wibley
Sent: 28 October 2016 10:48 AM
To: Freedom Of Information; Housing FOI's
Cc: Elizabeth Culbert; Graham Liddell; Glyn Huelin; [REDACTED]
Subject: Approved Response: foi6954: Freedom of Information Request

Hi Wendy/ [REDACTED]

Martin has approved this response to go.

Thanks

Dear Sir

Your request is for recorded information that shows how the 'overcharge' is correct and who agreed it to be correct.

The response is that the relevant information is contained in the Council's published report to the Housing and New Homes Committee of January 2016. The update report that you have referred to has summarised part of the above report and we believe that this summary may have led to some confusion with your interpretation of the figures.

Taking the annual contract value as £27m:

- the subcontracted responsive repairs is approximately 4% of £27m = £1.1m per annum
- this equates to £1.5m over the 17 month period for which the overpayment of £0.257m relates

In your email you have interpreted the update report as saying that 4% of 20% of the contract value relates to subcontracted responsive repairs. This gives a much lower (and incorrect) value for sub-contracted responsive repairs.

The original report to the Audit & Standards Committee and the Housing & New Homes Committee in January 2016 provides the full information

[REDACTED] | Management & Project Support Officer | Property & Investment | (01273) [REDACTED] | Brighton & Hove City Council | Housing Centre, Unit 1 Fairway Trading Estate, Eastergate Road, Moulsecoomb, Brighton, BN2 4QL

From: Elizabeth Culbert
Sent: 24 October 2016 2:24 PM
To: Freedom Of Information
Cc: Housing FOI's; [REDACTED]; [REDACTED] Graham Liddell
Subject: FW: foi6954: Freedom of Information Request

Draft response to the above FOI request as follows (many thanks Graham):-

Dear Sir

Your request is for recorded information that shows how the 'overcharge' is correct and who agreed it to be correct.

The response is that the relevant information is contained in the Council's published report to the Housing and New Homes Committee of January 2016. The update report that you have referred to has summarised part of the above report and we believe that this summary may have led to some confusion with your interpretation of the figures.

Taking the annual contract value as £27m:

- the subcontracted responsive repairs is approximately 4% of £27m = **£1.1m per annum**
- **this equates to £1.5m over the 17 month period for which the overpayment of £0.257m relates**

In your email you have interpreted the update report as saying that 4% of 20% of the contract value relates to subcontracted responsive repairs. This gives a much lower (and incorrect) value for sub-contracted responsive repairs.

The original report to the Audit & Standards Committee and the Housing & New Homes Committee in January 2016 provides the full information

END

Elizabeth Culbert | Acting Head of Legal Services | Brighton & Hove Council
Telephone: 01273 [REDACTED]
Email: elizabeth.culbert@brighton-hove.gov.uk
Address: Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ



*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
Surrey County Council and West Sussex County Council working in partnership*

From: Freedom Of Information
Sent: 23 September 2016 8:08 AM
To: Housing FOI's; [REDACTED]
Cc: [REDACTED]
Subject: foi6954: Freedom of Information Request

We have received the following Freedom of Information request. We are required to respond to this by 19 October 2016 ..

Please obtain approval of response from your Head of Service and then forward this to freedomofinformation@brighton-hove.gov.uk

FOI advice and guidance is available on the Wave, please visit [Information Governance](#)

The request is as follows:

Dear Brighton and Hove City Council,

This Update followed an Internal Audit report to Audit & Standards Committee on 12th January 2016 and Housing & New Homes Committee on 13th January 2016 that concluded that mechanisms put in place by Mears to identify overcharging were not operating as intended. There was significant evidence that a particular subcontractor had routinely overcharged Mears and that these costs had been passed onto the council.

The report states "Mears Ltd provide a comprehensive responsive repair, planned maintenance and major works service for council homes across the city under a 10-year contract. Around 20% of the annual contract is responsive repairs and approximately 4% of the annual cost relates to subcontracted responsive repairs."

"The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs."

"The council has received a total repayment of £513,113 related to the overcharge. This is made up of a sum of £274,866 for repairs post April 2014 and a sum £238,247 relating to the repairs undertaken by this subcontractor before April 2014."

My request is for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct.

The figures provided appear to contradict the facts as presented in this report to Housing and New Homes Committee as:

- The approximate annual spend on responsive repairs = 20% of £20m = £4m.
- The approximate spend on subcontractors is 4% of the annual cost or 20% of the responsive repairs costs = £0.8m

• Even if we take the new overall contract figure, reported in January 2016, of an annual budget of £27m we have

☐ Responsive repairs = £5.4m

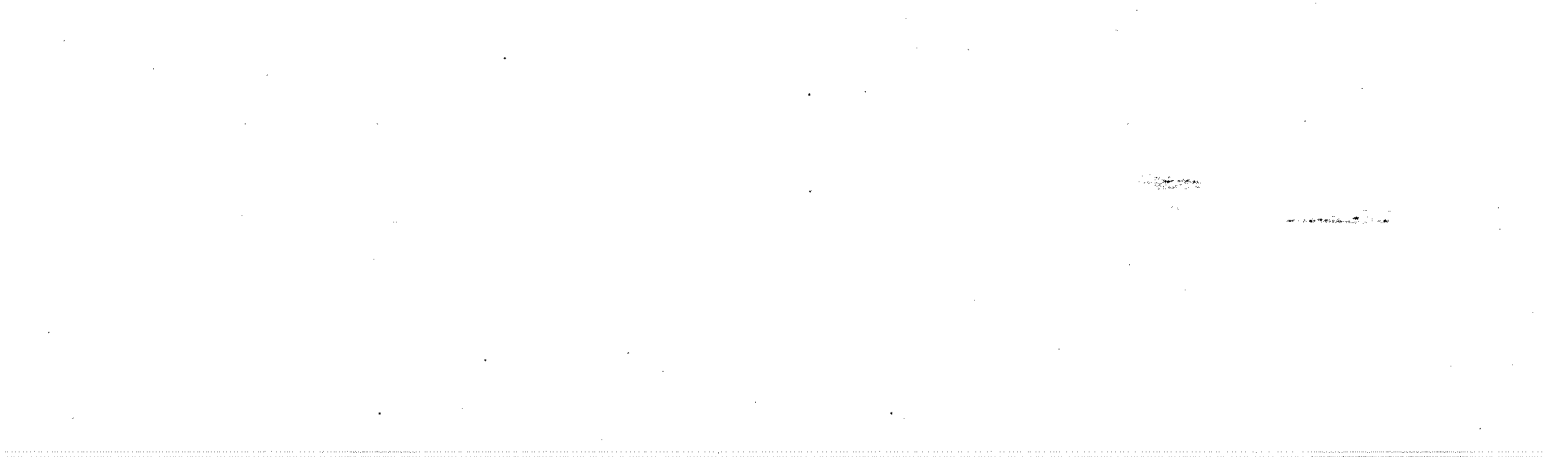
☐ Subcontracting costs = £1.08m

The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs (plasterboard)

If we take a small proportion as 10% of all subcontracted work the costs over a 17 month period (the time period initially exposed) = £ 0.153m

The fraud amounted to £0.257m over this period which is impossible if the budget was £0.153m

Yours faithfully,



Steve Parry

Many thanks.

