
WEST LANCASHIRE BOROUGH COUNCIL
ANTI-FRAUD, BRIBERY AND CORRUPTION POLICY

CONTENTS

1.0 INTRODUCTION

2.0 REGULATORY BACKGROUND

32.0 CORPORATE FRAMEWORK

43.0 CULTURE

54.0 PREVENTION – ROLES AND RESPONSIBILITIES

65.0 DETERRENCE

76.0 DETECTION AND INVESTIGATION

87.0 AWARENESS AND TRAINING

98.0 CONCLUSION

APPENDIX 1: WHAT TO DO IF FRAUD, BRIBERY OR CORRUPTION IS SUSPECTED

1.0 INTRODUCTION

1.1 West Lancashire Borough Council is committed to combating fraud, [bribery](#), corruption or abuse of position for personal gain, whether the perpetrators are internal or external to the Authority.

1.2 The Anti-Fraud, [Bribery](#) and Corruption Policy has been devised to:

- comply with the guiding Principles of Public Life outlined in the Nolan Report.
- promote a culture of integrity and accountability in all employees, elected members, partners, contractors and suppliers of goods and services.
- raise awareness of Fraud and ensure that concerns are properly raised and addressed.
- protect the Authority's reputation
- comply with best practice requirements on the prevention and detection of fraud, ~~and~~ corruption [and bribery](#)
- promote an anti-fraud culture across the Authority to provide a sound defence against internal and external abuse of public funds.
- demonstrate a commitment to taking firm action against any acts of fraud, corruption, [bribery](#) or abuse that come to light
- comply with the Anti-Money Laundering Act, ~~and~~ the Proceeds of Crime Act [and the Bribery Act 2010](#).

1.3 The Authority is also aware of the high degree of external scrutiny of its affairs by a variety of bodies such as the Audit Commission, Inspection bodies, the Local Government Ombudsman, HM Revenues and Customs. These bodies are important in highlighting any areas where improvements can be made.

1.4 The Authority's expectation, and indeed the public's, regarding propriety and accountability, is that Members and Employees, at all levels, will lead by example in ensuring adherence to all Council regulations, codes of conduct, procedures and practices. They will also conduct themselves in a manner which avoids the possibility of any suspicion arising that they could be influenced by improper motives.

[1.5 This Policy is designed to encourage prevention, frustrate any attempted fraudulent or corrupt act, promote detection and identify a clear pathway for investigation and remedial action.](#)

-
- 1.6 It provides a coherent and consistent framework to enable employees to understand and implement arrangements enabling compliance. In conjunction with other policies and documents it will enable employees to identify and effectively report a potential breach.
- 1.7 There will be no distinction made in investigation and action between cases that generate financial benefits and those that do not.

2.0 REGULATORY BACKGROUND

2.1 The following paragraphs are not intended to be a comprehensive summary of the law in this area but outline some of the key influences which have shaped this Policy.

2.2 The Fraud Act 2006 provides a legislative definition of fraud as the intention to make gain or cause loss by false representation, failing to disclose information or abuse of position.

2.3 Fraud is typically associated with financial loss, however, this Policy also relates to acts of dishonesty, whether or not financial loss is incurred.

2.4 For the purposes of this Policy, fraud may also include the Audit Commission's definition, which is "the intentional distortion of financial statements or other records by persons internal or external to the Organisation which is carried out to conceal the misappropriation of assets, evasion of liabilities or otherwise for gain." It can also include unauthorised use of Council property or theft of monies or other Council property by persons internal to the Authority.

2.5 Bribery is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage. The Bribery Act 2010 makes it an offence to offer, promise or give a bribe. It also makes it an offence to request, agree to receive, or accept a bribe.

There are four key offences under the Act:

- bribery of another person (section 1)
- accepting a bribe (section 2)
- bribing a foreign official (section 6)
- failing to prevent bribery (section 7)

2.6 The Bribery Act 2010 makes it an offence to offer, promise or give a bribe (Section 1). It also makes it an offence to request, agree to receive, or accept a bribe (Section 2). Section 6 of the Act creates a separate offence of bribing

a foreign public official with the intention of obtaining or retaining business or an advantage in the conduct of business. There is also a corporate offence under Section 7 of failure by a commercial organisation to prevent bribery that is intended to obtain or retain business, or an advantage in the conduct of business, for the organisation.

