

Report of:	Meeting	Date
Corporate Director Resources (Section 151 Officer)	Audit Committee	16 November 2021

ANNUAL REVIEW OF THE COUNCIL'S COUNTER FRAUD POLICIES – ANTI-FRAUD, CORRUPTION AND BRIBERY, ANTI-MONEY LAUNDERING, WHISTLEBLOWING AND GIFTS AND HOSPITALITY AND REGISTERING INTERESTS

1. Purpose of report

1.1 Approval of the Council's Counter Fraud Policies, namely:

- Anti-Fraud, Corruption and Bribery;
- Anti-Money Laundering;
- Whistleblowing; and
- Gifts and Hospitality and Registering Interests.

2. Outcomes

2.1 The ability to demonstrate that the council has arrangements in place that are designed to promote and ensure probity and propriety in the conduct of its business.

3. Recommendation

3.1 Members are asked to approve the policy documents detailed above.

4. Background

4.1 The Audit Committee work plan includes an annual review of the policies listed below:

4.2 Anti-Fraud, Corruption and Bribery - originally approved by the Standards Committee in 2006. The policy was amended in November 2011 to make reference to the Bribery Act 2010, which came into effect on the 1 July 2011.

4.3 Anti-Money Laundering Policy and Procedure - The Council's Anti-Money Laundering Policy and Procedure was first introduced in 2007 to comply with the new 'Money Laundering Regulations (MLR) 2007 Act', which came into effect in December 2007. In June 2017 the MLR were superseded by the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017. In 2019 further changes to the

regulations came into force updating the UK's anti-money laundering regime to incorporate international standards set by the Financial Action Task Force (FATF) and to transpose the EU's 5th Money Laundering Directive.

- 4.4** Whistleblowing - originally agreed by the Standards Committee in 2004. The Whistleblowing Policy has been reviewed using the British Standards Institute (BSI) Whistleblowing Arrangements Code of Practice for 1998:2008 and the Enterprise and Regulatory Reform Act (ERRA) which received royal assent on 25 April 2013. The ERRA includes major changes to employment law which will impact considerably on whistleblower protection. The policy has also been reviewed to ensure it is in line with the Public Concern At Work publication; The Whistleblowing Commission - Report on the effectiveness of existing arrangements for workplace whistleblowing in the UK, published in November 2013.
- 4.5** Gifts and Hospitality and Registering Interests – originally agreed by Audit Committee in February 2009.

5. Key Issues and proposals

- 5.1** The general aim of all the council's counter fraud policies is to reduce the occurrence and impact of fraud, corruption and bribery on the organisation and provide an effective channel of communication for anyone who has concerns or suspicions of malpractice.
- 5.2** The Anti-Fraud, Corruption and Bribery Policy has been amended to reflect the changes to staff titles following a recent re-structure and to document that the NFI exercise is now completed annually not biannually.
- 5.3** The Anti-Money Laundering Policy and Procedure was last reviewed by the Audit Committee in March 2021. There have been no further changes to this document since this review. Future reviews will be carried out annually in November along with the other counter fraud policies.
- 5.4** The Whistleblowing Policy has been amended to update the NSPCC's telephone number and to reflect the changes to staff titles following a recent re-structure.
- 5.5** The Gifts and Hospitality and Registering Interest's Policy has been amended to reflect the change in staff titles following a recent re-structure and to remove the reference to 'BRIAN' following the launch of the Wyre Hub.
- 5.6** All the draft policies can be viewed by using the following link. All amendments have been track changed.

<https://wyregovuk.sharepoint.com/sites/Governance/SitePages/Counter-fraud-and-corruption.aspx>

Financial and legal implications	
Finance	There are no specific financial implications arising from the adoption of these counter-fraud policies.
Legal	The Council's counter-fraud policies assist in good governance and probity of Council actions and decision-making.

Other risks / implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	X
equality and diversity	X
sustainability	X
health and safety	X

risks/implications	✓ / x
asset management	X
climate change	X
ICT	X
Data protection	X

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018

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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

None