Wendy Kassamani
Information Compliance Officer
Tel: 01273 [REDACTED]

James McLaughlin

From: STEVE PARRY <request-360687-cb005a5d@whatdotheyknow.com>
Sent: 22 September 2016 22:21
To: Freedom Of Information
Subject: Freedom of Information request - Housing and New Homes Committee, 21.9.16; Repairs & Improvement Partnership Update

Dear Brighton and Hove City Council,

This Update followed an Internal Audit report to Audit & Standards Committee on 12th January 2016 and Housing & New Homes Committee on 13th January 2016 that concluded that mechanisms put in place by Mears to identify overcharging were not operating as intended. There was significant evidence that a particular subcontractor had routinely overcharged Mears and that these costs had been passed onto the council.

The report states "Mears Ltd provide a comprehensive responsive repair, planned maintenance and major works service for council homes across the city under a 10-year contract. Around 20% of the annual contract is responsive repairs and approximately 4% of the annual cost relates to subcontracted responsive repairs."

"The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs."

"The council has received a total repayment of £513,113 related to the overcharge. This is made up of a sum of £274,866 for repairs post April 2014 and a sum £238,247 relating to the repairs undertaken by this subcontractor before April 2014."

My request is for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct.

The figures provided appear to contradict the facts as presented in this report to Housing and New Homes Committee as:

- The approximate annual spend on responsive repairs = 20% of £20m = £4m.
- The approximate spend on subcontractors is 4% of the annual cost or 20% of the responsive repairs costs = £0.8m
- Even if we take the new overall contract figure, reported in January 2016, of an annual budget of £27m we have
 - § Responsive repairs = £5.4m
 - § Subcontracting costs = £1.08m

The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs (plasterboard) If we take a small proportion as 10% of all subcontracted work the costs over a 17 month period (the time period initially exposed) = £ 0.153m The fraud amounted to £0.257m over this period which is impossible if the budget was £0.153m

Yours faithfully,

Steve Parry

Please use this email address for all replies to this request:
request-360687-cb005a5d@whatdotheyknow.com

Is freedomofinformation@brighton-hove.gov.uk the wrong address for Freedom of Information requests to Brighton and Hove City Council? If so, please contact us using this form:
[https://www.whatdotheyknow.com/change_request/new?body=brighton and hove city council](https://www.whatdotheyknow.com/change_request/new?body=brighton+and+hove+city+council)

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<https://www.whatdotheyknow.com/help/officers>

For more detailed guidance on safely disclosing information, read the latest advice from the ICO:

<https://www.whatdotheyknow.com/help/ico-guidance-for-authorities>

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

James McLaughlin

From: Freedom Of Information
Sent: 24 October 2016 08:33
To: 'STEVE PARRY'
Subject: foi6954 : Freedom of Information Request

Categories: Egress Switch: Unprotected

Good morning

Please accept our apologies for the delay and an urgent reminder has been sent to the department concerned.

Thank you.

Wendy Kassamani | Information Governance Officer (Information Governance Team) | 4th Floor | Bartholomew House | Bartholomew Square | Brighton | BN1 1JE | Tel: 01273 [REDACTED] | Information Security: x5959 | Email: wendy.kassamani@brighton-hove.gov.uk

-----Original Message-----

From: STEVE PARRY [<mailto:request-360687-cb005a5d@whatdotheyknow.com>]
Sent: 21 October 2016 18:14
To: Freedom Of Information
Subject: Re: Freedom of Information Request Acknowledgement

Dear Freedom Of Information,
By law, BHCC should normally have responded to my request on the Housing and New Homes Committee, 21.9.16; Repairs & Improvement Partnership Update

Yours sincerely,
Steve Parry

-----Original Message-----

Thank you for submitting your Freedom of Information (FOI) request to Brighton & Hove City Council.

We will respond to your request within 20 working days as stipulated under the Freedom of Information Act (2000).

Regards,

Information Governance Team

Notice to recipient:

The information contained in this electronic mail message is intended only for the use of the individual to whom it is addressed and may contain information which is privileged and confidential, the disclosure of which is prohibited by law.

If the reader of this message is not the intended recipient, please note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify the sender immediately.

Thank you in anticipation of your co-operation.

You can visit our website at <http://www.brighton-hove.gov.uk>

Please consider the environment, only print out this email if absolutely necessary.

Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation.

Please use this email address for all replies to this request:
request-360687-cb005a5d@whatdotheyknow.com

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
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If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

James McLaughlin

From: [REDACTED]
Sent: 28 October 2016 10:48
To: Freedom Of Information; Housing FOI's
Cc: Elizabeth Culbert; Graham Liddell; Glyn Huelin; Theresa Youngman
Subject: Approved Response: foi6954: Freedom of Information Request

Hi Wendy/ [REDACTED]

Martin has approved this response to go.

Thanks

Dear Sir

Your request is for recorded information that shows how the 'overcharge' is correct and who agreed it to be correct.

The response is that the relevant information is contained in the Council's published report to the Housing and New Homes Committee of January 2016. The update report that you have referred to has summarised part of the above report and we believe that this summary may have led to some confusion with your interpretation of the figures.

Taking the annual contract value as £27m:

- the subcontracted responsive repairs is approximately 4% of £27m = £1.1m per annum
- this equates to £1.5m over the 17 month period for which the overpayment of £0.257m relates

In your email you have interpreted the update report as saying that 4% of 20% of the contract value relates to subcontracted responsive repairs. This gives a much lower (and incorrect) value for sub-contracted responsive repairs.

The original report to the Audit & Standards Committee and the Housing & New Homes Committee in January 2016 provides the full information

[REDACTED] | Management & Project Support Officer | Property & Investment | (01273) [REDACTED] | Brighton & Hove City Council | Housing Centre, Unit 1 Fairway Trading Estate, Eastergate Road, Moulsecoomb, Brighton, BN2 4QL

From: Elizabeth Culbert
Sent: 24 October 2016 2:24 PM
To: Freedom Of Information
Cc: Housing FOI's; [REDACTED]; Graham Liddell
Subject: FW: foi6954: Freedom of Information Request

Draft response to the above FOI request as follows (many thanks Graham):-

Dear Sir

Your request is for recorded information that shows how the 'overcharge' is correct and who agreed it to be correct.

The response is that the relevant information is contained in the Council's published report to the Housing and New Homes Committee of January 2016. The update report that you have referred to has summarised part of the above report and we believe that this summary may have led to some confusion with your interpretation of the figures.

Taking the annual contract value as £27m:

- the subcontracted responsive repairs is approximately 4% of £27m = **£1.1m per annum**
- **this equates to £1.5m over the 17 month period for which the overpayment of £0.257m relates**

In your email you have interpreted the update report as saying that 4% of 20% of the contract value relates to subcontracted responsive repairs. This gives a much lower (and incorrect) value for sub-contracted responsive repairs.