2.7 This policy is supported by the Council's Officers and Members Codes of Conduct which provide further advice and procedures for dealing with offers of gifts and hospitality.

2.8 Corruption is defined as "the offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person." Corruption in the Public Sector is an offence under ~~the Prevention of Corruption Acts of 1889 to 1916 as amended and~~ Section 117 of the Local Government Act 1972.

2.9 Theft is defined as 'the dishonest taking of property belonging to another with the intention of depriving the owner permanently of its possession'.

2.10 In addition, this ~~Fraud and Corruption~~ Policy also covers "the failure to disclose an interest in order to gain financial or other pecuniary gain."

2.11 Other irregularities or improper practices, which may tarnish the Authority's reputation, include the failure to observe or breaches of Financial Regulations, Local Government Legislation and the Authority's policies, procedure and practices. ~~Also, the failure to properly declare interests.~~

2.12 Areas where there is a risk that fraud, bribery or corruption might be attempted include (this is not an exhaustive list):

- Income – misappropriation, failure to account, falsifying of receipts, not issuing receipts
 - Housing and Council Tax Benefits – false verification documents and undeclared changes in circumstances leading to the wrong or inaccurate payment of benefits
 - Credit income – suppression of invoices, issuing invoices for wrong amounts, unauthorised writing off of debts
 - Payroll – falsification of records (time sheets, overtime claims), creation of fictitious employees
 - Creditor payments – payments for work not completed or not in accordance with the specification, or for goods not supplied or not in accordance with the original order
 - Expenses claims – over claiming expenses
 - Equipments and vehicles – unauthorised personal use
-

-
- Cancelled transactions to “clean up” money – money is paid in advance of a transaction but from which the person then withdraws and requests their money back
 - Lettings
 - Disposal of assets
 - Tendering and award of contracts – offering of inducements to secure contracts
 - Settlement of contractors claims for loss and expense, compensation, additional payments, or work not done or substandard
 - Award of permissions, consents, licences – offering of inducements to secure approvals

2.13 This Policy encompasses all fraud, including Money Laundering and Housing and Council Tax Benefit Fraud. The Council also has a separate Benefit Sanctions and Prosecution Policy, and an Anti-Money Laundering Policy that deal with these areas in more detail.

3.0 CORPORATE FRAMEWORK

3.1 The Authority’s Corporate Framework includes a whole range of high level component parts, which contribute towards it having an effective Anti Fraud, Bribery and Corruption culture. Some of the key ones include:

- Annual Governance Statement
- Codes of Conduct and Register of Interests for Members and Officers
- Gifts and Hospitality Registers
- Whistleblowing Code
- Complaints Procedures
- Anti-Money Laundering Policy
- Disciplinary Procedures
- Contract Procedure Rules and Financial Regulations
- Effective Internal and External Audit
- Sound internal control systems, procedures and reliable records
- National Fraud Initiative Data matching exercises
- A dedicated Benefits Fraud Team
- A Policy and Strategy to embed Risk Management
- Effective recruitment and selection process
- Induction and Training for members and employees

3.2 However, the Authority must not be complacent, and this Policy addresses ways in which each individual can prevent and detect fraud, bribery and corruption.

4.0 CULTURE

- 4.1 The Authority's culture is one of openness and the core values of fairness, honesty and trust support this. The Authority's culture therefore supports its opposition to fraud, bribery and corruption.
- 4.2 The prevention and detection of fraud and corruption, and the protection of the public purse, is everyone's responsibility. The Authority expects all people and organisations, who are in any way associated with it, to be honest and fair in their dealings with the Authority and its clients and customers.
- 4.3 Bribery is a criminal offence. We do not, and will not, pay bribes or offer improper inducements to anyone for any purpose, nor do we or will we, accept bribes or improper inducements. To use a third party as a conduit to channel bribes to others is a criminal offence. We do not, and will not, engage indirectly in or otherwise encourage bribery. We are committed to the prevention, deterrence and detection of bribery and have zero tolerance towards it.
- 4.4 Officers and Members play an important role in creating and maintaining an open and accountable culture and taking a stance on fraud, bribery and corruption. They are positively encouraged to raise concerns regarding fraud, bribery and corruption, immaterial of seniority, rank or status, in the knowledge that such concerns will be treated appropriately and properly investigated.
- 4.5 If necessary, a route other than to the Line Manager may be used to raise concerns, for example, directly with Internal Audit, the ~~Chief Executive~~Joint Managing Directors or a ~~Chief Officer~~Head of Service. However where an offence under the Money Laundering Regulations or Proceeds of Crime Act 2002 is suspected then the appropriate policy should be viewed to ascertain the correct reporting procedure.
- 4.6 Concerns must be raised when Members or Employees reasonably believe that one or more of the following has occurred, is in the process of occurring or is likely to occur:
- a criminal offence
 - a failure to comply with a statutory or legal obligation
 - improper, unauthorised use of public or other funds
 - a miscarriage of justice
 - maladministration, misconduct or malpractice
 - endangering of an individual's health and safety
 - deliberate concealment of any of the above
- 4.7 The Authority's Whistleblowing Code actively encourages employees to raise concerns in confidence, without fear of reprisals or victimisation, so that they
-

