
Review/Update to the Anti-Fraud Policy and Related Policies

Committee considering report:	Governance Committee
Date of Committee:	26 June 2023
Portfolio Member:	Councillor Jeff Brooks
Date Portfolio Member agreed report:	15 June 2023
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Forward Plan Ref:	GE4410

1 Purpose of the Report

- 1.1 The Council’s policies covering Anti-Fraud and Corruption, Anti-Money Laundering and the Bribery Act were last reviewed/published in 2019, they are required to be reviewed every three years to ensure they reflect the most recent local government guidance and relevant legislation.
- 1.2 The Terms of Reference for the Governance Committee state the Committee’s role is to have oversight of fraud risk and how it is being managed, this therefore includes review of the Council’s policies and procedures covering the management of fraud.

2 Recommendations

Governance Committee to discuss and approve the content of the revised policies.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	None
Human Resource:	None
Legal:	None
Risk Management:	For the policies to be effective, the Council’s approach to risk management needs to continue to develop and strengthen awareness of and response to fraud risks.

Review/Update to the Anti-Fraud Policy and Related Policies

Property:	None			
Policy:	The proposed changes to the policies bring them in line with current legislation and good practice.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		

Review/Update to the Anti-Fraud Policy and Related Policies

Data Impact:		X		
Consultation and Engagement:	Governance and Finance Group			

4 Executive Summary

- 4.1 The Council’s policies covering Anti-Fraud and Corruption, Anti-Money Laundering and the Bribery Act were last reviewed/published in 2019, they are required to be reviewed/updated every three years to ensure they reflect the most recent local government guidance, and relevant legislation.
- 4.2 At this refresh of the three policies there were only minor changes made:-
 - a) Anti-Fraud and Corruption Policy – minor change made to add in the need to protect individuals and the community from becoming victims of crime, also roles and responsibilities section has been expanded to include more detail regarding carrying out fraud investigations;
 - b) Anti-Money Laundering Policy - procedure/guidance notes give additional clarification of applicability, also acknowledge the amended regulations in 2019 and 2022, although they did not require any changes to the procedure details;
 - c) The Bribery Act - includes an additional note concerning responsibility for internal investigations into allegations of bribery.
- 4.3 Internal Audit have hosted annual training sessions, available to all staff, to promote awareness of the policies, and fraud risk awareness in particular. Training has also been provided to Members.

5 Supporting Information

Introduction/Background

- 5.1 A small number of changes have been made to the policies, to ensure they reflect the most recent local government guidance and relevant legislation. The changes are summarised below:
- 5.2 The Anti-Fraud and Corruption Policy (Appendix A) includes minor changes to the Framework at paragraph 3.3, to align with the current key guidance: ‘Fighting Fraud and Corruption Locally 2020’. This includes acknowledgement of the need to protect individuals from becoming victims of crime and protect against the harm that fraud can do to the community.

Review/Update to the Anti-Fraud Policy and Related Policies

- 5.3 There are also changes to table 5, Roles and Responsibilities, to clarify roles particularly with respect to carrying out and overseeing internal investigations. It also places responsibility upon senior officers including service managers to consider how services can protect against serious and organised crime, protect individuals from becoming victims of crime and protect against the harm that fraud can do to the community, and to implement processes accordingly to mitigate the risks.
- 5.4 The Anti-Money Laundering Policy and procedure/guidance notes (Appendix B) give additional clarification of applicability at paragraph 1.3, and of relevant business at paragraph 17.2. The document also acknowledges the amended regulations 2019 and 2022, which did not require any changes to the procedure details.
- 5.5 The Bribery Act Policy (Appendix C) includes an additional note concerning responsibility for internal investigations into allegations of bribery at paragraph 5.5, referencing the Anti-Fraud and Corruption Policy. The relevant legislation remains unchanged.

6 Proposals

- 6.1 Committee review and approve the revised policies and procedures.
- 6.2 We note that the awareness and effectiveness of the policies also requires ongoing internal promotion of fraud risk awareness as part of the Council's approach to risk management. Internal Audit have also hosted annual fraud awareness training for staff and Members.

7 Other options considered

Not applicable, the revised policies need to be discussed/approved.

8 Conclusion

- 8.1 The Council's Anti-Fraud, Anti-Money Laundering and Bribery Act policies and procedures have been revised with minor changes to bring them up to date.

9 Appendices

- 9.1 Appendix A – Anti-Fraud Policy and Procedure
- 9.2 Appendix B – Anti-Money Laundering Policy and Procedure
- 9.3 Appendix C – Bribery Act Policy and Procedure

Background Papers:

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

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