

ANNEX E



MoleValley
District Council

DRAFT

Formatted: Font: 24 pt

Formatted: Centered

~~Counter~~Anti Fraud and Anti
Corruption Strategy

~~This strategy had been adopted by the Audit Committee on 28/09/2011 and approved by the Council and Staff Consultative Forum on 19/09/2011.~~

Contents:

1. Foreword
2. Introduction
3. Corporate Framework and Culture
4. Responsibilities for Managing the Risk of Fraud
5. An Anti Fraud Culture
- ~~5-6.~~ [The action the council will take](#)
- ~~6-7.~~ Prevention
- ~~7-8.~~ Deterrence
- ~~8-9.~~ Detecting and Investigating Fraud
- ~~9-10.~~ Sanction and Recovery Action where Fraud is Proven
- ~~10-11.~~ Training
- ~~11-12.~~ Conclusions
- ~~12-13.~~ Monitoring

The Strategy should be read in conjunction to the following Council Policies and procedures:

- Whistleblowing Policy
- Anti-Fraud and Corruption Policy
- [Prosecution and Sanction Policy](#)
- Fraud Response Plan (Restricted Access)
- Anti Money Laundering Policy
- Code of Conduct for the Council's Staff
- Members Code of Conduct
- Disciplinary and Dismissals Policy
- IT Security Policy
- Bribery Act Policy
- Financial Regulations
- Contract Standing Orders

1. FOREWORD

- 1.1 The public are entitled to expect the council to conduct its affairs with integrity, honesty and openness and demand the highest standards of conduct from those working for it. They also expect that the Council will safeguard public funds and ensure that they are available and used for their intended purpose, ~~that of to provide~~ing services for the residents of Mole Valley.
- 1.2 The Counter Fraud Strategy (herein after referred to as the Strategy) outlines the Council's commitment to meeting these expectations by creating a culture of zero tolerance of fraud, theft and corruption and maintaining high ethical standards in its administration of public funds. Specifically the Council will ensure probity in local administration and governance by making sure that the opportunity for fraud, theft and corruption is reduced to the lowest possible risk with losses minimised and also taking positive action against all forms of fraud, theft and corruption.
- 1.3 This Strategy is binding on all councillors and employees of the Council. It should also be a key element in setting out the provisions of partnership arrangements and third party arrangements.

2. INTRODUCTION

- 2.1 The Council employs approximately ~~260280~~ full time equivalent staff and has an annual gross revenue budget of approximately £40m~~1m~~ and a capital budget of £2.7m per annum over the next five years (source 2011/12 MVDC budget). As with other large organisations, the size and diverse nature of our services puts us at risk to loss due to fraud, theft and corruption both from within the Council and outside it. This Strategy sets out the Council's approach in preventing and deterring fraud and the related documents demonstrate how fraud, once suspected or detected, is reported and investigated and sanctions and recovery that can be applied. The Strategy meets the legislative requirement to have effective arrangements for tackling fraud.
- 2.2 There are many definitions of fraud because of the many ways that it can be committed. However in the widest sense it is ***an intentional act (either dishonestly, knowingly or recklessly) to deceive or damage another with the intent to for personal gain, or*** . Acts refer to the types of fraud that can be committed, the list is not exhaustive and fraud is ever evolving. Some examples are providing false information, failure to declare information, theft, collusion, bribery, money laundering, falsification of records, counterfeiting, and claiming allowancesbenefits to which there is no entitlement. A full definition of

fraud and corruption is included in the Council Anti – Fraud and Anti Corruption Policy.

- 2.3 It is also important to point out that fraud can also be committed in writing, or in person whether face to face or by telephone, and via correspondence such as emails or the internet. This Strategy covers all types of fraud and any attempt at fraud will be taken seriously regardless of whether or not it was successful.
- 2.4 The purpose of this Strategy is to outline the Council's approach, as well as defining roles and responsibilities, for dealing with the threat of fraud and corruption, both internally and externally. It therefore applies to:
- Councillors
 - Employees
 - Consultants, agency and contracted staff
 - Partners and other third parties including the voluntary sector who receive funding or support from, or deliver services on behalf of the Council
 - Contractors/ Suppliers with which the Council does business
 - Service users
 - Staff and committee members of organisations funded by the Council.

