

# **Review of the Anti-Fraud, Bribery and Corruption Policy and Anti-Fraud Strategy Statement**

## **Audit & Scrutiny Committee Tuesday, 26 September 2023**

Report of: Head of Legal Services & Monitoring Officer

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Purpose: For decision

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Publication status: Unrestricted

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Wards affected: All

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### **Executive summary:**

The Committee is the designated body for oversight of the Council's Anti-Fraud and Anti-Corruption Policy ('the Policy'). This Policy has not been updated since 2021.

The Committee is requested to review and approve the updated Anti-Fraud, Bribery and Corruption Policy attached at appendix A and the Anti-Fraud Strategy Statement at appendix B and consider recommendations for improvements.

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**This report supports the Council's priority of:** Building a better Council

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### **Recommendation to Committee:**

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;
  - B. The updated Anti-Fraud, Bribery and Corruption Policy is approved by the Committee and recommended for adoption;
  - C. The updated Anti-Fraud Strategy Statement attached at appendix B be reviewed and the Committee determine any recommendations it wishes to make to ensure its effectiveness; and
  - D. The updated Anti-Fraud Strategy Statement is approved by the Committee and recommended for adoption by Full Council.
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## **Reason for recommendation:**

Both the Policy and the Strategy Statement are revised documents and this Committee in its terms of reference has a duty that such documents are kept up to date and are fit for purpose.

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### **Introduction and background**

- 1 The Council has a duty to protect the public funds under its control against fraud, bribery and corruption both from within the Council and from external sources. In the current climate of reduced funding and financial hardship it is more important than ever that losses to the Council because of fraud, bribery and corruption are kept to a minimum to ensure that its limited resources are used for their intended purpose.
- 2 The Anti-Fraud, Bribery and Corruption Policy ('Policy') provides a clear framework alongside the Council's Anti-Fraud Strategy Statement 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.
- 3 Ensuring policies are up to date and Officers are aware of the risk of fraud, bribery and corruption is critical to enabling losses to be minimised and securing reputation. The Terms of Reference of this Committee include the requirement "To monitor and review" the Council's Anti-Fraud and Anti-Corruption Policy and the Anti-Fraud Strategy Statement .
- 4 Although there is no silver bullet for tackling the issues of fraud, corruption and bribery, one way is to create a strong anti-fraud culture within the organisation. The revised policy attached as Appendix 1 to this report, identifies the need to embed the risk of fraud and corruption, including bribery, into the culture of the organisation. Officers at all levels will need to ensure that they consider ways to minimise the risks of fraud, bribery and corruption as part of their day-to-day duties.
- 5 Over the past 12 months the Council has delivered fraud awareness training to various sections including Housing staff and the Revenue and Benefits Team. Work is being undertaken that all Officers complete a mandatory e-learning module to assist them in understanding the risk of Fraud, Corruption and Bribery. This training will be supported by annual refresher training. The Council has a Joint Working Agreement with Reigate and Banstead Borough Council that provides for the delivery of training, reporting, policy review, anti-fraud initiatives and where necessary investigation. This supplements expertise within individual areas of the Council such as Housing, Revenues and Benefits and Exchequer.
- 6 It is therefore vitally important that anti-fraud policies and strategies are kept up to date to support and guide Officers, ensuring compliance with laws and regulations, giving guidance for decision-making, and streamlining internal processes.

## **Key implications**

### **Comments of the Chief Finance Officer**

There are no direct financial implications arising from this report. However, theft, fraud and corruption, including bribery, are all offences of a financial nature and can cause significant financial loss to the Council. The Policy and Strategy makes it clear that anti-fraud and bribery is an organisational wide issue and all staff and Members have a role to play in the prevention, detection and investigation of these, as appropriate.

### **Comments of the Head of Legal Services**

This Policy and Strategy satisfies the legislative requirements to have effective arrangements for tackling fraud, bribery and corruption.

### **Equality**

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; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The public-sector equality duty requires the Council to consider how it can positively contribute to the advancement of equality and good relations and demonstrate that it is paying 'due regard' in its decision making in the design of policies and in the delivery of services.

The Policy does not impact directly on this duty but requires that any activity carried out under the Policy complies with the relevant equality policies.

### **Climate change**

There are no climate change implications arising directly from the proposed policy.

### **Appendices**

Appendix A - Anti-Fraud, Bribery and Corruption Policy

Appendix B – Anti Fraud Strategy

## **Background papers**

None.

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