can be investigated properly and fairly. Members of the public, Councillors, Contractors and Partners are also encouraged to report any concerns which they may have.

4.8 The Authority will ensure that any allegations received in any way, including by anonymous letters or telephone calls, will be taken seriously and investigated in an appropriate manner.

5.0 PREVENTION – ROLES AND RESPONSIBILITIES

5.1 The Authority believes that if it is to combat fraud, bribery and corruption, it must prevent it from happening in the first place. The Council's Financial Regulations, Contract Procedure Rules and Codes of Conduct detail clear rules and procedures within which Members, Employees, Consultants and Contractors must work.

5.2 This Policy covers all personnel, including all levels and grades, those permanently employed, temporary agency staff, contractors, non-executives, agents, Members (including independent members), volunteers and consultants.

5.3 We require that all personnel:

- act honestly and with integrity at all times and to safeguard the organisation's resources for which they are responsible
- comply with the spirit, as well as the letter, of the laws and regulations of all jurisdictions in which the organisation operates, in respect of the lawful and responsible conduct of activities

5.4 This Policy applies to all of the organisation's activities. For partners, joint ventures and suppliers, we will seek to promote the adoption of policies consistent with the principles set out in this policy. Officers engaging contractors should have regard to the Council's current guidance in relation to the Bribery Act.

5.5 Within the organisation, the responsibility to control the risk of bribery or fraud occurring resides at all levels of the organisation. It does not rest solely within assurance functions, but in all services and corporate functions.

5.6 There are five dimensions essential to the prevention of fraud, bribery and corruption; Members, Employees, Internal Control Systems, Internal and External Audit and Joint Working.

Elected Members

5.7 As elected representatives, all Members of the Authority have a duty to protect the Authority from all forms of abuse. This is recognised by this Policy and promoted through the Member's Code of Conduct, which Members undertake to abide by when they take office.

5.8 The Code specifically states that 'Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them' and 'should not place themselves in situations where their honesty and integrity may be questioned'.

5.9 Elected Members are also required to operate within:

- The Council's Financial Regulations
- Local Government Act 2000

5.10 These, and other guidance, are specifically brought to the attention of Members during induction, along with the declaration and registration of any interests.

5.11 All interests must be registered by Members in the Authority's Register of Member's Interests when appointed to office, and any new interests whilst in office. Disclosure must also be made at meetings where Members have a personal interest in the matter being considered.

5.12 These measures are intended to ensure that Members are open and transparent in their outside activities and minimises the risk of any collusion or biased decision making that could lead to themselves or any other person securing an advantage or gaining financially.

5.13 The ~~Council Secretary and Solicitor~~ Borough Solicitor advises Members of new legislative or procedural requirements and regular training is provided.

5.14 Members are expected to be steadfast in their attitude towards fraud, bribery and corruption and raise any concerns they may have with the relevant Senior Manager.

Employees

5.15 Managers, at all levels, are responsible for the communication and implementation of ~~the Anti-Fraud and Corruption~~ this policy in their work area. They are also responsible for ensuring that employees are aware of the Constitution, in particular Financial Regulations, and that the requirements of each are being met in their everyday business activities. In addition, Managers must make their employees aware of the requirements of the Officer Code of Conduct at induction.