All parties above, as part of conditions of office, employment, grant or contracts, are expected to demonstrate integrity and honesty.

3 TYPES OF FRAUD

The Council operates a diverse and different types of service to residents, members and staff. Due to the nature of the service provided some are at more risk of fraud than other. Some examples of areas of fraud risk within the Council, and partner organisations are listed below.

Council Tax Support (formerly Council Tax Benefit)

Council Tax Discount / Exemptions

Housing Benefit (see later in this document for specific Housing Benefit fraud information)

Social Housing Fraud – include illegal sub-letting, non-residency, false succession and Right to Buy.

Homelessness and Housing Allocations

Disability Grants

Staff Fraud and Corruption(such as false sickness, mileage, expenses, misuse of council resources,)

Recruitment Fraud

Planning

Contracts

[Blue Badge Disabled Parking](#)
[Business Rates Exemption](#)

3. CORPORATE FRAMEWORK AND CULTURE

3.1 The Corporate Framework relating to counter fraud is lead by the Section 151 Officer whose responsibility it is to ensure the risk of fraud is managed adequately. The framework consists of strategies, policies and functions that enable the Council to have effective counter fraud arrangements. Some of the key ones are;-

- The [Counter Anti Fraud and Anti Corruption](#) Strategy
- Contract Procedure Rules
- Financial Regulations
- Finance Manual
- Procurement guidelines
- Effective Human Resources policies, particularly those relating to recruitment and selection, induction and training
- Codes of Conduct for Councillors and officers, incorporating registers of interests and gifts and hospitality guidance
- A Standards Committee
- An Audit Committee
- A Scrutiny Committee process
- A Whistleblowing policy providing guidance to Councillors, employees, the public and third parties
- A Corporate complaints process
- An effective risk management and internal control environment
- An Annual Governance Statement
- Effective internal and external audit arrangements including proactive counter fraud work such as Data Matching exercises
- An effective [Benefit-Fraud and](#) Investigation Team

4. RESPONSIBILTIES FOR MANAGING THE RISK OF FRAUD

4.1 Everyone has an important role to play in the management of risks. We all want to reduce risks and hence unnecessary costs to our service, which, in turn, protects services and jobs. As part of the daily routine in their work, all staff will carry out risk assessments and therefore exercise risk management, the management of fraud risk is no different.

The roles are as follows;

Employees

- 4.2 All employees have an important role to play in combating fraud. Specific responsibilities include acting with propriety in the use of any Council resources and reporting any suspicion of fraud to their line manager or Whistleblowing contact directly.

Councillors

- 4.3 All Councillors are required to play a vital role in promoting our zero tolerance of fraud culture by leading by example, demonstrating active support of the Strategy and by reporting any suspicion of fraud to the Council's Monitoring Officer or Section 151 Officer.

Chief Finance Officer (Section 151 Officer)

- 4.4 Section 151 of the Local Government Act 1972 requires that every authority shall:

"...make arrangements for the proper administration of their financial affairs, and shall secure that one of their officers has responsibility for the administration of those affairs".

- 4.5 For Mole Valley Council the ~~Deputy Chief Executive~~~~Strategic Director~~ (Nick Gray) ~~is has been appointed as~~ the Section 151 Officer. ~~The Strategic Director~~ ~~!~~ In fulfilling his statutory duties, ~~he~~ will be involved in the following activities:-

- provision of financial advice in the strategic planning and policy making process
- provision of advice on the optimal use of resources
- provision of advice on the management of capital and revenue budgets
- provision of financial advice to the Council and members to facilitate service delivery
- provision of management information
- preparation of statutory and other accounts and grant claims
- provision of an effective internal audit function
- assistance to management in providing safe, robust and efficient financial arrangements
- provision of effective income collection and payment systems
- advising on treasury management and trust funds
- advice on the safeguarding of assets, including risk management and insurance.

