

Borough Council of
**King's Lynn &
West Norfolk**



FRAUD RESPONSE PLAN

What to do if you know, or suspect, a fraud has taken place, or is taking place, and who to report it to.

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1. **Introduction**

- 1.1 The Council is committed to protecting the public funds it has been entrusted with. Minimising the losses to fraud and corruption is an essential part of ensuring that all of the Council's resources are used for the purpose for which they are intended, namely the provision of high quality services to the citizens of the Borough. The Council has a range of policies and procedures that facilitate this process and form equally important parts of the Council's overall strategy. These include the Anti-Fraud and Anti-Corruption Strategy and the Whistleblowing Policy.
- 1.2 This document is intended to provide a framework for the reporting of and response to suspected cases of theft, fraud and corruption.
- 1.3 Investigation of suspected fraud, theft or corruption will be conducted in accordance with the Police and Criminal Evidence Act (PACE) 1984, the Criminal Procedure and Investigations Act (CPIA) 1996, the Human Rights Act 1998, the Regulation of Investigatory Powers Act (RIPA) 2000 and any other relevant legislation, including any Act or guidance which updates or supersedes any of these Acts.
- 1.4 **Appendix A** to this document provides an outline checklist that should be used to record significant events and information. As the case progresses, different officers will normally complete the document.

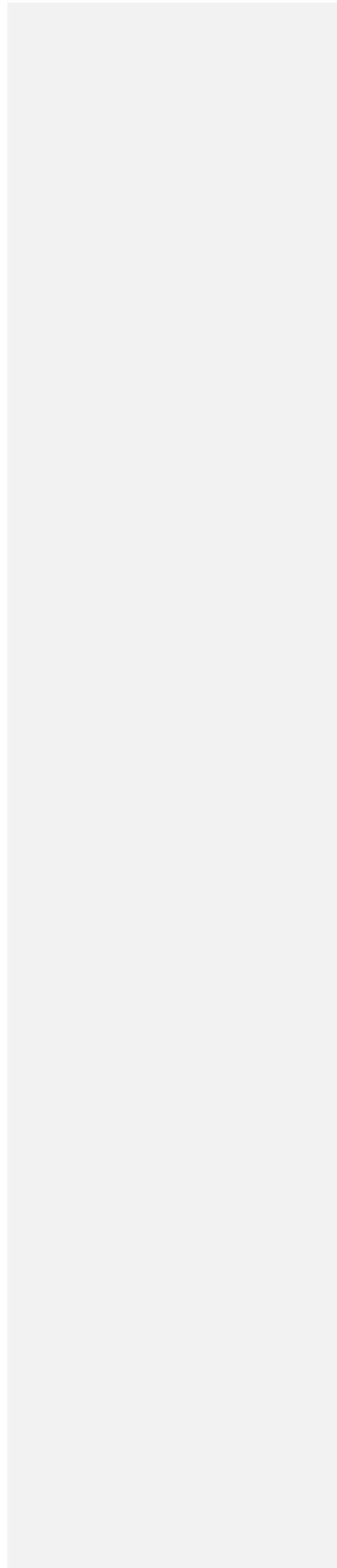
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2. **Scope of this Response Plan**

- 2.1 The scope of this response plan is not limited to fraud and corruption but is applicable to any suspected act of financial or other impropriety. This includes any act that puts the Council's resources at risk.
- 2.2 The exception to this ~~is~~ are the arrangements concerning suspected frauds relating to Housing Benefit and Council Tax Support Fraud, and Business Rates which ~~are~~ is dealt with in accordance with the Council's website guide for reporting Benefit such fraud ~~and in the Benefits and Revenues Fraud Policy. The Council's in-house Investigations Unit within the Audit and Fraud Team investigates these frauds.~~
- 2.3 Definitions of what types of action is covered by this Response Plan can be found in the Anti-Fraud and Anti-Corruption Strategy in Sections 2- 4
- 2.4 Anyone raising a concern (whether an employee, Councillor or member of the public) will be referred to as a whistleblower for the purposes of this Response Plan. Anyone raising a concern (whether an employee, Councillor or member of the public) will be referred to as a whistleblower in this Response Plan.