The original report to the Audit & Standards Committee and the Housing & New Homes Committee in January 2016 provides the full information

END

Elizabeth Culbert | Acting Head of Legal Services | Brighton & Hove Council

Telephone: 01273 [REDACTED]

Email: elizabeth.culbert@brighton-hove.gov.uk

Address: Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ



*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
Surrey County Council and West Sussex County Council working in partnership*

From: Freedom Of Information
Sent: 23 September 2016 8:08 AM
To: Housing FOI's; [REDACTED]
Cc: [REDACTED]
Subject: foi6954: Freedom of Information Request

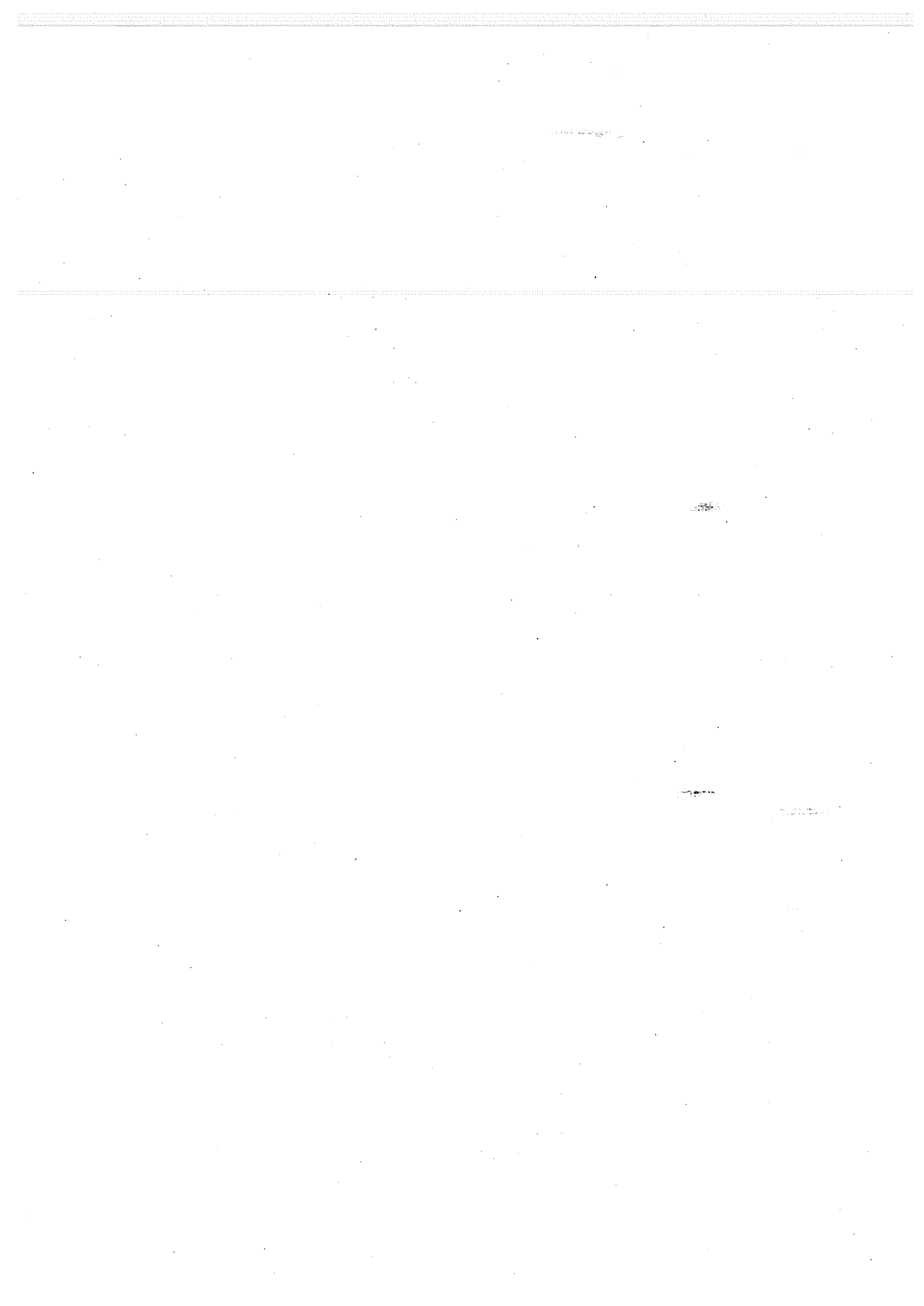
We have received the following Freedom of Information request. We are required to respond to this by 19 October 2016 .

Please obtain approval of response from your Head of Service and then forward this to freedomofinformation@brighton-hove.gov.uk

FOI advice and guidance is available on the Wave, please visit [Information Governance](#)

The request is as follows:

Dear Brighton and Hove City Council,



This Update followed an Internal Audit report to Audit & Standards Committee on 12th January 2016 and Housing & New Homes Committee on 13th January 2016 that concluded that mechanisms put in place by Mears to identify overcharging were not operating as intended. There was significant evidence that a particular subcontractor had routinely overcharged Mears and that these costs had been passed onto the council.

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- Even if we take the new overall contract figure, reported in January 2016, of an annual budget of £27m we have
 - ☐ Responsive repairs = £5.4m
 - ☐ Subcontracting costs = £1.08m

The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs (plasterboard)

If we take a small proportion as 10% of all subcontracted work the costs over a 17 month period (the time period initially exposed) = £ 0.153m

The fraud amounted to £0.257m over this period which is impossible if the budget was £0.153m

Yours faithfully,

Steve Parry

Many thanks.

Wendy Kassamani
Information Compliance Officer
Tel: 01273 [REDACTED]

James McLaughlin

From: Freedom Of Information
Sent: 23 September 2016 08:08
To: Housing FOI's; [REDACTED]
Cc: [REDACTED]
Subject: foi6954: Freedom of Information Request

Categories: Egress Switch: Unprotected

We have received the following Freedom of Information request. We are required to respond to this by 19 October 2016 .

Please obtain approval of response from your Head of Service and then forward this to freedomofinformation@brighton-hove.gov.uk

FOI advice and guidance is available on the Wave, please visit [Information Governance](#)

The request is as follows:

Dear Brighton and Hove City Council,

This Update followed an Internal Audit report to Audit & Standards Committee on 12th January 2016 and Housing & New Homes Committee on 13th January 2016 that concluded that mechanisms put in place by Mears to identify overcharging were not operating as intended. There was significant evidence that a particular subcontractor had routinely overcharged Mears and that these costs had been passed onto the council.

The report states "Mears Ltd provide a comprehensive responsive repair, planned maintenance and major works service for council homes across the city under a 10-year contract. Around 20% of the annual contract is responsive repairs and approximately 4% of the annual cost relates to subcontracted responsive repairs."

"The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs."

"The council has received a total repayment of £513,113 related to the overcharge. This is made up of a sum of £274,866 for repairs post April 2014 and a sum £238,247 relating to the repairs undertaken by this subcontractor before April 2014."

My request is for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct.

