

Counter Fraud & Corruption Policy

Final Decision-Maker	Audit, Governance & Standards Committee
Lead Head of Service	Rich Clarke, Head of Audit Partnership
Lead Officer and Report Author	Rich Clarke, Head of Audit Partnership
Classification	Public
Wards affected	All

Executive Summary

This Committee recommended for approval a refreshed Counter Fraud & Corruption Policy on 15 January 2018 with a provision to review in two years. This report presents that review and largely retains the document as before, bar an addition setting out guidance for people who become involved in an investigation.

Purpose of Report

Recommendation

This report makes the following recommendations to this Committee:

1. That the Policy & Resources Committee be recommended to approve the Counter Fraud & Corruption Policy.

Timetable

Meeting	Date
Audit, Governance & Standards Committee	13 January 2020
Policy & Resources Committee	(to be confirmed)

Counter Fraud & Corruption Policy

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims by helping enhance the quality of corporate governance.	Rich Clarke Head of Audit Partnership 2 January 2020
Cross Cutting Objectives		
Risk Management	See below in report.	
Financial	The proposals set out are all within already approved budgetary headings and so need no new funding. It is consistent with the principles of good governance to have in place a robust Counter Fraud & Corruption Policy.	
Staffing	We will deliver the recommendations with our current staffing. The Mid Kent Audit team includes 3 officers with relevant professional qualifications, and we have access to further trained individuals in other teams and through call-off contractor arrangements. We will keep the required level of experience and expertise under review.	
Legal	The Council is free to set out policies on how it will address economic crime risk and incidents. The actions set out in the policy are within the Council's powers, which include investigating reports and referring for prosecution.	
Privacy and Data Protection	<p>The Policy includes references to how we will use information to help identify and address risks of economic crime. The Policy also sets out that we will share information with others where useful and efficient.</p> <p>We will undertake all data sharing in line with applicable laws and policies.</p>	
Equalities	The recommendation does not propose a change in service that requires an equalities impact assessment.	
Public Health	No relevant impact	

Issue	Implications	Sign-off
Crime and Disorder	The Policy aims to improve the Council's approach in dealing with specific forms of crime.	
Procurement	The Policy does not require any immediate procurement. Any future procurement exercises for products or services that would enhance our approach will be undertaken in line with applicable Standing Orders.	

2. INTRODUCTION AND BACKGROUND

- 2.1 This Committee recommended for approval a refreshed Counter Fraud & Corruption Policy on 15 January 2018, modelled around CIPFA's Counter Fraud Code of Practice. In keeping with good practice, that policy proposed a review cycle whereby it would come back to Members for re-consideration every two years.
- 2.2 The current document, attached, largely retains the Policy as approved in 2018 reflecting the continued good practice set out by CIPFA. It has some cosmetic modifications (including addition of further Maidstone BC branding) and minor text clarifications. However, the only modification of note is towards the end of the Policy (paragraphs 45-47) of additional guidance to those who may become involved in investigations.
- 2.3 This addition springs from experience of the audit team conducting investigations in the past two years and incorporates in the standard policy key tenets of guidance that has hitherto been provided individually during investigations.

3. AVAILABLE OPTIONS

- 3.1 Members could choose to reject these additions and retain the Policy as approved in January 2018.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 We recommend approval of the Policy at Appendix 1. The Policy remains consistent with good practice as set out by CIPFA, and the addition of guidance for those subject to investigations will help standardise information previously provided case-by-case and make it available to people more generally.
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5. RISK

- 5.1 We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Risk Management Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The original Policy in 2018 underwent consultation with the Council's Corporate and Wider Leadership Teams. In compiling this update we have consulted with CIPFA as members of their Counter Fraud Network to seek any new developments for incorporation, but were advised of no new significant updates for inclusion.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Once agreed, the Policy will replace the previous version available on the Council's intranet.

8. REPORT APPENDICES

- Appendix 1: Counter Fraud & Corruption Policy
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9. BACKGROUND PAPERS

CIPFA Code of Practice as per previous papers on 15 January 2018.