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Date of Adoption: ~~6th May 2014~~XXXXXX
Next review: ~~February 2017~~XXXXX



3. **Reporting Suspicions**

3.1 If you have concerns you should not:

- Do nothing;
- Be afraid to raise your concerns – you will not suffer any recriminations from the Council as a result of raising a legitimate concern;
- ~~Do not~~;
- Directly approach or accuse individuals you have concerns about;
- Try to investigate the matter yourself. There are special rules surrounding the gathering of evidence for use in criminal cases. Any attempt to gather evidence by anyone not familiar with these rules could destroy the case;
- Convey your concerns to anyone not in the list in Section 3.2 below (you have a duty to maintain the confidentiality of the matter under investigation). However an employee may invite a trade union representative or work colleague to raise a matter on their behalf. Members may wish to consult with their party Leader before raising the matter.
- Raise vexatious concerns or concerns you know to be untrue – you could be disciplined if you do

3.2 If fraud or corruption is suspected, then the matter should be reported without delay. Employees should report to their Executive Director at the outset and retain all evidence. If it is thought that the Executive Director may be involved, or that there may be a conflict of interest, the matter should be reported directly to one of the following:

- Chief Executive;
- ~~Assistant Director (s151 Officer)~~ ~~Chief Financial Officer~~;
- Executive Director, Central ~~and Community~~ Services;
- Audit Manager ~~or Investigations Manager in the Audit and Fraud Team~~

3.3 Any Councillors, contractors or other person should inform either the Chief Executive or the ~~Assistant Director (s151 Officer)~~ ~~Chief Financial Officer~~ of their concerns.

3.4 If possible, concerns should be raised in writing, to ensure those conducting investigations properly understand and investigate the allegations. Written allegations should include the background, history and nature of the concern (including names and relevant dates and locations, where applicable) and the reason why the author is particularly concerned about the situation.

3.5 If it is not possible to put a concern in writing, the concern can be raised either by telephone or by meeting the appropriate officer as set out in Section 3.2 above. The earlier a concern is raised, the easier it is to take action.

3.6 Although whistleblowers are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for the concern.

3.7 If in doubt, Public Concern at Work (www.pcaw.co.uk) will give confidential free and totally independent advice on how to proceed (contact whistle@pcaw.org or telephone 020 7404 6609).

- 3.8 Concerns can also be raised anonymously (by letter or telephone), although these are normally given less weight than those concerns raised more formally.
- 3.9 Alternatively, whistleblowers can contact the Council's External Auditor (Ernst & Young) on 01223 394400 who is likely to liaise with any of the above.
- 3.10 ~~Suspected f~~Fraud relating to ~~Housing Benefit and~~Council Tax Support, Council Tax and Business Rates exemptions and discounts should be referred ~~to the Investigations Unit within the Audit and Fraud Team~~ either by completing the Fraud Referral Form on the website:
<http://www.west-norfolk.gov.uk/default.aspx?page=21676>
 or by using the fraud hotline 0800 281-879.

4. The Initial Response

- 4.1 The action taken by the Council will depend on the nature of the concern and may be:
- Resolved by agreed action without the need for investigation;
 - Investigated internally;
 - Referred to the police or another investigating agency;
 - Referred to the external auditor.
- 4.2 As soon as a fraud or act of corruption is reported, the Executive Director receiving the concern will:
- Obtain a written record of the concerns from the person making the allegations. This should include:
 - Background details and nature of the suspicions (including relevant names, dates and locations);
 - Details of the job and areas of responsibility of the individuals implicated;
 - Why the person raising the matter is concerned;
 - Action taken to date, if any;
 - A description of the systems, controls and procedures that should be operating within the area where the fraud is alleged to be taking place.
 - Take care, at this stage, to ensure that the suspect(s) are not alerted to the potential investigation and the confidentiality of informants is not compromised;
 - Seek guidance from the ~~Assistant Director (s151 Officer)Chief Financial Officer~~, Executive Director Central ~~and Community~~ Services and the Audit Manager before taking any action including interviewing, or observing suspects in connection with the suspected act(s). This is to ensure that evidence is collected in a way that complies with relevant legislation and does not compromise the investigation and/or subsequent disciplinary procedures/prosecutions.