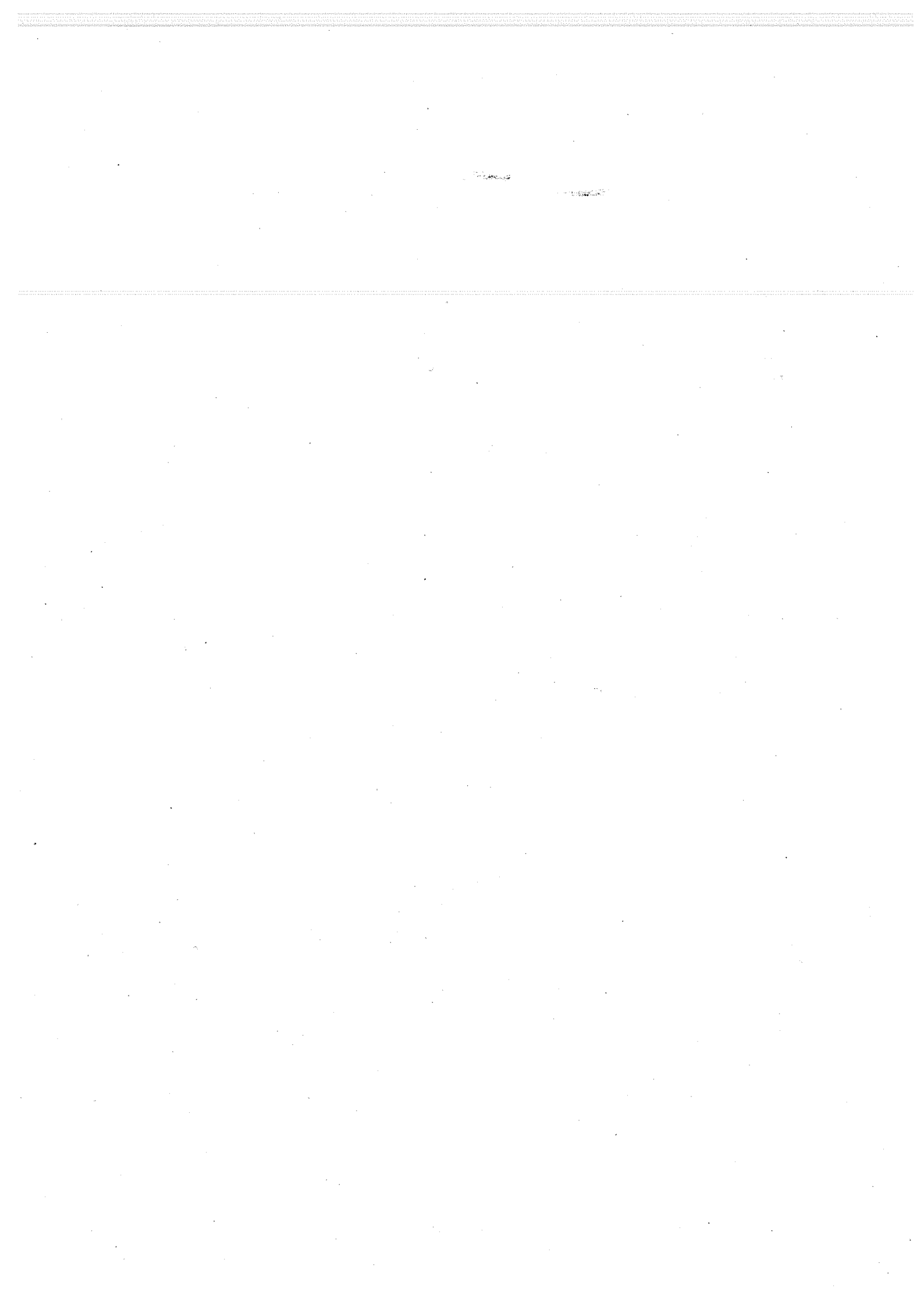
The figures provided appear to contradict the facts as presented in this report to Housing and New Homes Committee as:

- The approximate annual spend on responsive repairs = 20% of £20m = £4m.
- The approximate spend on subcontractors is 4% of the annual cost or 20% of the responsive repairs costs = £0.8m

• Even if we take the new overall contract figure, reported in January 2016, of an annual budget of £27m we have

- Responsive repairs = £5.4m
- Subcontracting costs = £1.08m

The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs (plasterboard)



If we take a small proportion as 10% of all subcontracted work the costs over a 17 month period (the time period initially exposed) = £ 0.153m

The fraud amounted to £0.257m over this period which is impossible if the budget was £0.153m

Yours faithfully,

Steve Parry

Many thanks.

Wendy Kassamani
Information Compliance Officer
Tel: 01273 [REDACTED]

James McLaughlin

From: Freedom Of Information
Sent: 24 October 2016 14:48
To: 'STEVE PARRY'
Subject: foi6954: RESPONSE PROVIDED

Categories: Egress Switch: Unprotected

Please find set out below the information in response to your request reference FOI6954....

My request is for any recorded information that shows how and why this "overcharge" is correct and who agreed it to be correct.

The figures provided appear to contradict the facts as presented in this report to Housing and New Homes Committee as:

- The approximate annual spend on responsive repairs = 20% of £20m = £4m.
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The fraud amounted to £0.257m over this period which is impossible if the budget was £0.153m

Your request is for recorded information that shows how the 'overcharge' is correct and who agreed it to be correct.

The response is that the relevant information is contained in the Council's published report to the Housing and New Homes Committee of January 2016. The update report that you have referred to has summarised part of the above report and we believe that this summary may have led to some confusion with your interpretation of the figures.

Taking the annual contract value as £27m:

- the subcontracted responsive repairs is approximately 4% of £27m = £1.1m per annum
- this equates to £1.5m over the 17 month period for which the overpayment of £0.257m relates

In your email you have interpreted the update report as saying that 4% of 20% of the contract value relates to subcontracted responsive repairs. This gives a much lower (and incorrect) value for sub-contracted responsive repairs.

The original report to the Audit & Standards Committee and the Housing & New Homes Committee in January 2016 provides the full information

Should you have any further queries about this request, please contact us via email to freedomofinformation@brighton-hove.gov.uk quoting the reference number given above.

If you are not satisfied with the handling of your request, you can appeal (Internal Review) within 2 months of the completed FOI. Write to:

Freedom of Information Appeals
Brighton & Hove City Council
ICT 4th Floor
Kings House
Grand Avenue
Hove BN3 3LS
freedomofinformation@brighton-hove.gov.uk

If you are still not satisfied after your Internal Review has been investigated, you can escalate your complaint to the Information Commissioners Office. The contact details are:

The Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Helpline: 0303 123 1113 (local rate) or 01625 545 745 (national rate)
e-mail: casework@ico.org.uk
Website: www.ico.org.uk

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James McLaughlin

From: Freedom Of Information
Sent: 31 October 2016 09:13
To: Katie Rees
Cc: Anne Cameron
Subject: INTERNAL REVIEW PLEASE ! foi6954

Categories: Egress Switch: Unprotected

A good start to the week !!

