



Anti-Fraud & Corruption Policy

A guide to the Council's approach to preventing fraud and corruption and managing any suspected cases

September 2016

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1. Background – Principles of Public Life

- 1.1 The Nolan Report relating to the Principles of Public Life published in 1997 defined seven general principles that should underpin public life. These were subsequently incorporated by the Government into the “Relevant Authorities (General Principles) Order 2001”. The Council expects both members and employees to follow these principles when carrying out their roles and responsibilities:-
- **Selflessness.** Holders of public office take decisions in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families, or their friends.
 - **Integrity.** Holders of public office should not place themselves under any financial or other obligations to outside individuals or organisations that might influence them in the performance of their official duties.
 - **Objectivity.** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
 - **Accountability.** Holders of public office are accountable for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office.
 - **Openness.** Holders of public office should be as open as possible about all of the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
 - **Honesty.** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve conflicts arising in a way that protects the public interest.
 - **Leadership.** Holders of public office should promote and support these principles by leadership and example.
- 1.2 The Council is fully committed to ensuring that it carries out its day to day operations in accordance with the principles of good Corporate Governance, including integrity, openness and accountability. These principles require a culture within the Council that is based upon honesty, where accountability is clear and where decisions and behaviours can be challenged.
- 1.3 An Anti-Fraud and Corruption Policy is an essential element of such a culture and signifies the Council’s expectation that elected Members and employees at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

2. Policy Context

- 2.1 The Council recognises that it is important that its policy is deliverable and clearly links to operational considerations. Our approach is articulated in the Council’s Anti-Fraud and Corruption Strategy, which is focused on identifying, delivering and monitoring outcomes, and an action plan which includes practical measures which ensures the Council’s Policy is turned into practice.

3. Anti-Fraud and Corruption Policy

- 3.1 The Council is determined to prevent and eliminate all fraud and corruption affecting itself, regardless of whether the source is internally or externally based. Our strategy to reduce fraud is based on deterrence, prevention, detection, investigation, sanctions and redress within an over-riding anti-fraud culture. We will promote this culture across all our service areas and within the community as a whole. One pound lost to fraud means one pound less for public services. Fraud is not acceptable and will not be tolerated.
- 3.2 We will seek to promote an anti-fraud culture within our community by publicising the impact of fraud on the community. We will also seek to assist our partners and our community to understand and reduce fraud threats through a programme of awareness training. Furthermore, we will seek to deter fraudsters through specific publicity and general campaigns.
- 3.3 The Council takes a holistic approach to anti-fraud measures. Fraud prevention and system security is an integral part of the development of new systems and ongoing operations. Managers will consider the fraud threats and take advice where appropriate when implementing any financial or operational system.
- 3.4 To achieve this aim the Council will:-
- Identify the procedures to encourage Members, employees and the general public to **report** any suspicions of fraud and corruption in the knowledge that such reports will be treated confidentially and not result in discrimination against the person providing the information.
 - Identify procedures and policies within the Council to encourage prevention.
 - Promote detection.
 - Determine the procedure for investigation and subsequent actions required following the conclusion of the investigation.
- 3.5 The Policy is designed to supplement existing Council policies and procedures including Standing Orders and Financial Regulations, Codes of Conduct (Employees and Members) and the Disciplinary Procedure.
- 3.6 For ease of reference, this document lists the following existing Council policies, which form the key building blocks in the Council's anti-fraud and corruption governance arrangements:
- Financial Regulations
 - Standing Orders
 - Code of Official Conduct
 - Members Code of Conduct
 - Anti-Money Laundering Policy
 - Confidential Reporting Code / Whistleblowing Policy
 - Regulation of Investigatory Powers Act Policy.

4. How the Council Currently Manages the Risk of Fraud and Corruption

- 4.1 In recent years the Council has experienced a relatively low level of detected fraudulent and corrupt activity. Where such activity has been identified prompt action has been taken to investigate and seek sanctions and redress. In its policies and procedures the Council gives out the clear message that it will not tolerate any impropriety by employees or Members.
- 4.2 The Council manages the risk of fraud and corruption in a number of ways:-

Internal Control Environment.