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- 4.3 The case will be discussed by the ~~–Assistant Director (s151 Officer) Chief Financial Officer~~, Executive Director, Central and Community Services and the Audit Manager, plus either the Personnel Services Manager (regarding allegations concerning employees) or the Monitoring Officer (regarding allegations concerning Councillors) and the relevant Executive Director (i.e. the Executive Director responsible for the work area in which the suspect works) to decide what action needs to be taken to investigate the allegation. The discussion will need to consider whether there needs to be an initial covert investigation. In order to initiate disciplinary/criminal proceedings against suspected financial misconduct, it is essential that evidence is secured in a legally admissible form, without alerting suspects at the outset of the investigation.

There are two main reasons for this:

- Evidence may be hidden or removed;
 - To avoid wrongly damaging the reputation of anyone suspected but subsequently found innocent of wrongful conduct.
- 4.4 Following this discussion and if it is decided that further information is required, the relevant Executive Director should appoint one or more Investigating Officers. The role of the Investigating Officer(s) is to:
- Identify the issues;
 - Establish the facts (e.g. Who, Why, Where, What, When and How?);
 - Decide whether there is a case to answer.
- 4.5 If an investigation is required, the relevant Executive Director will advise the Chief Executive. The Executive Director will also write to the whistleblower:
- Acknowledging that an investigation will be carried out, giving details as to who the investigating officer(s) will be;
 - Give an estimate of how long it will take to provide a final response;
 - Telling them whether any initial enquiries have been made;
 - Advising them that the investigation will be carried out in the strictest confidence.

If there is to be no investigation, give the reasons as to why not.

5. The Investigating Officer's Investigation

- 5.1 The Investigating Officer's investigation should be broadly structured as follows:
- Identify issues and appropriate interviewees;
 - Invite the whistleblower to a formal interview (ensuring that this is done in writing and advising them that they have the right to be accompanied) (NB The Council requires that any employee invited to be interviewed by an Investigating Officer must attend – a failure to do so may be considered a disciplinary offence);
 - Hold the interviews;
 - Obtain witness statements;
 - Validate/ analyse the evidence (either directly or indirectly);

- Review the evidence – has enough evidence been obtained to enable a recommendation as to whether there is a case to answer to be made?
 - is there a need to interview anyone else?
 - Draft a report and recommend either that there is or there is not sufficient evidence to support the allegation, but not recommend any particular course of action that should be taken by the relevant Executive Director;
 - Issue their report, together with the supporting evidence, to the commissioning Executive Director.
- 5.2 The amount of contact between the Investigating Officers and the whistleblower will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the whistleblower. If required, initial meetings can be arranged to be held in a “neutral” location, to help preserve the anonymity of the whistleblower.
- 5.3 Whenever a meeting is arranged with an employee, the employee has the right, if they so wish, to be accompanied by a colleague or trade union official. Alternatively, some other person of their choice may accompany the employee, provided the presence of this person will not prejudice any hearing. If the employee is under the age of 18 years, then a parent or guardian would be encouraged to attend.
- 5.4 The Council will take steps to minimise any difficulties that a whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Council will advise them about the procedure.
- 5.5 Investigating Officers should ensure that any evidence collected is stored securely at all times and is not tampered with; that no marks are made on original documents and a record is kept of anyone handling evidence. The Data Protection Act should be complied with at all times. If appropriate and practicable, any IT equipment that may hold evidence should be secured and the contents reviewed (including any networked data areas) by or with the assistance of the ICT Section.
- 5.6 Staff responsible for interviewing suspect(s) should be trained in the requirements of the Police and Criminal Evidence Act 1984. Failure to comply with PACE requirements in interviews will mean that nothing said by the suspect will be admissible in a court of law should it be necessary for the case to be subsequently referred to the courts.
- 5.7 Staff responsible for commissioning and carrying out surveillance of suspects must do so in accordance with the requirements of the Regulation of Investigatory Powers Act 2000 (RIPA) and the Council’s Procedures for Covert Surveillance (Employee Handbook Appendix R). Failure to comply with RIPA will make all surveillance evidence inadmissible in court and may leave the Council liable to court action for a breach of the Act. The Council’s Monitoring Officer can provide advice on the requirements of RIPA.