-
- 5.16** Managers are expected to strive to create an environment in which their staff feel able to approach them with any concerns they may have about suspected irregularities. Where they are unsure of the procedures, they must refer to the information in the Whistleblowing Code or seek appropriate advice.
- 5.17** Special arrangements will apply where employees are in charge of financial systems and systems that generate payments, for example **payroll**, **rents**, benefits or council tax. Managers must ensure that relevant training is provided for employees. Regular checks must be carried out to ensure that proper procedures are being followed.
- 5.18** The Authority recognises that a key preventative measure in dealing with fraud, **bribery** and corruption is for Managers to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees. The Authority's equal opportunities policy will be adhered to during this process.
- 5.19** The Authority has a formal recruitment procedure, which contains appropriate safeguards on matters such as written references and verifying qualifications held. Written references will always be taken up and referees should specifically be requested to give views, based on their knowledge and experience of the individual, on the candidate's propriety and integrity. Independent confirmation of professional qualifications will be obtained before offers of employment are made. Employees, who are members of professional bodies, are expected to observe the high standards advocated by those bodies.
- 5.20** As with other public bodies, checks will be undertaken with the Criminal Records Bureau if employees work with children or vulnerable groups. Further checks will be introduced in areas where an increased risk of potential fraud, **bribery** and corruption is identified. High risk/sensitive posts, and those with access to privileged information, should be considered for further vetting and should follow procedures for declaring any interests where necessary.
- 5.21** Temporary and contract employees should be treated in the same manner as permanent employees.
- 5.22** In regard to contracts, employees are reminded of the specific requirements of the Financial Regulations, and of the need to comply with all relevant legislation. In particular, they must operate within Section 117 of the Local Government Act 1972, which requires the declaration of any interests in contracts (such as membership of contracting bodies) that have been, or are proposed to be, entered into by the Authority. The legislation also prohibits the acceptance of fees or rewards other than by means of proper remuneration.
-

-
- 5.23** Employees are also responsible for ensuring that they follow the instructions given to them by Management, particularly in relation to the safekeeping of the assets of the Authority.
- 5.24** In addition to the Constitution, ~~Divisions~~ Services may have their own procedures to prevent and detect fraud. There may also be Audit reports that recommend methods to minimise losses to the Authority. Managers and employees must be made aware of these various sources of guidance and alter their working practices accordingly.
- 5.25** Employees are expected always to be aware of the possibility that fraud, bribery or corruption may exist in the workplace and be able to share their concerns with Management. Concerns must be raised, in the first instance, directly with a Supervisor or Line Manager. If for any reason, employees feel unable to do this, concerns should be raised directly with the Audit Manager or with a ~~Chief Officer~~ Head of Service. If necessary, concerns can be raised anonymously in accordance with the Authority's Whistleblowing Code.
- 5.26** The Authority has disciplinary procedures for dealing with perpetrators of fraud and corruption.
- 5.27** The Benefits Investigation Team is responsible for benefit fraud investigations, in accordance with the requirements of relevant legislation. In cases where employees or ~~M~~members are involved, or where fraud other than benefit fraud is disclosed, they should report this to Internal Audit, Human Resources and the appropriate Senior Manager to ensure the correct procedures are followed and that this Policy is adhered to.

Internal Control Systems

- 5.28** The Section 151 Officer has a statutory duty under Section 151 of the Local Government Act 1972, to ensure that there are proper arrangements in place to administer the Authority's financial affairs. Accordingly, Financial Regulations have been developed which outline systems, procedures and responsibilities of employees in relation to the Authority's financial activity.
- 5.29** The Authority has control systems in place designed to ensure the legitimacy of expenditure, the security of assets and income, the reliability of management information and the accuracy of financial and other records.
- 5.30** Within these systems are procedures which control the authorisation of transactions, ensure that duties and responsibilities are clearly segregated, provide internal checks, safeguard assets and regulate their proper use. Strong internal controls are an effective safeguard against fraud.
- 5.31** Management are responsible for ensuring that such controls are maintained and complied with. Internal Audit carries out periodic reviews of all systems to
-

ensure that these responsibilities are being met and that controls in place are appropriate and adequate.

- 5.32 This ~~Anti-Fraud and Corruption~~ Policy should be integrated into the overall management process, rather than dealt with in isolation. Anti fraud measures should be designed to fit around the particular activities and circumstances of the service area.
- 5.33 With regard to the use of I.T systems, the Authority is committed to ensuring that it takes effective measures for implementing and maintaining effective and efficient internal controls in computer systems.
- 5.34 Periods of change can be particularly critical to the prevention of fraud. Extra management supervision will be required when posts are vacant, when sections are streamlined and during periods of change, both within the Authority and society as a whole. The importance of controls against fraud in a new system will need to be considered by Managers undertaking the change. Internal Audit must be informed of any changes to key systems. These may either be financial systems, management systems or changes in the way information is collected prior to its use.