- 4.3 The Council revised its Constitution in June 2015, incorporating responsibilities for decision making and rules of procedure. These procedures, together with detailed Financial Regulations, act as the framework for financial control within the Council. All officers are required to act in accordance with these rules and regulations when carrying out their duties.
- 4.4 The Council aims to have in place efficient and effective systems of control that as far as possible prevent potential fraudsters from exploiting weaknesses. The prime responsibility for maintaining such systems lies with service managers with support provided by the Council's Internal Audit function.

Key Controls

- 4.5 Corporate Governance best practice specifies that the following key controls should exist within an authority committed to the prevention of financial irregularities:
- The Authority has an effective anti-fraud and anti-corruption policy and maintains a culture that will not tolerate fraud or corruption
 - All Members and employees act with integrity and lead by example.
 - Senior managers are required to deal swiftly and firmly with those who defraud or attempt to defraud the Authority or who are corrupt.
 - High standards of conduct are promoted amongst Members by the Standards Committee, including the provision of advice and relevant training on matters relating to the Code of Conduct.
 - A Register of Interests is maintained to enable Members and employees to record any financial or non-financial interests that may bring about conflict with the authority's interests.
 - A Register of Gifts and Hospitality is maintained to enable employees to record gifts and hospitality either received, or offered and declined, from the authority's contractors and suppliers.
 - Confidential Reporting ("Whistle blowing") procedures are in place and operate effectively.
 - All relevant legislation is adhered to.
 - The risk of theft, fraud and corruption is specifically considered as part of the Council's risk management processes.
- 4.6 The Council is fully committed to ensuring that the examples of best practice indicated above are an integral part of its operations.

Roles and Responsibilities**4.7 Members should:**

- Be aware of situations of potential conflict of interest and should always declare any interests and also the receipt of gifts and hospitality valued in excess of £25 that are in any way related to the performance of their duties as an elected member of the Council. Examples of situations of potential conflict include letting of contracts to external suppliers, planning and land issues. Members' conduct and decisions should always be seen to be impartial together with an obligation to ensure that confidential information is not improperly disclosed to others.

4.8 Strategic Directors will:

- Ensure that all suspected financial irregularities or financial impropriety that are brought to their attention are reported to the Strategic Director Finance and Customer Services or the Head of Internal Audit.
- Instigate the Authority's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.
- Maintain both a Departmental Register of Interests and a Departmental Register of Gifts and Hospitality.
- Ensure staff dealing with financial systems including cash handling and payment systems (cashier / payroll / creditors etc) are appropriately trained.
- Ensure that as far as possible all new employees, regardless of type of employment contract, have their honesty and integrity verified by authenticated written references and qualifications checks. In circumstances where potential employees are working with children and vulnerable members of society that Disclosure and Barring Service [DBS] checks are undertaken.

4.9 The Head of Internal Audit will:

- In conjunction with the Monitoring Officer develop and maintain an Anti-Fraud and Corruption Policy.
- Maintain adequate and effective internal control arrangements.
- Ensure that all suspected financial irregularities are reported to himself. Where sufficient evidence exists to believe that a criminal offence may have been committed the Head of Internal Audit, after consulting and receiving the agreement of the Chief Executive will notify the Police to investigate and determine with the Crown Prosecution Service whether any prosecution will take place.

4.10 Employees should:

- Always be alert to the possibility of theft, fraud and corruption occurring in the workplace and be aware of the mechanisms available for reporting such issues to management within the authority.
- Comply with the Council's Code of Official Conduct together with any additional code relating to their professional qualifications.
- Act in accordance with Standing Orders and Financial Regulations
- Declare any interests and offers of gifts and hospitality that are in any way related to the performance of their duties of employment at the Council.

Policies, Procedures and Codes

4.11 The Council has in place a Constitution and Codes of Conduct for both Members and officers. It also has Financial Regulations which provide clarity about accountabilities of individuals, Members and Chief Officers. Specific policies and procedures are in place regarding the Council's approach to fraud and corruption and these include:

- Anti-Fraud and Corruption Policy
- Anti-Money Laundering Manual
- Confidential Reporting Code
- Employee Code of Conduct
- Members Code of Conduct.