Wendy Kassamani | Information Governance Officer (Information Governance Team) | 4th Floor | Bartholomew House | Bartholomew Square | Brighton | BN1 1JE | Tel: 01273 296636 | Information Security: x5959 | Email: wendy.kassamani@brighton-hove.gov.uk

-----Original Message-----

From: STEVE PARRY [<mailto:request-360687-cb005a5d@whatdotheyknow.com>]
Sent: 28 October 2016 20:58
To: Freedom Of Information
Subject: Internal review of Freedom of Information request - Housing and New Homes Committee, 21.9.16; Repairs & Improvement Partnership Update

Dear Brighton and Hove City Council,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Brighton and Hove City Council's handling of my FOI request 'Housing and New Homes Committee, 21.9.16; Repairs & Improvement Partnership Update'.

My apologies that it has taken me a little longer than usual to respond as the "new" figures provided are as implausible as those identified in the original request. Further there is no more information in the reports of January 2016 than that of September 2016. In fact there was much more information provided in the later report as further sums had been added to the identified fraud that had gone on over a longer period than initially believed. I have therefore had to check and double check that the person responding to the request has identified the correct figures.

It is now claimed that the total cost of subcontracted responsive repairs is £1.5m over 17 months. If 10% of this was the cost of plasterboard how can £0.275m be "overcharged" on top of the 10% for any period of time?

I am afraid the "new" figures provided require checking. I should also add that there is a new reference on the "response" (FOI6954)

A full history of my FOI request and all correspondence is available on the Internet at this address:
https://www.whatdotheyknow.com/request/housing_and_new_homes_committee

Yours faithfully,

Steve Parry

Please use this email address for all replies to this request:
request-360687-cb005a5d@whatdotheyknow.com

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://www.whatdotheyknow.com/help/officers>

For more detailed guidance on safely disclosing information, read the latest advice from the ICO:
<https://www.whatdotheyknow.com/help/ico-guidance-for-authorities>

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

James McLaughlin

From: Elizabeth Culbert
Sent: 24 October 2016 14:24
To: Freedom Of Information
Cc: Housing FOI's; [REDACTED]; [REDACTED]; Graham Liddell
Subject: RESPONSE : foi6954: Freedom of Information Request

Draft response to the above FOI request as follows (many thanks Graham):-

Dear Sir

Your request is for recorded information that shows how the 'overcharge' is correct and who agreed it to be correct.

The response is that the relevant information is contained in the Council's published report to the Housing and New Homes Committee of January 2016. The update report that you have referred to has summarised part of the above report and we believe that this summary may have led to some confusion with your interpretation of the figures.

Taking the annual contract value as £27m:

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The original report to the Audit & Standards Committee and the Housing & New Homes Committee in January 2016 provides the full information

END

Elizabeth Culbert | Acting Head of Legal Services | Brighton & Hove Council
Telephone: 01273-[REDACTED]
Email: elizabeth.culbert@brighton-hove.gov.uk
Address: Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ



*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
Surrey County Council and West Sussex County Council working in partnership*

From: Freedom Of Information
Sent: 23 September 2016 8:08 AM
To: Housing FOI's; [REDACTED]
Cc: [REDACTED]
Subject: foi6954: Freedom of Information Request

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document. The title is "The History of the United States of America". The author is "John Adams". The date is "1776".

2. The second part of the document is a preface. It contains a short introduction to the document. The preface is written by John Adams. It is dated 1776. It is the first of three parts of the document. It is the first of three parts of the document. It is the first of three parts of the document.

3. The third part of the document is a list of contents. It contains a list of the chapters of the document. The list of contents is written by John Adams. It is dated 1776. It is the second of three parts of the document. It is the second of three parts of the document. It is the second of three parts of the document.

4. The fourth part of the document is a list of references. It contains a list of the sources used in the document. The list of references is written by John Adams. It is dated 1776. It is the third of three parts of the document. It is the third of three parts of the document. It is the third of three parts of the document.

5. The fifth part of the document is a list of footnotes. It contains a list of the footnotes in the document. The list of footnotes is written by John Adams. It is dated 1776. It is the fourth of three parts of the document. It is the fourth of three parts of the document. It is the fourth of three parts of the document.

6. The sixth part of the document is a list of appendices. It contains a list of the appendices in the document. The list of appendices is written by John Adams. It is dated 1776. It is the fifth of three parts of the document. It is the fifth of three parts of the document. It is the fifth of three parts of the document.

7. The seventh part of the document is a list of indexes. It contains a list of the indexes in the document. The list of indexes is written by John Adams. It is dated 1776. It is the sixth of three parts of the document. It is the sixth of three parts of the document. It is the sixth of three parts of the document.

8. The eighth part of the document is a list of glossaries. It contains a list of the glossaries in the document. The list of glossaries is written by John Adams. It is dated 1776. It is the seventh of three parts of the document. It is the seventh of three parts of the document. It is the seventh of three parts of the document.

9. The ninth part of the document is a list of bibliographies. It contains a list of the bibliographies in the document. The list of bibliographies is written by John Adams. It is dated 1776. It is the eighth of three parts of the document. It is the eighth of three parts of the document. It is the eighth of three parts of the document.

10. The tenth part of the document is a list of references. It contains a list of the references in the document. The list of references is written by John Adams. It is dated 1776. It is the ninth of three parts of the document. It is the ninth of three parts of the document. It is the ninth of three parts of the document.

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We have received the following Freedom of Information request. We are required to respond to this by 19 October 2016 .

Please obtain approval of response from your Head of Service and then forward this to freedomofinformation@brighton-hove.gov.uk

FOI advice and guidance is available on the Wave, please visit [Information Governance](#)

The request is as follows:

Dear Brighton and Hove City Council,

This Update followed an Internal Audit report to Audit & Standards Committee on 12th January 2016 and Housing & New Homes Committee on 13th January 2016 that concluded that mechanisms put in place by Mears to identify overcharging were not operating as intended. There was significant evidence that a particular subcontractor had routinely overcharged Mears and that these costs had been passed onto the council.

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If we take a small proportion as 10% of all subcontracted work the costs over a 17 month period (the time period initially exposed) = £ 0.153m

The fraud amounted to £0.257m over this period which is impossible if the budget was £0.153m

Yours faithfully,

Steve Parry

Many thanks.

Wendy Kassamani

James McLaughlin

From: Wendy Kassamani
Sent: 24 October 2016 08:32
To: Housing FOI's; [REDACTED]
Subject: URGENT REMINDER : foi6954: Freedom of Information Request

Importance: High

Categories: Egress Switch: Unprotected

Morning

This response is now overdue and Mr Parry is chasing for his response !

Thank you.

Wendy Kassamani | Information Governance Officer (Information Governance Team) | 4th Floor | Bartholomew House | Bartholomew Square | Brighton | BN1 1JE | Tel: 01273-[REDACTED] | Information Security: x5959 | Email: wendy.kassamani@brighton-hove.gov.uk

From: Freedom Of Information
Sent: 23 September 2016 08:08
To: Housing FOI's; [REDACTED]
Cc: [REDACTED]
Subject: foi6954: Freedom of Information Request

We have received the following Freedom of Information request. We are required to respond to this by 19 October 2016 .

