

Report of:	Meeting	Date
Head of Finance (Section 151 Officer)	Audit Committee	13 November 2018

ANNUAL REVIEW OF 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 following policies:

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.

Anti-Money Laundering - first introduced in 2007 to comply with the new 'Money Laundering Regulations (MLR) 2007 Act', which came into effect in December 2007. From the 26 June 2017 the MLR were superseded by the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017. In November 2017 the Council's Anti-Money Laundering Policy and Procedure was refreshed to ensure it complies with the new regulations.

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.

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 Whistleblowing Policy has been amended to reflect the change made to Unison Chairperson.
- 5.3** The Anti-Fraud, Corruption and Bribery Policy has been amended to reflect the changes made to the council's External Auditors key contact; Deloitte and also to reflect the council's Head of Finance now being the council's Section 151 Officer. The Policy also now refers to the Audit Committee's annual inspection of the council's gifts and hospitality register.
- 5.4** The gifts and hospitality and registering interest policy has been amended to refer to the new on-line reporting procedure which is on the council's intranet and to reflect Audit Committee's annual inspection of the register.
- 5.5** There have been no changes to the Anti-Money Laundering Policy and Procedure.
- 5.6** Councillors can view all the draft policies by using the following link. Changes are highlighted in yellow.

<http://intranet/services/Counter%20Fraud%20and%20Corruption/Pages/default.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

Processing Personal Data

If the decision(s) recommended in this report will result in personal data being processed, a privacy impact assessment (PIA) will have been completed and signed off by the council's Data Protection Officer before the decision is taken (as required by the General Data Protection Regulations 2018).

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

List of appendices

None