Internal and External Audit

- 5.35 The Accounts and Audit Regulations ~~2003 (as amended 2006)~~2011 stipulate that the Authority should maintain an adequate and effective system of Internal Audit of its accounting records and systems of internal control.
- 5.36 The existence of an effective Internal Audit section is a prime deterrent against fraud, bribery and corruption. It is a role of Internal Audit to have regard to the possibility of malpractice and to identify serious defects in internal control, which may permit irregularities to occur.
- 5.37 Independent External Audit is an essential safeguard in the stewardship of public money. This role is delivered through the carrying out of specific reviews that are designed to test the adequacy ~~of~~ the Authority's financial systems, and arrangements for preventing and detecting fraud, bribery and corruption.
- 5.38 It is not the External Auditor's function to prevent fraud and irregularities, but the integrity of public funds is, at all times, a matter of general concern. External Auditors are always alert to the possibility of fraud and irregularity, and will act if grounds for suspicion comes to their notice.
- 5.39 The External Auditor has a responsibility to review the Authority's arrangements to prevent and detect fraud and irregularity, and arrangements designed to limit the opportunities for corrupt practices.
-

Joint Working

5.40 Internal Audit has arranged, and will keep under review, procedures and arrangements to develop and encourage the exchange of information on national and local fraud and corruption activities with external agencies such as the Police, External Auditors, the Audit Commission, the Benefits Agency, Government Departments and County Unitary and District Groups.

5.41 There is also an intelligence gathering, collation and dissemination service on fraud and corruption known as the National Anti-Fraud Network (NAFN).

5.42 Data matching is also undertaken. This is recognised as an important tool in the prevention and detection of fraud, and is used by many other Local Authorities. The Audit Commission has drawn up a Code of Data Matching Practice for its National Fraud Initiative (NFI), which is recognised by the Information Commissioner as complying with Data Protection legislation.

6.0 DETERRENCE

6.1 There are a number of ways to deter potential fraudsters from committing or attempting fraudulent or corrupt acts. These include publicity, disciplinary action and preventative systems.

6.2 Publicising the fact that the Authority is firmly set against fraud, bribery and corruption, and states this at every appropriate opportunity, e.g. clauses in contracts, statements on benefit claim forms etc is essential. This makes fraud against the Authority socially unacceptable.

6.3 The Authority's ~~Public Relations~~Communications and Consultation team~~Unit~~ will optimise the publicity opportunities associated with aAnti-fraud and corruption activity within the Authority. They will also try to ensure that the results of any action taken, including prosecutions, are reported in the media as appropriate.

6.4 In all cases, where financial loss to the Authority has occurred, the Authority will seek to recover the loss and advertise this fact.

6.5 All aAnti-fraud, bribery and corruption activities, including any update of this Policy, will be publicised in order to make employees, contractors and the public aware of the Authority's commitment to taking action on fraud, bribery and corruption when it occurs.

6.6 Regular reports will be made to the Audit and Governance Committee about countering fraud and corruption activities and their success.

6.7 Theft, fraud, bribery and corruption are serious offences against the Authority and employees will face disciplinary action if there is evidence that they have

been involved in these activities. Disciplinary action may be taken, irrespective of any criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner, after consultation with the ~~Chief Executive and the Assistant Chief Executive~~Joint Managing Directors.

6.8 Members will face appropriate action under this Policy if they are found to have been involved in theft, fraud, bribery or corruption. Action may be taken in addition to, or instead of, criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner. Matters, if not referred to the police, may be referred to the Audit and Governance Committee or relevant Group Leader, as appropriate. ~~The requirements of the Local Government Act 2000 and Code of Conduct may mean cases are referred to the Standards Committee.~~

6.9 The array of preventative systems, particularly internal control systems within the Authority, help to provide indicators of, and help to deter, any fraudulent activity. These preventative systems are in place to make any potential fraudster feel that the attempt is not worthwhile

7.0 DETECTION AND INVESTIGATION

7.1 It is the responsibility of Chief Officers and their Managers to have in place system controls to prevent and detect fraud, bribery and corruption. Managers should also satisfy themselves that checks are in place at the appropriate levels, so that in the event of a breach, any irregularity would be picked up promptly, so minimising any loss to the Authority.