Please obtain approval of response from your Head of Service and then forward this to freedomofinformation@brighton-hove.gov.uk

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- ☐ Subcontracting costs = £1.08m

The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs (plasterboard)

If we take a small proportion as 10% of all subcontracted work the costs over a 17 month period (the time period initially exposed) = £ 0.153m

The fraud amounted to £0.257m over this period which is impossible if the budget was £0.153m

Yours faithfully,

Steve Parry

Many thanks.

Wendy Kassamani
Information Compliance Officer
Tel: 01273 [REDACTED]



Internal Audit
Head of Internal Audit: Graham Liddell
Brighton & Hove City Council
Kings House
Grand Avenue
Hove BN3 2SR

Date: 29 January 2016

Our Ref: GGL/MMW

Your Ref:

Phone: 01273 291323

e-mail: graham.liddell@brighton-hove.gov.uk

Opinion for the Interim Head of Property and Investment on the estimate of the overcharge for work carried out by [REDACTED] for the period April 2014 to August 2015

We have reviewed the overcharge calculation relating to works provided by the Mears Sub-Contractor [REDACTED]. In providing an opinion on the reasonableness of this overcharge we reviewed the arrangements for:

- identifying the work completed by [REDACTED] for the period April 2014 to August 2015 (when they were suspended from working with this Council).
- using a sample of jobs carried out by [REDACTED] to estimate an overcharge percentage rate
- excluding key jobs (with specific criteria) from the overall calculation.

We also reviewed the calculation to consider the risk that excluded jobs (or excluded elements of jobs were double counted.

The following should be noted:

- In carrying out this work we have reviewed and relied on working papers prepared by Mears and sought explanations and confirmation of understanding from BHCC Officers.
- In considering the reasonableness of the 38.48% overcharge rate, the detailed workings to support this calculation were not available. However we consider that this figure, which has been agreed by both Mears and BHCC Officers, is consistent with our expectations based on the percentage overcharge of rate (45.27%) for those high risk jobs examined by Internal Audit in August 2015.
- Other than through reviewing the job summary, we have been unable to confirm the accuracy of the 'adjust job value' which takes into account works allocated to other sub-contractors.

- We were unable to fully reconcile the figure assigned for "Works not relating to [REDACTED]" to supporting information. However the difference in the amount to be paid back to the council arising from this variance is approximately £5 and therefore not material
- The overcharge is subject to an additional 4% profit cost.

Subject to these comments, I consider that £264,293.81 is a reasonable estimate of the overcharge for work carried out by [REDACTED] for the period April 2014 to August 2015.

Graham Liddell

Graham Liddell

Head of Internal Audit

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

AGREED PROPOSAL

PERIOD 1 - Work Completed in Month

	All Trades								
	Brickwork/Paving	Carpentry	Fencing	Flooring	Guttering	Plastering	Plumbing	Tiling	
Jan-12	£ 949.10	£ 38.34	£ 104.74	£ 52.37	£ -	£ 863.80	£ 295.90	£ -	
Feb-12	£ 3,479.37	£ 1,449.00	£ 710.85	£ 861.81	£ -	£ 7,940.69	£ 40.05	£ -	
Mar-12	£ 4,856.64	£ 3,776.40	£ 212.01	£ 3,389.83	£ -	£ 9,177.90	£ 41.48	£ 662.77	
Apr-12	£ 1,054.80	£ -	£ -	£ 995.59	£ -	£ 2,336.37	£ 82.75	£ 119.00	
May-12	£ 5,939.96	£ 1,812.65	£ 1,870.66	£ 11,800.76	£ -	£ 4,757.30	£ 386.06	£ 498.66	
Jun-12	£ 6,846.67	£ 4,119.07	£ 588.34	£ 7,773.60	£ 507.55	£ 5,508.77	£ 1,616.15	£ 199.26	
Jul-12	£ 10,255.98	£ 3,639.90	£ 446.29	£ 5,623.54	£ -	£ 6,240.28	£ 1,592.32	£ -	
Aug-12	£ 7,681.75	£ 2,607.94	£ -	£ 10,037.76	£ 977.64	£ 10,117.90	£ 2,470.61	£ 679.07	
Sep-12	£ 13,816.86	£ 7,011.26	£ 43.14	£ 17,756.68	£ -	£ 13,315.10	£ 2,869.00	£ 328.03	
Grand Total	£ 215,228.04	£ 24,454.55	£ 3,976.03	£ 58,291.94	£ 1,485.19	£ 60,258.11	£ 9,394.32	£ 2,486.78	
Overcharge %	3.55%	4.52%	3.97%	4.33%	3.97%	3.86%	4.22%	3.84%	
Overcharge Amount	£ 8,609.11	£ 1,105.61	£ 157.78	£ 2,523.98	£ 58.94	£ 2,324.22	£ 396.31	£ 95.48	

PERIOD 2 - Work Completed in Month

	Brickwork/Paving	Carpentry	Fencing	Flooring	Guttering	Plastering	Plumbing	Tiling
Oct-12	£ 15,206.06	£ 10,812.62	£ 3,441.82	£ 21,047.48	£ -	£ 10,586.43	£ 7,351.78	£ -
Nov-12	£ 4,822.37	£ 7,743.57	£ 581.95	£ 17,650.82	£ -	£ 18,044.54	£ 2,804.41	£ -
Dec-12	£ 9,742.94	£ 2,036.16	£ 138.70	£ 12,645.29	£ -	£ 16,406.82	£ 3,626.81	£ 211.31
Jan-13	£ 9,113.84	£ 10,255.73	£ 940.35	£ 15,739.68	£ 245.77	£ 6,920.71	£ 5,630.78	£ 761.02
Feb-13	£ 16,589.95	£ 9,748.44	£ -	£ 7,418.32	£ 390.69	£ 11,903.76	£ 8,114.56	£ 316.32
Mar-13	£ 9,286.21	£ 12,766.03	£ -	£ 12,194.45	£ -	£ 10,959.48	£ 4,095.88	£ -
Apr-13	£ 18,921.06	£ 10,041.06	£ 597.29	£ 10,047.93	£ 802.94	£ 22,654.53	£ 4,257.22	£ -
May-13	£ 19,661.18	£ 13,918.63	£ 568.07	£ 7,951.94	£ -	£ 10,583.33	£ 6,274.49	£ -
Jun-13	£ 22,114.27	£ 6,615.06	£ 224.12	£ 5,291.77	£ -	£ 6,281.45	£ 5,702.22	£ -
Grand Total Completed	£ 490,802.41	£ 83,937.30	£ 6,492.30	£ 109,987.68	£ 1,439.40	£ 114,341.05	£ 47,858.15	£ 1,288.65
Overcharge %	13.86%	17.67%	15.51%	16.92%	15.51%	15.07%	16.48%	15.00%
Overcharge Amount	£ 77,376.00	£ 14,829.48	£ 1,006.73	£ 18,609.77	£ 223.20	£ 17,233.02	£ 7,889.41	£ 193.34