Fraud and Investigation Team (FIT)

The FIT is the investigatory arm of the Council, and is charged with leading the fight against Fraud and Corruption. They will actively investigate all appropriately risk scored allegations of

fraud and corruption. Investigations will be carried out to a professional level, and comply with all relevant guidelines. The FIT will also undertake various pro-active anti fraud activities, designed to identify high risk cases, and provide assurance that services are not at risk. FIT will report all finding to appropriate service managers, to assist with implementing controls, and promote good practice to reduce fraud risks.

Audit

4.6 The maintenance of a continuous internal audit is a statutory obligation placed upon the Section 151 Officer, on behalf of the Council. Its primary purpose may be defined as being the appraisal of the internal controls operating throughout all the Council's activities, as an assurance function to management at all levels and in all services. In addition, it has an even wider purpose in complementing and supporting the external auditor's work on behalf of the Council and all those who pay Council Tax and other fees and charges to the Council.

4.7 The council's Financial Regulations state that:-

The Internal Audit Code of Practice clearly outlines that it is management who are responsible for managing the risks associated with fraud, including the introduction and implementation of effective control arrangements to help prevent and detect fraud. Internal Audit does not have responsibility for the prevention or detection of fraud and corruption. Internal Auditors should, however, be alert in all their work to risks and exposures that could allow fraud or corruption and to any indications that fraud or corruption has been occurring. Audit procedures alone, even when performed with due professional care, cannot guarantee that fraud or corruption will be detected.

Operational Managers

4.8 Outside the formal delegations highlighted above, all levels of management are responsible for:

- implementing and maintaining effective controls in the systems for which they are responsible, and for deterring, preventing and detecting fraud
- Ensuring there are systems in place to monitor compliance with any policies and procedures for which they are responsible
- Ensuring that they and their staff comply with policies, including this Strategy.

5. AN ANTI FRAUD CULTURE

- 5.1 The Council is determined to create an Anti Fraud Culture. The culture can be described as that of zero tolerance, this means that the Council will take every reasonable action to prevent and deter fraud. It is not possible to prevent all fraud therefore the Council will have effective systems in place to detect fraud promptly. Once detected, procedures will be in place to ensure the comprehensive investigation of all potential frauds, and if proven apply the most appropriate sanction and consider all methods of recovery. Finally from any investigation the impact on the control environment will be considered to reduce the risk of a similar occurrence in the future.
- 5.2 Publicity and awareness are an integral part of creating an anti fraud culture, as well as effective prevention and deterrent tools. As such we are committed to ensuring that awareness levels are as high as they can be across the Council. The Strategy is available on both the intranet and the internet, and summary materials are provided in the form of an intranet webpage and newsletter. [All new employees will receive Anti-Fraud and Anti-Corruption Awareness training as part of their induction into the Council.](#)
- 5.3 In addition where the outcomes of specific risks and investigations can be publicised they will be the subject of Council wide communications and the fraud newsletter, web alerts etc. to further enhance the deterrent effect and reduce the risk of further fraud occurring. Successful convictions for [Benefit](#) fraud will be reported publicly.

6. PREVENTION

- 6.1 We believe fraud is costly, both in terms of reputational risk and financial losses. To reduce the risk of loss we must aim to prevent it from happening in the first place. There are a number of key processes, which can assist in prevention of fraud and corruption;

- Employee Recruitment and Conduct
- Councillors' Roles and Conduct
- Audit Committee
- Internal Control Systems
- Combining with others to prevent and combat fraud

Employee Recruitment and Conduct

- 6.2 A key preventative measure against fraud, theft and corruption is at the recruitment stage by establishing, as far as possible, the identity and the previous record of potential employees, in terms of their propriety and integrity. In this regard, temporary employees and casual workers should be treated in the same manner as permanent employees.

- 6.3 Employee recruitment should be in accordance with procedures laid down by legislation, Council decisions, policies, procedures and codes of practice. Written references must be sought with specific assurances regarding the known honesty and integrity of potential employees before unconditional employment offers are made.
- 6.4 Checks are made on an individual's right to work in the UK, qualifications produced in accordance with desirable/essential criteria for the post being applied for and any relevant health and criminal record checks.

