

## REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Operational	Be entirely within Cabinet’s powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Kate Littlewood E-mail: kate.littlewood@west-norfolk.gov.uk Direct Dial:01553 616252		Other Officers consulted: Management Team and Legal Services Manager.		
Financial Implications NO	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 28<sup>th</sup> February 2017

### REVIEW OF THE ANTI-FRAUD AND ANTI-CORRUPTION STRATEGY, WHISTLEBLOWING POLICY AND FRAUD RESPONSE PLAN

#### Summary

The Anti-Fraud and Anti-Corruption Strategy, Whistleblowing Policy and Fraud Response Plan were last reviewed comprehensively in 2014. They are now due for the 3-yearly review and update.

#### Recommendation

**1) That Cabinet recommends that Council agree the proposed Anti-Fraud and Anti-Corruption Strategy, Fraud Response Plan and Whistleblowing Policy.**

**2) That delegated authority be given to the Assistant Director – Resources in consultation with the Cabinet Member with responsibility for Anti Fraud and Corruption to update the documents in the future following consultation with the Audit Committee.**

#### Reason for Decision

To bring the anti-fraud documents up-to-date to reflect current good practice.

#### 1. Background

- 1.1 In order to achieve reasonable timing, the Cabinet report has been submitted before the Audit Committee have met to comment on the revisions. Cabinet will receive a verbal update of any comments from the Audit Committee.
- 1.2 The Council needs to remain vigilant in order to safeguard its resources and to protect its reputation. As a Council, we therefore need to raise awareness, deter and identify fraud. At the same time, it is essential to provide the means

by which employees, Members and anyone representing the Council, can raise legitimate concerns when they feel something has been done that is either illegal or improper.

- 1.3 The Council has always endeavoured to promote a culture of honesty, integrity and openness. This is reflected in its policies and strategies to deter and prevent fraud and corruption. Whilst the current documents are effective, it has been some time since a comprehensive review has taken place. In that time, some legislation has changed and key roles within the Council have moved to different personnel.

## **2. Main Changes to the Documents**

- 2.1 The revised documents are attached, with tracked changes to highlight the changes made. Since 2014 several changes have taken place, which need to be reflected in the anti-fraud suite of documents as outlined below.
- 2.2 The work of the Benefits Enquiry Unit (BEU) on fraud relating to Benefits has transferred to the Single Fraud Investigation Service within the Department for Work and Pensions (DWP). Capacity for investigating fraud relating to Council Tax and Business Rates, as well as dealing with the National Fraud Initiative work, has been retained within the Council in the form of a Fraud Investigations Officer/ Internal Auditor role. Reference to the investigation of Benefit fraud has been removed from the documents.
- 2.3 The Deputy Chief Executive has left the Council and his responsibilities in relation to anti-fraud and whistleblowing have been transferred to the Assistant Director (s151 Officer).
- 2.4 There has been a change in title for the Executive Director, Central Services to Executive Director, Central and Community Services.
- 2.5 There has been a change in the title of the Audit Committee from Audit and Risk Committee.

## **3. Policy Implications**

The Council's anti-fraud documents will be up-to-date and fit for purpose for the future.

## **4. Financial Implications**

There are no direct financial implications, but indirectly, if the anti-fraud documents are not effective, there could be repercussions as frauds are not prevented or detected.

## **5. Personnel Implications**

The documents must be appropriately linked to the Council's Disciplinary Procedures, as any disciplinary hearing must be conducted in a manner that

is consistent with these procedures. It is essential that any internal investigation is both consistently carried out and is fair to any employee being investigated.

**6. Statutory Considerations**

The Accounts and Audit Regulations 2011 require the Council to ensure '*that the financial management of the body is adequate and effective and that the body has a sound system of internal control*'. The anti-fraud documents help to fulfil this requirement.

The Bribery Act 2010 places a responsibility on an organisation to take all practicable measures to prevent bribery.

**7. Equality Impact Assessment (EIA)**

There are no Equality implications.

**8. Risk Management Implications**

Fraud and corruption can result in financial losses to the Council.

A failure to respond appropriately could lead to a claim against the Council in an Employment Tribunal for unfair dismissal. This could expose the Council to additional cost, as well as the risk that any fraudster could continue to be employed by the Council as a result of a flawed investigation. There is also a risk that such a failure would result in adverse publicity for the Council.

**9. Declarations of Interest / Dispensations Granted**

None

**10. Background Papers**

Anti-Fraud and Anti-Corruption Strategy May 2014

Whistleblowing Policy May 2014

Fraud Response Plan May 2014