6. Decision as to any Further Action

- 6.1 Upon receiving the Investigating Officer's report, the Executive Director must decide what action, if any, needs to be taken.
- 6.2 This will depend on whether there is, within the Investigating Officer's report, sufficient evidence to investigate the matter further and/ or whether the allegations can form the basis of a disciplinary hearing.
- 6.3 The Executive Director should:
- Remind themselves of the issues raised;
 - Decide, issue by issue, whether there is a case to answer.
- 6.4 The decision should be based upon the balance of probabilities, rather than the requirement to be "beyond reasonable doubt". As this is the civil law test, not a criminal law test – there must be a reasonable belief that there is a case to answer and the decision must be based on a reasonable investigation. The Executive Director may obtain guidance from the Monitoring Officer, the Personnel Services Manager, the Investigating Officer(s) or any other officer they feel is appropriate to help them make their decision.
- 6.5 The decision could be that:
- On the basis of the evidence, there is sufficient evidence to take disciplinary action;
 - There is sufficient information to demonstrate that the original concerns are supported by the evidence but that further investigation is required before a firm conclusion can be made or disciplinary action can be taken;
 - There is insufficient evidence to support the original concern and that no further action will be taken.
- 6.6 Any disciplinary action arising from a fraud investigation will be conducted in accordance with the Council's Disciplinary Procedure.

7. Prevention of Further Losses

- 7.1 When a suspected fraud is reported, the Audit Manager will liaise with the relevant Executive Director or Service Manager and the Personnel Services Manager to determine the most appropriate course of action to prevent any further losses to the Council occurring.
- 7.2 This may require the suspension of the suspected individual(s) concerned. The normal circumstances for suspension would be:
- The allegations include grounds that could lead to dismissal (i.e. where gross misconduct is suspected);
 - There are grounds for doubt as to the suitability of an employee to remain at work during the investigation;
 - It is necessary to remove the employee from the premises where his/her presence may inhibit proper investigation;
 - There are pending criminal investigations or proceedings.

- 7.3 All suspensions will be carried out in line with the Council's Disciplinary and Dismissal Procedure. Suspension does not constitute disciplinary action.
- 7.4 Any Identity Cards and keys to Council property should be obtained from the person being suspended, along with other Council owned items (such as laptops and mobile phones), and returned to the appropriate officer or kept securely pending investigation (at this stage it would be acceptable for the drivers of leased cars to keep these in their possession, although Council van drivers should be required to hand back the ignition keys, as these can be used by other employees).
- 7.5 ICT and the appropriate Systems Administrators should be contacted to disable access to all relevant IT systems to ensure that computer data cannot be altered.

8. Recovery of Losses

- 8.1 Managers should seek to recover any losses incurred through acts of financial impropriety from the offenders concerned. Management should consult the Legal Services Manager, the Personnel Services Manager and the ~~Chief Financial Officer~~Assistant Director (s151 Officer) and Executive Director, Central and Community Services to establish the options available to recover losses (e.g. either through the courts, deducted from any outstanding pay (but only with the employee's consent) or by means of insurance).
- 8.2 Where substantial potential losses have been identified at the outset of an investigation, management should seek legal advice immediately from the Monitoring Officer regarding the possibility of freezing the suspect's assets through the courts, pending the conclusion of the investigation.