Mole Valley District Council will use pre-employment vetting for all new employees, in order to check for integrity and honesty, and verify information provided.. This involves checking of the information that they have provided on application, for example, against this and other Council's records, credit referencing, specialised anti- fraud vetting providers and other persons or agencies that may hold relevant information.. Checks will only be conducted for successful applicants. The pre-employment vetting will be clearly noted on all job adverts and application forms, ~~if~~ as a result of vetting, information is identified that throws doubt on the honesty or integrity of an applicant, the job offer may be withdrawn, or employment terminated if already commenced. If evidence of fraud is identified the Council may take further legal action, including prosecution.

- 6.5 All employees are to be inducted in accordance with induction checklists in place. The AntiCounter Fraud and Anti Corruption Strategy and others policies are discussed with employees as part of the induction process.
- 6.6 All employees must abide by the Code of Conduct for Employees, which forms part of each employee's contract of employment. Employees of the Council are also expected to follow any code of conduct related to any professional body and immediately notify the Council if they come into conflict with any such code.
- 6.7 The Council has in place employee disciplinary procedures. Any breach of conduct will be dealt with under these procedures and may result in a number of actions and even dismissal in the most serious cases.
- 6.8 Employees are required to declare any interest and the offer of any gift or hospitality to the Section 151 Officer to enable a record to be kept. Appropriate advice will be given.

- 6.9 The Code of Conduct for Employees requires that employees shall not accept the offer of any fees or rewards whatsoever other than their proper remuneration. Any such offer is to be recorded centrally as per interests, gifts and hospitality guidance. Employees are also expected to declare any interests they may have which could cause conflict of interest in their current role. For example Internal Audit completes an annual return declaring any pecuniary interests.

Councillor Roles and Conduct

- 6.10 Councillors are currently required to operate within various laws, regulations and codes of practice, the main ones being:
- Part III Local Government Act, 2000
 - Part 10 Local Government and Public Involvement in Health Act 2007
 - The Member Code of Conduct
 - The Council's Constitution and those of associated bodies.
- 6.11 These matters and other guidance are specifically brought to the attention of Councillors at the induction course for new Councillors and are in each Councillor's Handbook; they include rules on the declaration and registration with the Monitoring Officer of interests and of potential areas of conflict between Councillors' Council duties and responsibilities and any other areas of their personal or professional lives.
- 6.12 The Council has in place an Overview and Scrutiny process. Its remit includes the review of decisions and actions undertaken by the Council. Any matter arising from this process, in which fraud is suspected, will be referred to Internal Audit and/or the Police for independent investigation.
- 6.13 The Council has an established Standards Committee, which has independent representatives within its membership, to examine issues of suspected/alleged misconduct by Councillors. An annual report is produced.
- 6.14 The Council has an Audit Committee in place to oversee the work of Internal Audit, the audit of the Final Accounts and seek to gain assurance that systems are in place to minimise fraud and corruption across the Council.

Internal Control Systems

- 6.15 The Council has Contract Procedure Rules, Financial Regulations, Financial Procedures and various rules and codes of conduct in place. Staff are required to comply with this best practice when dealing with the Council's affairs.

6.16 The Council also has an Anti Money Laundering Policy which aims to prevent fraudsters laundering the proceeds of crime through the Council by placing limits on the amounts of cash that will be accepted and specifying the checks that will be made when high cash values are received.

6.17 The ~~Deputy Chief Executive~~~~Strategic Director~~ has a statutory responsibility under Section 151 of the Local Government Act 1972, to ensure proper arrangements are made for the Council's financial affairs. In addition, under the Accounts and Audit Regulations 2003, as the 'responsible financial officer' he is required to determine the accounting control systems which shall include:

"measures to enable the prevention and detection of inaccuracies and fraud,"

"identification of the duties of officers dealing with financial transactions and the division of responsibilities of those officers in relation to significant transactions."

6.18 The Council's aim is to have sound financial systems and procedures, which incorporate efficient and effective internal controls. As part of the strategy, it is essential that accurate records are kept and preserved, a management/audit trail is maintained and the principle of "separation of duties" adopted where appropriate.

6.19 The Council's Finance Manual requires that senior officers are responsible for establishing adequate internal control such that the activities within their remit are dealt with efficiently and effectively. The existence, appropriateness, and effectiveness of these internal controls ~~are~~ independently monitored and reported upon by the Council's Internal Audit service and reviewed by the Section 151 Officer.