7.2 In addition, Internal Audit plays an important role in the detection of fraud, bribery and corruption. Included in the Audit plan are reviews of system financial controls and specific fraud and corruption test spot checks and unannounced visits.

7.3 However, despite the best efforts of Managers and Auditors, many frauds are discovered by chance or 'tip-off'. It is often the vigilance of employees, Members and the public that enables detection to occur and appropriate action to be taken.

7.4 Employees of the Authority are required to report all suspected irregularities (verbally or in writing) to Internal Audit, either directly or through Line Management or through alternatives outlined in the Whistleblowing Code. Employees reporting concerns in this way are afforded certain rights under the Public Interest Disclosure Act 1998.

7.5 All suspicions of Money Laundering should be reported to the Money Laundering Reporting Officer (The Internal Audit Manager, or Legal Services)

ManagerBorough Solicitor in his absence) as detailed in the Authority's Anti Money Laundering Policy.

7.6 Reporting is essential to the Policy as it:

- Ensures the consistent treatment of information regarding fraud, bribery and corruption
- Facilitates a proper and thorough investigation
- Ensures the proper implementation of relevant system improvements

7.7 Any records or information relating to an allegation must be secured so that there is no possibility of evidence being lost, destroyed, amended or otherwise tampered with. This includes IT systems, as well as paper based records. Although this is predominantly the role of Internal Audit, Managers may need to do this promptly if an allegation is presented directly to them.

7.8 Where an Officer, Member, Contractor or a member of the public has belief that a fraud is or has been committed, or that bribery and corruption is or has taken place, then they must never attempt to investigate the situation.

7.9 Such 'unofficial' investigations are likely to render the evidence unusable within the Authority's disciplinary procedures or inadmissible in Court due to it being gathered outside the relevant legal procedures. ~~laid down by the Criminal Justice Act 2003 and Regulation of Investigatory Power Act 2000, where surveillance is required.~~

7.10 It could also leave the Authority open to criticism and in some cases potential legal proceedings or disciplinary action could be made against the Authority and/or the person who carried out the 'unofficial' investigation.

7.11 All allegations and evidence will be properly investigated and reported on and will include Management, Human Resources, and Legal Services as appropriate. Where appropriate, cases will be referred directly to the District Auditor or the Police.

7.12 Senior Management are responsible for following up any allegations of fraud, bribery or corruption. The designated Investigating Officer will in consultation with the Internal Audit Manager and Joint Managing Directors:

- Deal promptly with the matter
 - Record all evidence received
 - Ensure that all evidence is sound and adequately supported
 - Ensure the security of all evidence collected
 - Contact other agencies e.g. The Police (where appropriate)
 - Notify the Authority's Insurers (where appropriate)
 - Implement disciplinary procedures (where appropriate)
-

7.13 The Authority will deal firmly with those who defraud the Authority, or who are corrupt or when there has been financial malpractice.

7.14 There is ~~of course~~, a need to ensure that ~~the an~~ investigation process is not misused and therefore, any abuse (such as employees raising malicious allegations) may be dealt with as a disciplinary matter.

7.15 Any decision to refer a matter to the Police will be taken by the Audit Manager in consultation with the ~~Chief Executive~~Joint Managing Directors. The Authority will normally wish the police to be made aware of, and investigate, offenders independently where financial impropriety is discovered. The Police may pass appropriate cases to the Crown Prosecution Service with a view to prosecution.

7.16 The Authority's Disciplinary Procedures will be used where the outcome of the investigation indicates improper behaviour. 'Reasonable belief' is sufficient ground for dismissal, rather than absolute proof as in a court of law.

7.17 Any necessary investigative activity will be conducted without regard to any person's position or length of service.

7.18 ~~Investigation results~~Details of investigations in progress will not be disclosed to or discussed with anyone other than those with a legitimate need to know. This is important to avoid damaging the reputations of persons suspected, but subsequently found not guilty, and to protect the Authority from potential civil liability.

7.19 When fraud, bribery or corruption has occurred because of a breakdown in the Authority's systems or procedures, Senior Managers will ensure that appropriate improvements in systems or controls are implemented to prevent a reoccurrence.

