

# **Title of report: Anti-Fraud, Bribery & Corruption Policy**

**Meeting: Audit and Governance Committee**

**Meeting date: Monday 27 June 2022**

**Report by: Counter Fraud Manager**

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose**

For the committee to review and approve the updated Anti-Fraud, Bribery and Corruption Policy attached at appendix A and consider recommendations for improvements.

## **Recommendation(s)**

**That:**

- a) **The updated Anti-Fraud, Bribery and Corruption Policy attached at appendix A be reviewed and the committee determine any recommendations it wishes to make to ensure its effectiveness; and**
- b) **The updated Anti-Fraud, Bribery and Corruption Policy is approved by the committee and recommended for adoption by the cabinet member for finance**

## **Alternative options**

1. There are no alternative recommendations. The report provides a factual updated policy in accordance with the functions of the committee.

## **Key considerations**

2. This report recommends an updated Anti-Fraud, Bribery and Corruption Policy, which is a detailed procedural document. The Audit and Governance committee has the remit 'To

maintain an overview and agree changes to the council policy on 'Anti-Fraud, Bribery and Corruption'.

3. The Anti-Fraud, Bribery and Corruption Policy (policy) provides a clear framework alongside the council's Counter Fraud and Corruption Strategy (strategy), for the council to undertake necessary, legal and proportionate actions wherever the evidence supports an investigation into an allegation of fraud, and to seek recovery of defrauded monies through all possible legal means.
4. Both the policy and strategy reflects that the council is continually striving to develop the organisation's counter fraud maturity.
5. The minimisation of losses to fraud and corruption is essential for ensuring that public resources are used for their intended purpose of providing services to its local residents. The council is therefore ensuring that structured guidance and policy framework is available to all staff, councillors, contractors, the council's partners and to the public.

### **Community impact**

6. The policy at Appendix A will assist in protecting public resources and support the code of corporate governance principle which states that:
  - a) Implementing good practices in transparency, reporting, and audit to deliver effective accountability. Herefordshire Council must ensure that those making decisions and delivering services are accountable for them. To support effective accountability the council is committed to reporting on actions completed and outcomes achieved, and ensuring stakeholders are able to understand and respond as the council plans and carries out its activities in a transparent manner. External and internal audit contribute to effective accountability.

### **Environmental impact**

7. The council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
8. Whilst this is a factual policy update so will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the council's Environmental Policy, for example by utilising energy efficient methods of communication.

### **Equality duty**

9. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

  - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a factual update, we do not believe that it will have an impact on our equality duty.

### **Resource implications**

11. The policy supports the best use of council services. An effective policy is essential for the responsible management of public finances and to ensure best practise procedures are available to assist the organisation in countering fraudulent activity.

### **Legal implications**

12. There are no legal implications arising from the proposed update to the Anti-Fraud, Bribery and Corruption Policy.

### **Risk management**

13. Through the provision of an up to date and informative Anti-Fraud, Bribery and Corruption Policy, the Council is providing internal staff, associated organisations and members of the public with the essential information needed, to understand and report instances of alleged fraud.
14. The policy also sets out clear guidance and procedures in managing the organisation's risk to fraud, bribery, tax evasion and corruption, which further supports the Council's counter fraud risk assessment.

### **Consultees**

16. None

### **Appendices**

Appendix A - Anti-Fraud, Bribery and Corruption Policy

### **Background papers**

None identified