4.12 These policies provide a framework within which the organisation operates. Having clear policies ensures clarity about the appropriate course of action in any given event. The policies ensure that a consistent and fair approach is taken during any investigations regarding suspected fraud or corruption; this is of particular importance where referral to the police and Crown Prosecution Services is deemed appropriate.

Internal Audit Activity

4.13 The audit plan provides for system reviews of all major financial and management systems, whether computerised or manual, on a risk assessed basis. Auditors are required to be alert to the risk of fraud at all times in all their work.

5. Procedure for the Reporting of Suspected Fraud and Corruption

5.1 This procedure and the employee obligations contained within it have been adopted as Council policy and it is, therefore, incorporated into all employees' terms of employment and specified in Appendix 5a of the Employees Code of Conduct.

5.2 Anyone who suspects a fraud in the workplace, including fraud perpetrated by Council contractors, or who receives information from an external source regarding fraud, they should **make an immediate note of all relevant details, including:**

- ✓ The date and time of the event.
- ✓ A record of conversations relating to the issue (including telephone conversations).
- ✓ The names of persons present (or description if the name is not known),
- ✓ Other details as appropriate, for example for vehicles the type, colour, registration etc.

They should also:

- ✓ Report any suspicions as rapidly as possible together with the relevant details to an appropriate level of authority and experience. This can either be a line manager **OR** the Internal Audit Service on Rotherham 382121

Ext. 23297 **OR** the Assistant Director Legal and Democratic Services, Ext. 55768 **OR** the Chief Executive Ext. 22770. Alternatively any suspicions may be put in writing to the **Head of Internal Audit, Riverside House, Main Street, Rotherham, S60 1AE**, with the envelope marked **“CONFIDENTIAL — TO BE OPENED BY THE ADDRESSEE ONLY”**.

Anyone suspecting fraud should not:

- × Confront or accuse any suspected culprit directly.
- × Try to investigate the matter themselves.
- × Discuss their suspicions with anyone else other than the appropriate level of authority.
- × Be afraid to report a matter on the basis that any suspicions may be groundless; all reports will be treated on the basis that they are made in good faith.

- 5.3 The Council prefers anyone raising any suspicions not to provide information anonymously as it may be necessary for them to provide further information. However, all anonymous information that is received will be investigated. All reported suspicions will be dealt with sensitively and confidentially.

Independent External Advice

- 5.4 For anyone who is unsure whether, or how, to use the Council's procedure for reporting concerns or prefers to obtain independent advice at any stage, they may contact the independent charity **Public Concern at Work (PCaW)**. PCaW can provide confidential advice at any stage about how to raise a concern about fraud or other serious malpractice in the workplace. PCaW can be contacted by telephone on **020 7404 6609**. Further information regarding this organisation can be found on their web-site www.pcaw.co.uk

6. Procedure for the Investigation of Suspected Fraud and Corruption

- 6.1 The responsibility for the prevention of fraud, other irregularities and error rests with management. Internal Audit is responsible for reporting to management on areas of weakness and deficiencies in internal controls and financial systems, together with investigating circumstances where occurrence of fraud is suspected.
- 6.2 Once management has discovered or suspected a fraud Internal Audit should be notified immediately.
- 6.3 When Internal Audit discovers or suspects a fraud, management of the relevant department should be contacted and discussion take place and agreement reached on how the matter will be investigated. The Chief Executive and Strategic Director Finance and Customer Services should be briefed regarding the issues.
- 6.4 Where the matter involves employees of the Council it will be necessary to tie the investigation into the Council's Disciplinary procedure and it will be appropriate to consult with a Human Resource Manager to discuss procedures for possible suspension of the employee pending further investigation.
- 6.5 Members shall be informed of any investigation into Council affairs that requires reporting to the External Auditor as soon as is practical without prejudicing the investigation.