Working ~~Combining~~ with Others to Prevent and Fight Fraud

6.20 There are a variety of arrangements in place, which facilitate the regular exchange of information between the Council and other local authorities and agencies for the purpose of preventing and detecting fraud. These involve national, regional and local networks of investigators. The Council will liaise where appropriate with outside organisations to encourage closer working. However these arrangements will be subject to compliance with data protection regulations.

6.21 There is also an intelligence gathering, collation and dissemination service on fraud, theft and corruption known as the National Anti-Fraud Network (NAFN), of which the Council is a member.

[The Council is also a member of the Surrey Counter Fraud Partnership \(SCFP\). This is a partnership of Surrey County Council and 8 of the 11](#)

Councils in the Surrey region. The Partnership was formed in early 2015 after a successful bid to obtain central government fund for fraud deterrence. Each participating authority will employ experienced fraud investigators dedicated to investigating fraud that costs local tax payers.- The partnerships will co-ordinate closer working, sharing of information, knowledge and resources, and organising County wide anti –fraud campaigns

- 6.22 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 public bodies. 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- The Council participates in the Cabinet Office's National Fraud Initiative (NFI). The Council provides information obtained from its databases (such as Payroll, Council Tax, Housing Benefit, Electoral Register, Licensing and so on) which is matched with that of other authorities and agencies, to identify possible fraud.
- ~~9.9-~~ Details of matches are returned to the FIT where further internal investigations are undertaken to identify and pursue cases of fraud and irregularity perpetrated by staff and outside persons, against Council administered activities.

The Council will also participate in other data matching activities, including matching Council or partner data, against data held by specialist anti fraud data collection agencies, such as credit referencing and consented data.

- 6.23 The Council has a Benefit Fraud Hotline (01306 879294), and introduced an online form, to allow members of the public to report individuals who are suspected of abusing the Benefits system fraud or corruption against the Council or partners..

7. DETERRENCE

- 7.1 There are a number of ways to deter potential fraudsters from committing or attempting fraudulent or corrupt acts, whether they are inside or outside of the Council, and these include publicising widely the Council's stance on fraud and seeking to prosecute whenever possible.
- 7.2 The Council will also:-
- publicise outcomes of investigations where it is considered appropriate and will not prejudice any possible police action
 - ensure the anti fraud policies and strategies are publicised, to staff, partners and public.
 - act robustly and decisively when fraud, theft and corruption is suspected and proven, e.g. the termination of contracts, the dismissal and/or prosecution of offenders

- take action to effect the maximum recoveries for the Council, e.g. through outstanding pay, court action, insurance etc.
- develop and maintain robust preventative measures such as sound internal control systems that still allow for innovation and calculated risk, but at the same time minimise the opportunity for fraud and corruption.

8. DETECTING AND INVESTIGATING FRAUD

- 8.1 Despite the best efforts of managers and auditors to detect fraud through the operation and review of internal controls, some frauds are discovered by chance or "tip off", either through the alertness of staff or from a member of the public. In such cases there is a requirement within the Council's Financial Regulations for staff to report actual or suspected instances of fraud or money laundering to the Section 151 Officer or their representative.
- 8.2 Reporting suspected irregularities is essential to ensure compliance with the [AntiCounter](#) Fraud and [Anti](#) Corruption Strategy and ensures:
- consistent treatment of information regarding fraud and corruption
 - the Fraud Response Plan is carried out properly
 - proper investigation by independent and experienced investigators and engagement of all relevant parties
 - people and Council interests are protected
 - internal control implications are considered.
- 8.3 The Council's Whistleblowing Policy provides a clear path for individuals to raise concerns of malpractice in any aspects of the Council's work, without the fear of recrimination or victimisation. The Council's Whistleblowers Policy is intended to encourage and enable staff to raise serious concerns. Employees reporting concerns in this way are afforded certain rights through legislation (Public Interest Disclosure Act 1998).
- 8.4 The Fraud Response Plan identifies the persons responsible for the type and course of the investigation.- [Upon receipt of any an allegation of fraud or corruption perpetrated by a member of staff or a member, The Fraud and Investigation Manager will notify the, relevant Corporate Head of Service, ~~Fraud Manager~~ and Financial Services Manager. The allegation will be risk assessed and an appropriate investigation plan initiated. Actions will be taken in line with the processes contained within the Council's Fraud response Plan. In particular where the allegation relates to a potential disciplinary and fraud matter, the investigators and HR Department will work closely to ensure that any investigation into criminal behaviour will take priority over disciplinary matters. All fraud allegations relating to staff or members will be escalated to the Section 151 Officer and Monitoring Officer respectively, who will then direct and monitor the close working.](#)