9. Police or other Investigating Body Referral Procedures

- 9.1 If the allegation involves alleged financial irregularity, corruption or fraud, the Executive Director, Central and Community Services and ~~Chief Financial Officer~~Assistant Director (s151 Officer) must be informed immediately by the relevant Executive Director. These three officers will then agree an appropriate course of action in accordance with these procedures.
- 9.2 Any decision to refer a matter to the Police or other investigating agency (e.g. Department of Work & Pensions Fraud unit, Trading Standards, Office of Fair Trading) will only be taken by the Assistant Director (s151 Officer)~~Chief Financial Officer~~, Executive Director, Central and Community Services and relevant Executive Director.
- 9.3 In such cases the relevant Executive Director will make the necessary contact with the police and/or the Audit Manager will make the necessary contact with any other agreed Investigating Agency. Referral to the police/other agreed Investigating Agency will not preclude action under the Council's disciplinary procedures, nor will it preclude the possibility of a civil action in the courts. A range of sanctions is available to the Council. These include disciplinary action, civil proceedings and, criminal proceedings, ~~official cautions and administrative penalties (mostly as regards Benefit Fraud)~~.

- 9.4 The Audit Manager will handle all agreed Investigating Agency requests for additional evidence, statements or any other form of assistance.
- 9.5 The Council will consider using the services of an Investigating Agency in cases where their additional powers are required to secure evidence or recover funds or where the matter is too serious to be pursued in-house.
- 9.6 In considering a case for Investigating Agency referral or for when considering either a criminal or civil prosecution, two “tests” will be applied – the evidential test and the public interest test. Only when **both** of these tests are satisfied will a case normally be considered as suitable for prosecution by the Council (although this will not preclude the Investigating Agency from pursuing any action of its own).

Evidential Test

Is there enough evidence to provide a realistic prospect of conviction, bearing in mind that a Court will require that the case can be proven “beyond all reasonable doubt”?

In order to ensure that a realistic prospect of conviction exists, Investigating Officers will at all times conduct their investigations in accordance with relevant legislation and in line with published codes of practice and guidance with respect to the gathering of evidence, interviewing and the rules of disclosure. This includes adherence to the requirements for the Regulation of Investigatory Powers Act 2000 (RIPA) and the Police and Criminal Evidence Act 1984 (PACE).

Public Interest Test

The Council will consider whether it is in the public interest to prosecute, having considered the following factors:

- A conviction is likely to result in a sentence;
- The defendant was in a position of authority or trust;
- The evidence shows that the defendant was a ringleader or an organiser of the offence;
- There is evidence that the offence was premeditated;
- There is evidence that the offence was carried out by a group of individuals;
- The defendant’s previous convictions or cautions are relevant to the present offence, if known;
- There are grounds for believing that the offence is likely to be continued or repeated, for example, by a history of recurring conduct; or the offence, although not serious in itself, is widespread in the service where it was committed;
- Aggravating and mitigating factors will be taken into consideration when deciding on the appropriate sanction.

- 9.7 In all cases of fraud, financial misconduct, serious and intentional breach of Financial Regulations or Contract Standing orders or any other kind of corrupt act where there is an investigation by the police or other external agency, the Assistant Director (s151 Officer)~~Chief Financial Officer~~, Executive Director,

Central and Community Services and relevant Executive Director will agree an appropriate course of action in accordance with the Council's disciplinary procedures.

