



St Georges and Priorslee Parish Council

Anti-Fraud and Corruption Policy

1. INTRODUCTION

- 1.1 St George's and Priorslee Parish Council is responsible for delivering a wide range of local services to a population of approaching 9,000 residents.
- 1.2 In administering its responsibilities, the Council is set against fraud and corruption, whether it is attempted on the Council from outside or inside, and is committed to an effective Anti-Fraud and Anti-Corruption Strategy designed to:
 - Maximise prevention
 - Promote detection
 - Identify a clear pathway for investigation and action
- 1.3 Stakeholders have a right to expect the highest possible standards of honesty and integrity from the Council, its officers and the individual Members elected to represent them, and that the actions of those persons are free of fraud and corruption.
- 1.4 Like all local authorities, St Georges and Priorslee operates within a statutory framework which governs the behaviour of elected Members and Officers, in addition to which, it has a well-established framework of guidance on best practice which is laid down in its Financial Regulations, Standing Orders and codes of conduct for both Members and Officers.
- 1.5 The aim of this document is, therefore, that it should be a policy statement of the Council's strategy for combating and dealing with fraud and corruption both within and against the authority. As such, it provides an overview of the key principles to be observed by Members and staff (identified in the Audit Commission report "Protecting the Public Purse". Additionally, nothing in this document shall preclude the Monitoring Officer of Telford and Wrekin Council from fulfilling his/her statutory responsibilities.

2. CURRENT STATUTORY REQUIREMENTS

- 2.1 The main requirements upon local government employees and Members are now largely contained within the Local Government Act 2000 and subsequent Model Code of Conduct for members.

3.2 Local Government Act 2000 PRINCIPLES OF CONDUCT

Selflessness

Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

Members should not place themselves in situations where their honesty and integrity be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

Members should make decisions on merit including when making appointments, contracts, or recommending individuals for rewards or benefits.

Accountability

Members should be accountable to the public for their actions and the manner in they carry out their responsibilities and should cooperate fully and honestly with any scrutiny appropriate to their particular office.

Openness

Members should be as open as possible about their actions ,and should be prepared to give reasons for those actions.

Personal Judgment

Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others

Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other staff.

Duty to uphold the Law

Members should uphold the law and on all occasions act in accordance with the trust that the public is entitled to place in them.

Stewardship

Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership

Members should promote and support these principles by leadership, and by example and should act in any way that secures or preserves public confidence.

4. CODE OF CONDUCT FOR MEMBERS AND CO-OPTES

4.1 The Code of Conduct for Members is the Model Code of Conduct for Local Authorities; this having been adopted by the Council and effective from 1st May 2002. Members are specifically required to operate within the following legislation:

- Local Government Act 2000
- Local Government Act 1972 (ss94-98)
- Local Authorities (Model code of Conduct) Order 2001

4.2 Ad hoc advice may be obtained from the Parish Clerk.

4.3 The key principles underpinning these documents are listed below and are aimed at avoiding any action which cannot be justified to the public, and to avoid both actual impropriety and any occasion for suspicion and appearance of improper conduct which could be damaging to the Member and the Council.

4.4 Responsibilities for Members

Members must declare any interest required under section 81 of the Local Government Act 2000. The Register of Members' Interests shall be maintained by the Monitoring Officer of Telford and Wrekin Council.

- Members are also required to notify the Parish Clerk of any relevant disclosures currently required under ss 94-98 of the Local Government Act 1972.
- Use of confidential and private information – Confidential information obtained or received by virtue of the office held is not to be disclosed, nor is it to be used to the advantage of any Member as a private individual.
- Gifts and hospitality – the offer or receipt of gifts or invitations must always be reported to the appropriate senior officer of the Council. Members are personally responsible for avoiding damage to public confidence in local government through the acceptance of such gifts or hospitality. The register of such gifts and offers shall be maintained by the Parish Clerk and Members are reminded of the requirement to declare all such items with an estimated value of £25 or more.
- Expenses and Allowances – strict rules governing claims must be adhered to and Members should particularly note that they may claim expenses and allowances only for approved duties. Advice on claims may be sought from the Parish Clerk.
- Dealings with the Council - Members may not use their position to obtain preferential treatment for themselves or their family or friends, nor to place themselves in a position that leads the public to believe this.
- Council facilities are to be used only for that purpose.
- Appointment to other bodies – The Model Code of Conduct for Members must always be observed when carrying out duties for any other body.

5. Code of Official Conduct for Officers

5.1 An authority's most important asset in preventing fraud and corruption is its work force.

Sound recruitment procedures are essential if the honesty and integrity of staff is to be assured and an environment that condemns fraudulent and corrupt activity is to be maintained. In particular, this requires strict adherence to recruitment procedures laid down by the Parish Clerk which must demonstrate a strong system of vetting references confirming qualifications and establishing (where appropriate) whether any criminal offences have been committed. The Council has a legal duty only to appoint staff on the basis of merit.

