

Report to:	Cabinet	Date of Meeting:	5 December 2019
Subject:	Anti-Fraud, Corruption and Bribery Policy		
Report of:	Head of Corporate Resources	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

The purpose of this report is to obtain Cabinet approval for the revised Sefton Council Anti-Fraud, Bribery and Corruption Policy for adoption by the Council.

The existing Policy has been reviewed and revised in order to strengthen and improve the Council's overall arrangements for the prevention, detection and investigation of fraud, bribery and corruption. The revised Policy provides guidance on how any individual can report, in confidence, any suspected fraudulent or corrupt activity.

Recommendation(s):

- (1) Note the contents of this report.
- (2) Approve the revised Sefton Council Anti-Fraud, Bribery and Corruption Policy for adoption by the Council.

Reasons for the Recommendation(s):

Sefton Council is required by law to protect the public funds it administers and to raise awareness in relation to any potential threats that may affect the financial and/or reputational position of the Council. The revised Sefton Council Anti-Fraud, Bribery and Corruption Policy will support the Council's commitment to creating an environment in which fraud, bribery and corruption is minimised and complements a number of other Council policies which support internal controls and expected standards of behaviour.

Alternative Options Considered and Rejected: (including any Risk Implications)

If the Council fails to put in place proper policies regarding fraud, bribery and corruption, it will be unable to demonstrate adherence to proper practices in relation to the prevention and detection of fraud and its actions or decisions could be challenged.

The Council also faces financial and reputational risk in that: -

- standards of public service that the Council is attempting to achieve are undermined.
- financial resources available to pay for vital services are reduced.
- public confidence in the Council is affected.

What will it cost and how will it be financed?

(A) Revenue Costs – There are no revenue costs associated with the Policy outside of the approved budget.

(B) Capital Costs – There are no capital costs associated with the Policy.

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets):</p> <p>None arising from this report.</p>
<p>Legal Implications:</p> <p>S151 Local Government Act 1972 states that “every Local Authority is under a statutory duty to secure the proper administration of its financial affairs” (i.e. to safeguard public funds).</p>
<p>Equality Implications:</p> <p>There are no equality implications.</p>

Contribution to the Council’s Core Purpose:

Protect the most vulnerable: None
Facilitate confident and resilient communities: None
Commission, broker and provide core services: Effective measures to counter the risk of fraud, bribery and corruption will contribute to the effective function of governance arrangements at the Council, helping to minimise losses and risks to the organisation and thereby contributing to the achievement of overall Council priorities.
Place – leadership and influencer: None
Drivers of change and reform: None
Facilitate sustainable economic prosperity: None
Greater income for social investment: None
Cleaner Greener: None

What consultations have taken place on the proposals and when?**(A) Internal Consultations**

The Head of Corporate Resources (FD5823/19) and the Chief Legal and Democratic Officer (LD4047/19) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not relevant for the purposes of this report.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

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Appendices:

The following appendices are attached to this report:

Appendix 1 – Sefton Council Anti- Fraud, Bribery and Corruption Policy

Background Papers:

There are no background papers available for inspection.

1. Introduction

1.1 Sefton Council’s (“the Council”) Anti-Fraud, Bribery and Corruption Policy (“the Policy”) was last reviewed in October 2016 and since that time monitoring of the Policy arrangements has been conducted by the Council’s Audit and Governance Committee.

1.2 The Policy is an integral part of a range of inter-related Council policies and procedures that provide a corporate framework to help counter any fraudulent activity. These have been formulated in line with appropriate legislative requirements and professional best practice and include: -

- Code of Conduct for Members
- Code of Conduct for Employees
- Confidential reporting -Whistle-Blowing Policy
- Corporate Complaints Procedures
- Recruitment and Selection Procedures
- Disciplinary procedures and guidelines

- Contract Procedure Rules
- ICT Acceptable Use Policy

2. Anti-Fraud, Bribery and Corruption Policy

2.1 The Policy sets out the Council's position in respect of fraud, bribery and corruption and is applicable to all aspect of the Council's business, its members, employees, contractors and any persons or organisations doing business with the Council.

2.2 The Policy has been reviewed to ensure it continues to meet good practice principles and align with the Government's counter fraud and corruption strategy for local government.

2.3 The Policy is intended as a high-level statement of overall principles and approach rather than detailed guidance and sets out:

- The Council's commitment to the protection of public funds
- The approach to managing the risk of fraud, bribery and corruption
- The strategy in preventing, detecting and investigating fraud, bribery and corruption
- Guidance on how an individual can report suspected fraudulent or corrupt activity
- Expected behaviour of Members and Employees, the Public and External Parties who have dealings with the Council.
- Key Roles and Responsibilities in minimising the risk of fraud, bribery and corruption
- The Council's main rules and procedures aimed at preventing fraud, bribery and corruption.
- Types of fraud – some examples
- Risk factors

2.4 A copy of the revised Policy can be found in Appendix 1.

3. Monitoring arrangements

3.1 The Policy will form part of the Council's monitoring arrangements conducted by the Audit and Governance Committee ("the Committee).

3.2 The monitoring role of the Committee includes the consideration of the Council's internal control systems, risk management and corporate governance issues.

3.3 As part of its role the Committee will ensure that the Policy

- continues to comply with relevant legislation and best practice
- remains effective, in particular in acting as a deterrent against acts of fraud, bribery and corruption.