10. Post Investigation

- 10.1 The relevant Executive Director, in consultation with the Executive Director, Central and Community Services or Personnel Services Manager, should agree a method for communicating the outcome of an investigation, and potentially any disciplinary proceedings, to other members of a team involved in any investigation under this policy. Any such feedback will respect confidentiality and data protection issues and will be designed to ensure that other employees are aware of improvements to systems or procedures or are provided with update/refresher training as required to ensure that lessons learnt from the investigation are put into practice. Any public announcement needs to be made by the Communications team.
- 10.2 To prevent further losses and where it will not prejudice any subsequent investigation, management should liaise with Internal Audit to rectify any identified system or control weaknesses that have enabled the financial impropriety to be undertaken.
- 10.3 The relevant Executive Director will report the outcome of any investigation to the Council's Leader and the relevant Portfolio Holder(s).
- 10.4 The Audit Manager will report the outcome of any investigation to the Audit and Risk Committee, which will monitor the implementation of any recommendations arising from the investigation

11. Publicity and Dealing with the Media in Connection with Suspected or Proven Fraud

- 11.1 Any public statements regarding pending, current or completed investigations or allegations of financial impropriety should only be made through the Communications Manager, and will be authorised by the Assistant Director (s151 Officer) Deputy Chief Executive or Executive Director Central and Community Services prior to release. Employees, Members and third parties of the Council should not make any public statement regarding suspected financial impropriety, in order to avoid making libellous statements, or statements that may prejudice ongoing investigations or any subsequent disciplinary/legal action. Public or press requests for information should also be referred to the Communications Manager.
- 11.2 The Communications Manager should optimise the publicity opportunities available to make employees and the public aware of the Council's commitment to taking action on acts of financial impropriety. As such any action taken relating to acts of financial impropriety should, wherever possible, be reported in the press, as a deterrent to other potential offenders.

11.3 Following any investigation, the outcome will be reported back to the Whistleblower by the relevant Executive Director.

12. Roles and Responsibilities (who does what)

In All Cases:

~~**Assistant Director (s151 Officer) Chief Financial Officer:**~~ has overall responsibility for the Council's response to fraud and, in conjunction with the Executive Director, Central and Community Services, to oversee the action taken to investigate allegations.

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Executive Directors: have responsibility for:

- Establishing and maintaining adequate system controls within their directorates, including responsibility for the prevention and detection of fraud and ensuring staff awareness;
- Appointing Investigating Officers where appropriate;
- Informing any agreed external Investigating Agency (e.g. the Police), the Leader and the relevant Portfolio Holder(s).

Managers and supervisors: have responsibility for the prevention and detection of fraud and corruption within their work area and for swiftly reporting allegations brought to them.

Audit Manager: has overall responsibility for fraud investigations and advising on action to be taken. Where appropriate, she will inform the Audit & Risk Committee of any relevant matter.

Monitoring Officer: has responsibility for advising on any legal matter and, where appropriate, informing the Standards Committee of any relevant matter. She has overall responsibility for the Anti-Fraud and Corruption Strategy and associated policy etc.

Communications Manager: ~~At the request of the **Assistant Director (s151 Officer) Deputy Chief Executive/Executive Director Central Services;**~~ responsible for all public statements or announcements regarding any investigation and dealing with any requests from outside the Council for information regarding any such investigations.

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Investigating Officers (often, but not necessarily, a member of the Internal Audit team, in conjunction with the service manager): have responsibility for investigating matters of suspected fraud or corruption and reporting their findings to the Executive Director commissioning the investigation.

Cases Involving Employees:

Employees: are required to act in accordance with the 'Official Officer Code of Conduct' contained in the Employee Handbook to report all actual or suspected cases of financial impropriety, fraud or corruption.

Personnel Services Manager: has responsibility for the operation of the Council's Whistleblowing Policy as it affects employees. Will provide timely advice and guidance on relevant Council policies and procedures during the course of any investigation and any subsequent disciplinary action.

Cases Involving Elected Members:

Council Members: are required to act in accordance with the Members Code of Conduct and should report any suspected, or detected, acts of financial impropriety immediately to the Chief Executive or the Assistant Director (s151 Officer)~~Deputy Chief Executive~~.