The plan will include recommendations as to which body will investigate allegation. The Council retains the option to use the FIT, Auditors or other outside investigation service providers. The Fraud and Investigation Manager will monitor the investigation and ensure that the investigators:

- Deal with the matter promptly (and in any event commence the investigation within 5 working days of being notified of it)
- Record all evidence received
- Ascertain whether the evidence is sound and adequately supported
- Act in accordance with all investigative legislation, in order to ensure that a criminal prosecution can be taken if necessary
- Wherever possible act in a discreet and professional manner, whilst investigating the allegations. This is because some allegations may be unfounded or malicious, and it would be fair to protect the reputation of the accused until proven otherwise.
- Report back to the Head of Service at the conclusion of the investigation, and at other agreed intervals.

8.2 If the allegation relates to non staff / Council related fraud, such as Council Tax or Housing Fraud, then the decision as to whether to accept the referral and who will investigate will be made by the Fraud and Investigation Manager, in agreement with the Service Manager. . The Fraud and Investigation Manager will monitor the investigation's progress and will keep the appropriate Service Manager advised of the investigation progress at regular intervals.

~~This will include referring cases to the Police where necessary. The Council will ensure management action is always taken and may prosecute offenders, after carrying out disciplinary procedures where appropriate. Any internal proceedings do not prejudice any criminal case.~~

8.5 Depending on the nature and anticipated extent of the allegations, fraud investigators will normally work closely with:

- Departmental Management
- Human Resources
- Legal Services
- Other agencies, such as the Police

This is to ensure that all allegations and evidence are properly investigated and reported upon, and that where appropriate, recoveries are made for the Council.

8.6 In particular where the allegation relates to a potential disciplinary and fraud matter, the investigators and HR Department will work closely to ensure that any investigation into criminal behaviour will take priority over disciplinary matters. All fraud allegations relating to staff or members will be escalated to the Section 151 Officer, or deputy, who

will then direct and monitor the close working (Allegations against Members will also be referred to the Monitoring Officer).

8.6 All allegations of fraudulent activity are reviewed and subject to a risk assessment. In all cases control issues will be reviewed and weaknesses identified. Some cases are followed up with a full investigation, whilst others are better dealt with as management issues. Where appropriate departments shall:

- report allegations swiftly
- record all evidence received
- ensure that evidence is sound and adequately supported
- secure all evidence collected
- where appropriate, contact other agencies, e.g. Police, DWP
- report to senior management, and where appropriate, support the Council's disciplinary procedures

8.8 Where surveillance is required as either part of investigation or as part of disciplinary action this requires authorisation by A RIPA (Regulatory Investigations Procedures Act) Authorising Officer. All surveillance will be requested and authorised under RIPA regulations, or to the same standard of a RIPA authorisations, and will include a full and fair assessment of necessity and proportionality.

8.9 The Council's External Auditors also have powers to independently investigate fraud and corruption.

8.10 Where financial impropriety is discovered relating to employees, members, or grant aided voluntary organisations, the matter may be referred to the Police for investigation-. Such decisions are a matter for the Section 151 Officer. Referral to the Police will not necessarily prohibit action under the disciplinary procedure.

Fraud and Investigation Team Activity

The FIT will work to a regularly reviewed action plan, detailing the specific areas of -activity that resources will be focused on.

The Action Plan will be devised based on activities that meet these 3 key factors

- Value for money to Council or Tax payer
- Provide income
- Provide assurance

The action Plan will also, be driven, by recent national and local trends or risk in fraud activity, lessons learned from previous fraud investigations or allegations, recommendations from audit reports, and central government direction.