7.20 The Audit Manager will, if appropriate, following an investigation, make recommendations to Management for changes to systems and procedures to ensure that similar frauds will not recur.

7.21 The Authority's standard terms for contracts and tenders provide for contracts to be terminated and tenders to be rejected should any attempt at corrupt practice be discovered.

8.0 **AWARENESS AND TRAINING**

8.1 The Authority recognises that the continuing success of this Policy, and its general credibility, will depend, in part, on the effectiveness of the training and awareness of elected Members and employees throughout the Authority.

8.2 To facilitate this, the Authority supports the concept of induction and training. This applies particularly to Officers involved in internal control systems and financial and finance related systems, to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced.

8.3 This also applies to casual, temporary and agency staff, who may not be aware of the standards of probity that are required in the public sector.

8.4 Elected Members are supported through induction and training and are made aware of their roles and responsibilities, in particular, the need for honesty and probity in all areas that they are involved in.

8.5 Full copies of the Whistleblowing Code, the Disciplinary Procedure, the Anti Fraud and Corruption Policy and the Anti Money Laundering Policy should be made available to all employees and members.

9.0 CONCLUSION

9.1 The Authority has always prided itself on setting and maintaining high standards and a culture of openness, with core values of fairness and trust. This Policy fully supports this desire to maintain an honest Authority, free from fraud, bribery and corruption.

9.2 The Authority has in place a network of systems and procedures to assist it in dealing with fraud, bribery and corruption when it occurs. It is determined that these arrangements will keep pace with future developments and techniques to both prevent and detect fraudulent or corrupt activity that may effect its operation.

9.3 The Authority will maintain a review of these systems and procedures through continuous Internal Audit work and this Policy will also be reviewed regularly.

REFERENCES

Members Code of Conduct	Constitution
Officers Code of Conduct	Constitution
Financial Regulations	Constitution
Contract Procedure Rules	Constitution
Whistleblowing Code	Constitution
Disciplinary Procedure	Human Resources

~~Equal Opportunities~~ Equality in Employment Policy
Resources

Human

Benefits Sanctions & Prosecutions Policy

Exchequer Services

Anti Money Laundering Policy

Internal Audit

APPENDIX 1: WHAT TO DO IF FRAUD, BRIBERY OR CORRUPTION IS SUSPECTED

1. Employees are often the first to realise that there is something seriously wrong within the Authority. Where appropriate, concerns should normally be raised with a Supervisor or Line Manager who, if the claim can be substantiated, will inform the Internal Auditor Manager. The nature of the complaint will determine the Authority's course of action. However where an offence under the Money Laundering Regulations or Proceeds of Crime Act 2002 is suspected then the appropriate policy should be viewed to ascertain the correct reporting procedure.
 2. If an employee feels unable to do this, the Authority's Whistleblowing Code should be utilised. This is intended to encourage and enable staff to raise serious concerns without fear of harassment or victimisation. Employees reporting concerns in this way are afforded certain rights under the Public Interest Disclosure Act 1998. A full copy of the Whistleblowing Code is available on the Authority's Intranet and website.
 3. In the case of any doubt about the seriousness of any concerns, advice and guidance can be obtained from the Internal Audit Manager.
 4. All concerns will be treated in confidence and every effort will be made not to reveal the identity of employees if they so wish. At the appropriate time, however, employees may need to come forward as witnesses.
 5. Anonymous allegations will be considered at the discretion of the Council based on the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation from attributable sources.
 6. If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the originator. If, however, individuals make malicious or vexatious allegations, disciplinary action may be considered against the individual making the allegation.
 7. The Authority encourages members of the public, who suspect fraud, bribery and corruption, to contact the ~~Chief Executive~~ Joint Managing Directors or Internal Audit Section.
-

-
8. The Authority accepts that people who report alleged fraud or corruption need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will receive information about the outcome of any investigation and whether any changes/improvements are to be made to systems and procedures as a consequence.
 9. This Policy is intended to provide you with an avenue **within** the Authority to raise concerns. The Authority hopes that you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Authority, the following are possible contact points:
 - The External Auditor
 - Your Trade Union
 - Your local Citizen's Advice Bureau
 - Relevant professional bodies or regulatory organisations
 - The Police
 - Your Solicitor
 10. If you do take matters outside the Authority, you should ensure that you do not disclose confidential information or that disclosure would be privileged. As such, it is advisable that appropriate advice is sought before proceeding.
-