5.2 As a general principle, staff should be encouraged to come forward if dishonest acts are identified or suspected.

5.3 Responsibilities of Employees

Each employee is governed in their work by the Council's Standing Orders and Financial Regulations, and other policies on conduct and IT usage. Included in the Council policies are guidelines on Gifts and Hospitality, and codes of conduct associated with professional and personal conduct and conflict of interest. These are issued to all employees when they join the Council. In addition, employees are responsible for ensuring that they follow any instructions given to them, particularly in relation to the safekeeping of the assets of the Council. Employees are expected always to be aware of the possibility that fraud, corruption and theft may exist in the workplace and be able to share their concerns with management.

6. Role of the Internal Audit

Role of Internal Audit Internal Audit plays a preventative role in trying to ensure that systems and procedures are in place to prevent and deter fraud and corruption. Internal Audit may be requested to investigate cases of suspected financial irregularity, fraud or corruption, except Benefit fraud investigations, in accordance with agreed procedures. Within the Financial Procedure Rules in the Constitution, representatives of Internal Audit are empowered to:

- enter at all reasonable times any Council premises or land
- have access to all records, documentation and correspondence relating to any financial and other transactions as considered necessary
- have access to records belonging to third parties such as contractors when required
- require and receive such explanations as are regarded Require any employee of the Council to account for cash, stores or any other Council property under his/her control or possession. Internal Audit liaises with management to recommend changes in procedures to reduce risks and prevent losses to the Parish Council.

7. Role of the External Auditors

Independent external audit is an essential safeguard of the stewardship of public money. This is currently carried out by Ernst & Young through specific reviews that are designed to test (amongst other things) the adequacy of the Council's financial systems and arrangements for preventing and detecting fraud and corruption. It is not the external auditors' 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 without undue delay if grounds for suspicion come to their notice. The Council contributes to the biannual Audit Commission led National Fraud Initiative which is designed to cross match customers across authorities too highlight areas where there are potential fraudulent claims.

8. Role of the Public

This policy, although primarily aimed at those within or associated with the Parish Council, enables concerns raised by the public to be investigated, as appropriate, by the relevant person in a proper manner

9. Conflicts of Interest

Both elected members and employees must ensure that they avoid situations where there is a potential for a conflict of interest. Such situations can arise with externalisation of services, internal tendering, planning and land issues etc. Effective role separation will ensure decisions made are seen to be based upon impartial advice and avoid questions about improper disclosure of confidential information.

10. Official Guidance

In addition to Financial Regulations and Standing Orders, due regard will be had to external and inspectorate recommendations. The Council is aware of the high degree of external scrutiny of its affairs by a variety of bodies such as Government Inspection bodies, the Local Government Ombudsman and HM Revenues and Customs. These bodies are important in highlighting any areas where improvements can be made.

11. Detection and Investigation

Internal Audit plays an important role in the detection of fraud and corruption. Included within the audit plans are reviews of system controls including financial controls and specific fraud and corruption tests, spot checks and unannounced visits. In addition to Internal Audit, there are numerous systems and management controls in place to deter fraud and corruption but it is often the vigilance of employees and members of the public that aids detection. In some cases frauds are discovered by chance or “tip-off” and the Council will ensure that such information is properly dealt with within its whistle blowing policies. Detailed guidance on the investigation process is available separately.

12. Disciplinary Action

The Council’s Disciplinary Procedures will be used to facilitate a thorough investigation of any allegations of improper behaviour by employees. Theft, fraud and corruption are serious offences which may constitute gross misconduct against the Council and employees will face disciplinary action if there is evidence that they have been involved in these activities, including Benefit fraud. Disciplinary action will be taken in addition to, or instead of, criminal proceedings depending on the circumstances of each individual case. Members will face appropriate action under this policy if they are found to have been involved in theft, fraud and corruption against the Authority. Action will be taken in addition to, or instead of criminal proceedings, depending on the circumstances of each individual case but in a consistent manner. If the matter is a breach of the Code of Conduct for Members then it will be dealt with in accordance with the Arrangement agreed by the Council in accordance with the Localism Act 2011.

13. Prosecution

In terms of proceedings, the Parish Council will endeavour to take action in relevant cases to deter others from committing offences against the Authority.

14. Awareness & Monitoring

The Parish Council recognises that the continuing success of this policy and its general credibility will depend in part on the effectiveness of training and awareness for members and employees and will therefore take appropriate action to raise awareness levels.

This policy will be reviewed on an annual basis.

Reviewed 16th May 2017

Signed by(Chairman)