- 6.3 The objectives of any investigation shall be to:
- ✓ Prove or disprove the original suspicions of fraud.
 - ✓ Provide evidence in an appropriate format to substantiate proven cases of fraud.
 - ✓ To implement appropriate controls to prevent a recurrence of the incident.
- 6.4 The investigation should be conducted by Internal Audit in conjunction with management of the department in the following manner:
- ✓ Secrecy and confidentiality shall be maintained at all times.
 - ✓ An early decision may be required, in consultation with the Assistant Chief Executive, on whether to suspend an employee to ensure evidence is not tampered with, subject to the proviso that the suspension does not prejudice the outcome of the investigation.
 - ✓ All documentation and evidence that is relevant to the investigation should be requisitioned and secured at an early stage by either management or Internal Audit. Evidence and relevant information should be properly documented, considered and evaluated.
- 6.5 Interviews with potential perpetrators of fraud will normally be held both at the beginning and at the end of an investigation. However, this procedure may be subject to alteration dependent upon circumstances. Interviews will be held in accordance with the Council's disciplinary procedure and, in cases where the person(s) under investigation are employees of the Council, they will be allowed to have a work colleague, friend, or trade union representative present.
- 6.6 Once a decision has been reached after interviewing the suspect, the following further matters will need to be considered:
- Involvement of Police: the Council should always have a consistent and fair approach to the involvement of the Police in proven cases of fraud and corruption. The question of Police involvement should be discussed by the relevant Strategic Director, the Strategic Director Finance and Customer Services, the Head of Internal Audit and the Human Resources Manager for the relevant area. The Chief Executive should then be informed of the decision reached. In appropriate cases the Head of Internal Audit, after receiving the agreement of the Chief Executive, will notify the Police to investigate and determine with the Crown Prosecution Service whether any prosecution will take place.
 - Informing the External Auditor: the External Auditor should always be informed of the outcome of all fraud investigations as required to fulfil their role relating to fraud.
 - Review of Systems - where a fraud has occurred as a result of weaknesses in existing systems, then steps must be taken to remedy the problem to prevent recurrence.
 - Insurance / Recovery of Losses incurred: Chief Officers shall take appropriate action to ensure that the losses incurred by the Council are minimised including:
 - (i) Recovering losses directly from the perpetrator of the fraud.

- (ii) Recovery from an employee's contributions to the Superannuation Fund, where appropriate.
- (iii) Claiming against the Council's insurance policy.



Anti-Fraud & Corruption Strategy

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1. Introduction

Context

- 1.1 Fraud affects the UK across all sectors and causes significant harm. The last, most reliable and comprehensive set of figures relating to fraud was published by the National Fraud Authority in 2013, and indicates that fraud may be costing the UK £52bn a year.
- 1.2 The Council employs around 8,000 staff and spends around £800 million per year. The Council both commissions and provides a wide range of services to individuals and households, working with a range of many other private and public and voluntary sector organisations. The size and nature of our services, as with any other large organisation, mean that there is an ever-present risk of loss due to fraud and corruption, from sources both internal and external.
- 1.3 RMBC takes a responsible, long-term view of the need to continuously develop anti-fraud initiatives and maintain its culture of anti-fraud awareness.
- 1.4 The Council expects all Councillors, employees, consultants, contractors and service users to be honest, and to provide any information, help and support the Council needs to prevent and detect fraud and corruption.

Links to Strategic Objectives

- 1.5 As part of the “Rotherham Improvement Plan” (May, 2015) an essential Improvement Plan Action – Phase 1 Transition May 2015 – May 2016 was “Robust governance, decision-making and performance management”. In order to achieve this, effective financial planning and management requires effective anti-fraud and corruption measures. A review of anti-fraud and corruption measures within the Council was required and this was carried out in September 2015.
- 1.6 The Council has developed a new Corporate Plan for 2016-17 and the Cabinet continues to work jointly with the Commissioners to ensure Council decisions reflect the concerns of local people and the needs of local communities.
- 1.7 The Council has sought expert guidance to strengthen its Scrutiny System and are also working more proactively with partners across Rotherham on new arrangements for joint working in the best interests of local communities.
- 1.8 An effective anti-fraud and corruption policy and strategy is a critical component of the Council’s improved scrutiny and governance framework and will support partnership objectives to create safe and healthy communities.