Democratic Services Manager: has responsibility for the operation of the Council's Whistleblowing Policy as it affects Council Members.

Cases Involving External Contractors/Third Parties

External Contractors/Third Parties: should report any suspected, or detected, acts of financial impropriety to the Chief Executive or the Assistant Director (s151 Officer)~~Deputy Chief Executive~~.

Appendix A

Whistleblowing Checklist

NB This checklist is not definitive, as each case is different. However, it should be used as a guide and completed as fully as possible. If there is anything relevant identified or done, the "Additional information" section at the foot of the relevant page(s) should be completed. This checklist should be kept at the front of the primary file produced for the case and should be kept up to date. If anything requires clarification, you should consult the Audit Manager in the first instance. If additional information needs to be included, please attach to this checklist.

Suspicion(s) Reported (See Section 3 above)

Received by:

Date received:

Name of whistleblower (if provided):

Whistleblower is: Employee/ Councillor/ Contractor/ member of the public
(Delete those not required)

Concern/ allegation raised by whistleblower or a representative (including names of anyone suspected, why the whistleblower is concerned, details of expected systems/ system checks (e.g. approval signatures) if known:

Nature of allegation:

Fraud/ theft/ corruption/ not clear

Means by which notification received:

Written/ Telephone/ Face to face/
Other (give details):

Request to maintain the whistleblower's name confidential?

Yes/ No

Details of any pre-reporting investigation (if any) to support the concerns:

Name(s) of employee(s) suspected:

Name of relevant Executive Director:

Name of relevant Service Manager:

Additional information:

Initial Response (See Section 4 above)

Date of discussion with whistleblower and/ or representative:

Whistleblower accompanied? Yes/ No By:

Additional information obtained:

Audit Manager informed Date:

Meeting between Audit Manager, ~~Assistant Director (s151 Officer) Chief
Financial Officer~~ and Personnel Services Manager:

_____ Date:

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Covert investigation required? Yes/ No

Open investigation required? Yes/ No

There will/ will not be a full investigation Yes/ No

Likelihood that ICT equipment will need to be seized/ hard disk catalogued/
network area catalogued to provide evidence? Yes/ No

Likelihood that suspension may be required? (BUT consult with the Personnel
Services Manager before making a decision)(NB See next page – this decision
needs to be taken in accordance with the Council’s Dismissal and Disciplinary
Procedure) Yes/ No

If significant losses have been identified as likely, is it appropriate to freeze the
suspect’s assets through the courts, pending the outcome of the investigation
(BUT consult with the Monitoring Officer before making a decision)?
Yes/ No

Other Information:

Appointment of Investigating Officer(s) (See Section 4 above)

Date decision to investigate taken (if different to date of the meeting between AM/ ~~CFO~~Ass't Dir/ Exec Director):

Date on which the Terms of Reference of the investigation were produced:

Name(s) of Investigating Officer(s):

Outline Terms of Reference:

Initial letter to whistleblower (See Section 4.5 above): Date

Drafted by:

Suspect to be suspended on full pay (if not already suspended)? Yes/ No
(NB Decision needs to be made in accordance with the Council's Disciplinary and Dismissal Procedures)

Estimated length of investigation as advised to whistleblower: days/
weeks

If no investigation is to be undertaken, reasons for this as notified to the whistleblower:

Additional Information:

The Investigating Officer’s Investigation (See Section 5 above)

Date started

Details of initial interviewee(s) (including those with the whistleblower/ suspect):

Name of interviewee Date/ time of interview Location of interview

Witness statement produced (NB each page must be signed by both the interviewee and the lead Investigating Officer)?

Yes/ No

ICT equipment seized?

Yes/ No

ICT Network area examined

Yes/ No

Desk/ filing cabinet/ other storage examined/ emptied?

Yes/ No

Other Council assets seized?

Yes/ No

Covert surveillance required?