PERIOD 3 - Work Completed in Month

	Brickwork/Paving	Carpentry	Fencing	Flooring	Guttering	Plastering	Plumbing	Tiling
Jul-13	£ 14,076.64	£ 4,430.45	£ 619.75	£ 5,999.95	£ -	£ 10,928.81	£ 3,959.72	£ -
Aug-13	£ 22,538.09	£ 6,155.16	£ -	£ 16,084.64	£ -	£ 11,486.92	£ 9,008.17	£ -
Sep-13	£ 19,479.51	£ 3,738.08	£ 386.22	£ 14,810.06	£ 307.22	£ 13,166.75	£ 9,312.52	£ -
Oct-13	£ 11,987.37	£ 4,782.39	£ 531.69	£ 18,861.67	£ -	£ 17,183.45	£ 16,995.77	£ -
Nov-13	£ 8,256.39	£ 3,406.58	£ -	£ 11,264.14	£ -	£ 18,309.89	£ 13,259.40	£ 317.19
Dec-13	£ 10,356.64	£ 1,525.43	£ 227.65	£ 11,073.38	£ -	£ 14,564.15	£ 7,461.16	£ -
Jan-14	£ 10,705.77	£ 2,227.45	£ 4,038.32	£ 7,443.62	£ -	£ 13,810.47	£ 4,352.72	£ -
Feb-14	£ 13,084.49	£ 3,109.15	£ 342.78	£ 11,557.00	£ 129.26	£ 15,224.29	£ 5,752.93	£ -
Mar-14	£ 20,849.71	£ 3,081.95	£ -	£ 11,074.57	£ -	£ 17,631.38	£ 7,977.19	£ 138.00
Grand Total Completed	£ 489,384.05	£ 32,456.64	£ 6,146.41	£ 108,169.03	£ 436.48	£ 132,306.11	£ 78,079.58	£ 455.19
Overcharge %	31%	35.33%	31.03%	33.83%	31.03%	30.16%	32.96%	30.01%
Overcharge Amount	£ 152,261.87	£ 11,468.45	£ 1,907.02	£ 36,589.42	£ 135.42	£ 39,899.26	£ 25,732.20	£ 136.59

Total Period 1	£	8,609.11
Total Period 2	£	77,376.00
Total Period 3	£	152,261.87
GRAND TOTAL	£	238,246.98

Job No. Trade	Invoice Value	Overcharge Amount	Overcharge %
9365603 Brickwork/Paving	£ 1,129.74	£ 711.74	63.00%
9363113 Brickwork/Paving	£ 313.83	£ 157.02	50.03%
9354267 Brickwork/Paving	£ 1,349.93	£ 374.07	27.71%
9336847 Brickwork/Paving	£ 1,737.01	£ 143.25	8.25%
TOTAL	£ 4,530.51	£ 1,386.08	30.59%
9394204 Carpentry	£ 120.99	£ 47.19	39.00%
TOTAL	£ 120.99	£ 47.19	39.00%
9359807 Flooring	£ 314.67	£ 145.61	46.27%
9375830 Flooring	£ 213.05	£ 93.06	43.68%
9391420 Flooring	£ 366.89	£ 207.74	56.62%
9365845 Flooring	£ 822.72	£ 435.50	52.93%
9377701 Flooring	£ 263.86	£ 158.69	60.14%
9340072 Flooring	£ 580.80	£ 219.16	37.73%
9369164 Flooring	£ 213.05	£ 103.32	48.50%
9349755 Flooring	£ 263.86	£ 101.61	38.51%
9372400 Flooring	£ 379.35	£ 85.92	22.65%
9360236 Flooring	£ 162.26	£ 80.02	49.32%
9369959 Flooring	£ 263.86	£ 102.51	38.85%
9339837 Flooring	£ 806.58	£ 313.03	38.81%
9420540 Flooring	£ 492.17	£ 91.61	18.61%
9427698 Flooring	£ 145.86	£ 35.18	24.12%
9412614 Flooring	£ 375.31	£ -	0.00%
9361785 Flooring	£ 450.76	£ 236.20	52.40%
9342137 Flooring	£ 448.44	£ 196.99	43.93%
9345929 Flooring	£ 416.28	£ 267.84	64.34%
9344276 Flooring	£ 457.93	£ 327.42	71.50%
9410398 Flooring	£ 263.86	£ 121.60	46.08%
9414615 Flooring	£ 162.25	£ 42.30	26.07%
9412840 Flooring	£ 416.28	£ 83.93	-20.16%
9370521 Flooring	£ 416.28	£ 122.63	-29.46%
9358855 Flooring	£ 832.33	£ 535.23	64.31%
9384431 Flooring	£ 263.86	£ 73.31	27.78%
9378009 Flooring	£ 418.36	£ 45.01	10.76%
TOTAL	£ 10,210.93	£ 3,812.31	37.34%
9435704 Plastering	£ 1,056.57	£ 867.98	82.15%
9334451 Plastering	£ 2,219.67	£ -	0.00%
9406205 Plastering	£ 790.58	£ 563.77	71.31%
9405920 Plastering	£ 549.78	£ 390.34	71.00%
9445690 Plastering	£ 790.52	£ 190.67	24.12%
9409414 Plastering	£ 633.27	£ 26.39	4.17%
9371704 Plastering	£ 90.16	£ 65.28	72.40%
9336861 Plastering	£ 1,274.34	£ 293.10	23.00%
9417512 Plastering	£ 1,485.51	£ -	0.00%
9432107 Plastering	£ 326.61	£ 98.22	30.07%
9341493 Plastering	£ 144.63	£ 105.56	72.99%
9414683 Plastering	£ 1,365.63	£ 1,365.03	99.96%
9429776 Plastering	£ 1,025.50	£ 615.30	60.00%
9419449 Plastering	£ 925.86	£ 472.19	51.00%
9337439 Plastering	£ 211.95	£ 16.41	7.74%
9368814 Plastering	£ 1,363.32	£ 135.30	9.92%
9345094 Plastering	£ 200.56	£ 117.06	58.37%
9428560 Plastering	£ 675.31	£ -	0.00%
9362720 Plastering	£ 386.47	£ 290.00	75.04%
9358184 Plastering	£ 201.82	£ 68.32	33.85%
9361920 Plastering	£ 111.84	£ 32.43	29.00%
9356709 Plastering	£ 601.34	£ 464.23	77.20%
9421777 Plastering	£ 440.06	£ 132.02	30.00%
9375823 Plastering	£ 171.80	£ 25.28	14.71%
9346677 Plastering	£ 318.93	£ -	0.00%

9408923 Plastering	£	40.74	£	-	0.00%
9431865 Plastering	£	129.00	£	-	0.00%
9438920 Plastering	£	1,581.94	£	628.70	39.74%
9445291 Plastering	£	1,202.30	£	1,026.28	85.36%
9433441 Plastering	£	1,202.31	£	352.20	29.29%
9414032 Plastering	£	170.29	£	17.56	10.31%
9421169 Plastering	£	384.54	£	110.30	28.68%
9438204 Plastering	£	595.36	£	11.20	-1.88%
9344665 Plastering	£	983.20	£	383.63	39.02%
9381358 Plastering	£	1,343.61	£	387.70	28.86%
9338725 Plastering	£	336.07	£	56.18	16.72%
9400838 Plastering	£	477.22	£	57.30	12.01%
9437452 Plastering	£	1,262.18	£	146.83	-11.63%
9431775 Plastering	£	2,024.67	£	485.74	23.99%
TOTAL	£	29,095.46	£	9,682.44	33.28%