Formatted: Indent: Left: 1.27 cm,
No bullets or numbering

9. SANCTION AND RECOVERY WHERE FRAUD IS PROVEN

9.1 A number of sanctions are available to the Council to ensure that proven offences are punished appropriately in seeking to promote a culture of zero tolerance of fraud, and also acting as a deterrent to others to commit fraud. The possible sanctions should be considered throughout the investigation and appropriately recorded.

9.2

9.3

9.19.4 The following sanctions will be considered;

- internal disciplinary sanctions can range from management counselling and warnings to dismissal in the most serious cases
- Council led prosecution or other sanction, as detailed in the Council's Prosecution and Sanction Policy
- Police action can range from cautions to prohibition orders and ultimately custodial sentences for the most serious offences
- Civil recovery, the Council can apply for recovery under civil law. In these cases the Monitoring Officer in consultation with the Section 151 Officer will determine whether a private prosecution or civil action would be in the Council's interest.

The decision to recommend any or all of the above sanctions will be made on a case by case basis, having regard to the Disciplinary Policy and Procedure and Prosecution Policy in place at the time. At the conclusion of each investigation, the FIT will produce a report. The Manager whose responsibility encompasses the area of that investigation will then decide whether or not to formally accept the report and take the appropriate action (disciplinary or other).

In matters involving staff member, where there is objective evidence available to lead to a conclusion of fraud, theft, corruption, serious financial malpractice, or use of position for personal gain or for the gain of others, this is likely to constitute gross misconduct and may lead to summary dismissal.

This applies to employees who improperly benefit from the Council as a corporate body, and not just those who steal funds from their own unit. It also applies to employees who defraud or steal from the Council's clients. We will also take disciplinary action against Officers who commit fraud against other Local Authorities, the Department of Work and Pensions or any other agency administering public funds.

Where the fraud is committed by an employee of a contractor or partner organisation, we will request that the organisation takes appropriate disciplinary action against the individual

•

9.2

Formatted: No bullets or numbering

As part of ~~Internally~~internally investigated cases, recovery of funds obtained fraudulently can be made, the value and amount will be decided upon at the outcome of the investigation, and as a result must be sufficiently recorded. Recovery can be through civil prosecution where recovery of losses and court costs can be recovered, or through other internal mechanisms including withholding pay or the raising of an invoice charged to the guilty party. Recovery will be vigorously pursued in line with the Council's Redress statement included the Anti – Fraud and Corruption Policy.

10. TRAINING

- 10.1 The Council recognises that the success and credibility of its ~~AntiCounter~~ Fraud and ~~Anti~~ Corruption Strategy will depend largely on how effectively it is communicated throughout the organisation and beyond. To this end, details of the Strategy will be provided to all members and all employees and have been included on induction programmes. The Strategy is also shown on the Council's web page and available on the Intranet, along with other associated material.
- 10.2 Officers who are involved in investigating fraud and corruption will be ~~provided~~Provided with suitable training.
- 10.3 The Fraud ~~And Investigations~~ Manager raises fraud awareness, to this Strategy and other fraud related issues.

11. CONCLUSIONS

- 11.1 The Council has in place a robust network of systems and procedures to assist it in the fight against fraud and corruption. It is determined that these arrangements will keep pace with any future developments, in both preventative and detection techniques regarding fraudulent or corrupt activity that may affect its operation or related responsibilities. To this end, the Council maintains a continuous overview of such arrangements.
- 11.2 The ~~Counter-Anti~~ Fraud and ~~Anti~~ Corruption Strategy provides a comprehensive framework for tackling fraudulent and corrupt acts against the authority. The approval of the Strategy by the Audit Committee, on behalf of the Council, demonstrates the Council's commitment to protecting public funds and minimising losses to fraud and corruption. Having made this commitment, it is imperative that the

Strategic Management Team put in place arrangements for disseminating the Strategy and promoting fraud awareness, throughout their services.

12. MONITORING THE STRATEGY

- 12.1 As part of the Council's commitment to creating a culture of zero tolerance of fraud, the Strategy will be monitored on a bi-annual basis.