Yes/ No

If yes, RIPA forms completed?

Yes/ No

RIPA forms authorised?

Yes/ No

NB If, during the course of the investigation, it appears that the police or another external investigatory body needs to be informed/ consulted, the Investigating Officer should refer to the section “Police or other Investigating Body Referral” above.

Report issued to relevant Executive Director:

Date

Recommendation: Evidence to support the allegation/ Insufficient evidence to support the allegation/ further investigation required

Decision as to any further action being taken (See Section 6 above)

NB Any decision should be based upon the 'balance of probabilities', not 'beyond reasonable doubt'.

Upon receiving the Investigating Officer's report, the Executive Director must decide what action, if any, needs to be taken.

On the basis of the report is there sufficient information to make a decision?
Yes/ No

Does the report:

- Adequately cover the issues raised?
- Issue by issue, say whether there is a case to answer?

What information, if any, seems to be missing, such that, if known, a decision as to whether disciplinary action is appropriate can be made?

Guidance sought (e.g. from ~~Assistant Director (s151 Officer)~~~~Deputy Chief Executive~~, Personnel Services Manager, Monitoring Officer, etc.):
Yes/ No

If so, source of guidance:

Date guidance obtained?

Decision regarding future action regarding the accusations:

(NB The decision could be that:

- On the basis of the evidence, there is sufficient evidence to take disciplinary action;
- There is sufficient information to demonstrate that the original concerns are supported by the evidence but that further investigation is required before a firm conclusion can be made or disciplinary action can be taken;
- There is insufficient evidence to support the original concern and that no further action will be taken.)

Date Personnel Services Manager informed of the decision:

Date ~~Assistant Director (s151 Officer)~~~~Deputy Chief Executive~~/ Audit Manager informed of the decision:

Date suspect informed of the decision:

Suspect to be suspended on full pay (if not already suspended)? Yes/ No
(NB Decision needs to be made in accordance with the Council's Disciplinary and Dismissal Procedures)

If further information is required either to make the decision or to provide additional information to support disciplinary action, give brief details below:

Date of disciplinary hearing:

Location of disciplinary hearing:

Outcome of disciplinary hearing: (e.g. Gross Misconduct, Misconduct etc.)

Additional Information:

Recovery of Losses

Is it considered possible that the losses can be recovered:

- | | |
|--|---------|
| • Directly from the suspect? | Yes/ No |
| • Through the Courts? | Yes/ No |
| • From the Council's insurers? | Yes/ No |
| • From some other source? (Give details below) | Yes/ No |

If so, how will the losses be recovered?

Additional Information:

Date of Adoption: ~~6th May 2014~~~~XXXXXX~~
Next review: ~~February 2017~~~~XXXXXX~~

Police or other Investigating Body Referral

NB Any decision to refer the matter to the police or other external investigating agency will be made jointly by Executive Director, Central and Community Services, the Assistant Director (s151 Officer) ~~Deputy Chief Executive~~ and the appropriate Executive Director.

Referral agreed: Yes/ No Date

Agency Date informed Further action?

Police
DWP
Trading Standards
Norfolk County Council
Office of Fair Trading
Other (give details):

If appropriate, Police Crime Number: _____

Outcome of the external agency's investigation. (NB This could take some months, depending upon the agency and the nature of their investigation):

Other information:

Post Investigation

Informant advised of the outcome of the investigation Date:

Service area staff informed Date:

Leader informed Date:

Relevant Portfolio Holder informed Date:

| Audit & Risk Committee informed Date:

| System changes instituted to minimise the risk of re-occurrences:

Follow-up review required?

Publicity etc.: Any public notice of the fraud/ corruption, etc. Yes/ No
(NB Any media dealings are to be dealt with by the Communications Section)

Publications notified: Lynn News Yes/ No
Eastern Daily Press Yes/ No
Other (if so, which?) Yes/ No

| Professional body notified Yes/ No/ Not applicable

Other Information:

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