9405541 Plumbing	£	638.51	£	226.41	35.46%
9350131 Plumbing	£	1,164.61	£	496.28	42.61%
9364730 Plumbing	£	1,077.41	£	152.42	14.15%
9336752 Plumbing	£	1,206.24	£	771.99	64.00%
9339099 Plumbing	£	1,595.51	£	396.00	25.00%
9445062 Plumbing	£	145.47	£	77.22	53.08%
TOTAL	£	5,827.75	£	2,120.32	36.38%

9341593 Tiling	£	69.20	£	22.92	33.12%
TOTAL	£	69.20	£	22.92	33.12%

GRAND TOTAL	£	49,854.84	£	17,071.25	34.24%
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Month		Credit Amount	Monthly Valuation	Credited against Profit Invoice	% Overcharge per Valuation
Jan-12	£	87.62	£1,675,090.49	MEA108284	0.01%
Feb-12	£	562.43	£1,701,311.74	MEA108888	0.03%
Mar-12	£	879.40	£1,467,772.87	MEA109041	0.06%
Apr-12	£	178.70	£2,235,625.89	MEA110060	0.01%
May-12	£	1,096.78	£2,886,120.40	MEA110567	0.04%
Jun-12	£	1,097.48	£2,040,242.48	MEA111265	0.05%
Jul-12	£	1,097.44	£3,773,128.13	MEA112002	0.03%
Aug-12	£	1,384.38	£2,896,693.70	12/1351	0.05%
Sep-12	£	2,224.87	£1,931,109.67	MEA113343	0.12%
Oct-12	£	10,920.57	£2,190,825.89	MEA113952	0.50%
Nov-12	£	8,295.20	£1,491,689.85	MEA114505	0.56%
Dec-12	£	6,973.73	£1,461,920.78	MEA115446	0.48%
Jan-13	£	8,007.81	£2,329,084.17	MEA116166	0.34%
Feb-13	£	8,516.98	£1,990,606.83	MEA116565	0.43%
Mar-13	£	7,932.94	£1,865,664.33	MEA117290	0.43%
Apr-13	£	10,430.26	£2,763,706.99	MEA117590	0.38%
May-13	£	9,247.47	£3,553,930.83	MEA118107	0.26%
Jun-13	£	7,051.04	£3,014,192.79	MEA118685	0.23%
Jul-13	£	12,288.79	£3,258,767.93	MEA119140	0.38%
Aug-13	£	20,293.99	£2,790,147.78	1290099/06	0.73%
Sep-13	£	18,983.27	£2,904,596.15	1290099/25	0.65%
Oct-13	£	22,339.91	£2,735,036.97	1290099/46	0.82%
Nov-13	£	17,288.49	£3,433,313.19	1290099/60	0.50%
Dec-13	£	14,076.22	£1,722,361.59	1290099/83	0.82%
Jan-14	£	13,123.82	£1,704,668.56	1290099/104	0.77%
Feb-14	£	15,267.25	£1,985,335.22	1290099/124	0.77%
Mar-14	£	18,600.12	£2,634,294.46	1290099/143	0.71%

Month		Credit Amount	Monthly Valuation	Credited against Profit Invoice	% Overcharge per Valuation
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Jun-12	£	1,097.48	£2,040,242.48	MEA111265	0.05%
Jul-12	£	1,097.44	£3,773,128.13	MEA112002	0.03%
Aug-12	£	1,384.38	£2,896,693.70	12/1351	0.05%
Sep-12	£	2,224.87	£1,931,109.67	MEA113343	0.12%
Oct-12	£	10,920.57	£2,190,825.89	MEA113952	0.50%
Nov-12	£	8,295.20	£1,491,689.85	MEA114505	0.56%
Dec-12	£	6,973.73	£1,461,920.78	MEA115446	0.48%
Jan-13	£	8,007.81	£2,329,084.17	MEA116166	0.34%
Feb-13	£	8,516.98	£1,990,606.83	MEA116565	0.43%
Mar-13	£	7,932.94	£1,865,664.33	MEA117290	0.43%
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Aug-13	£	20,293.99	£2,790,147.78	1290099/06	0.73%
Sep-13	£	18,983.27	£2,904,596.15	1290099/25	0.65%
Oct-13	£	22,339.91	£2,735,036.97	1290099/46	0.82%
Nov-13	£	17,288.49	£3,433,313.19	1290099/60	0.50%
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Jan-14	£	13,123.82	£1,704,668.56	1290099/104	0.77%
Feb-14	£	15,267.25	£1,985,335.22	1290099/124	0.77%
Mar-14	£	18,600.12	£2,634,294.46	1290099/143	0.71%

James McLaughlin

From: Katie Rees
Sent: 19 May 2017 16:57
To: 'steve.thered2012@gmail.com'
Cc: 'casework@ico.org.uk'
Subject: FS50656438 - Mears Overcharge
Attachments: Summary of payback - Jan 12 to March 14 - Extrapolation including sliding scale.pdf; Summary of payback - April 14 to August 15 - Based on audit inspections and extrapolation.pdf; Detail of inspections - Used for extrapolation.pdf; Detail of historical payback by trade and valuation.pdf; Letter 29 January 2016.pdf

Categories: Egress Switch: Unprotected

Dear Mr Parry,

We have been contacted by the Information Commissioner's Office regarding your freedom of information request for "any recorded information that shows how and why this 'overcharge' is correct and who agreed it to be correct".

It has become apparent upon reviewing this matter that although we had provided explanations for the figure, it would be helpful for you to have the tables from which the information stems. Please find these tables attached together with a letter which falls within the remit of the request.

Our apologies, for our previous misinterpretation of your FOI request.

The below explanation may assist when reading the tables:

An initial 15 inspections showed inconsistencies in measurement of Work completed between the dates of April 2014 and August 2015

- BHCC and Mears then jointly inspected another 40 properties and calculated the percentage of over measurement based on the result of these joint inspections*
- This percentage of over measure was combined with the initial BHCC only inspections to form a final percentage of 38.48% which was applied to £624k paid to Mears for works associated with the sub-contractor during the period April 2014 - August 2015 to calculate the first payback of £240k*
- A further payback value was subsequently agreed for all works associated with the sub-contractor back to Jan 2012 using the original overcharge percentages by trade as a guide. It was apparent that instances of inaccurate valuation were rare in the early part of the contract and as such the percentages applied to the Jan 2012 to July 2015 works were based on an increasing scale to the work of the sub-contractor over this period.*

In terms of who agreed the figures in the Committee report to be correct, these figures were considered to be reasonable sums by the Head of Internal Audit, Head of Housing Strategy Property & Investment, Procurement Strategy Manager and Mears.

We hope this assists. If you are not content with this reply, please refer the matter to the Information Commissioner's Office.

Many thanks,

Katie Rees (Data Protection & GDPR)
Information Governance Team

Brighton & Hove City Council

Please find our new suite of Information Governance policies [here](#).