Assessment and Action Plan

- 1.9 This strategy highlights actions the Council proposes to take to strengthen its arrangements for managing the risk of fraud. The actions are identified as follows in this document are included in the action plan for maintaining / strengthening the Council’s arrangements:

Actions Required:

Action 1

Complete the corporate fraud risk register and roll this out to managers.

2. Purpose and Objectives of this Document

- 2.1 The purpose of this document is to establish a strategy for taking forward counter fraud and corruption work within RMBC. Whilst the term 'anti-fraud' is used in the document, the strategy also covers anti-theft and anti-corruption measures, including bribery.
- 2.2 The key objectives of this anti-fraud strategy are to maintain minimal losses through fraud and corruption and embed the management of fraud risk within the culture of the organisation. These objectives will be achieved by ongoing revision and implementation of a plan of action based on a fraud self-assessment against the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption. ("Chartered Institute of Public Finance and Accountancy, Code of Fraud Risk Management, CIPFA, 2014").
- 2.3 In the Audit Commission's publication, "Protecting the Public Purse 2014", the Commission encourages all public bodies, including local authorities, to assess themselves against the CIPFA Code. The code can be applied in any public service organisation and has five principles:
 - Acknowledge responsibility
 - Identify risks
 - Develop a strategy
 - Provide resources
 - Take action.

3. What is Fraud and Corruption?

Fraud

- 3.1 The Fraud Act 2006 came into force on 15th January 2007 as a response to the recommendations of the Law Commission Report 'Fraud' published in 2002. The Act repeals the deception offences enshrined in the 1968 and 1978 Theft Acts and replaces them with a single offence of fraud which can be committed in three separate ways: -
 - False representation.
 - Failure to disclose information where there is a legal duty to do so.
 - Abuse of position.

The Act also created four new offences of: -

 - Possession of articles for use in fraud.
 - Making or supplying articles for use in fraud.
 - Obtaining services dishonestly.
 - Participating in fraudulent business.
- 3.2 The Fraud Act has defined fraud in law for the first time, defining it in three classes: fraud by false representation; fraud by failing to disclose information; and fraud by abuse of position. CIPFA defines fraud as "the intentional distortion of financial statements or other records by persons internal or external

to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain".

Theft

3.3 Theft is defined in the 1968 Theft Act:-

‘A person shall be guilty of theft if he dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it’.

Corruption

3.4 The Council defines the term "corruption" as:-

“The offering, giving, soliciting or accepting of any inducement or reward which would influence the actions taken by the body, its members or officers.”

Bribery

3.5 A bribe is:

“A financial or other advantage that is offered or requested with the intention of inducing or rewarding the improper performance of a relevant function or activity, or with the knowledge or belief that the acceptance of such an advantage would constitute the improper performance of such a function or activity” [CIPFA].

3.6 The Bribery Act replaces the common law offences of offering or accepting a bribe with two statutory offences (S1 and S2). The Act also creates two further offences: namely that of bribing or attempting to bribe a foreign official (S6) and being a commercial organisation failing to prevent bribery (S7). An S7 offence can only be committed by a commercial organisation.

3.7 The ‘Corruption Acts 1889 to 1916’ are repealed in their entirety. Wider offences are created by the 2010 Act which render the more specific offences created by the old Acts otiose. Other statutes less relevant to Local Authorities have been repealed or amended by the 2010 Act and a full list is in one of the schedules of the Acts.

4 How the Council Measures Up Against Best Practice (the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption)

4.1 Internal Audit completed a self-assessment against the CIPFA checklist in 2015 and a fraud and corruption action plan was produced to indicate actions that would be taken to ensure compliance with the Code. The action plan is tracked and reported to the Council’s Audit Committee on a regular basis (at least yearly). Completion of the self-assessment exercise helps the Council demonstrate substantial compliance with best practice, as well as providing a framework upon which to develop its anti-fraud and corruption strategy.

5 Objectives of the Strategy

5.1 The Council’s objectives for its anti-fraud and corruption strategy are to maintain minimal losses through fraud and corruption and further embed management of

fraud risk within the culture of the organisation. The intention is to achieve this by implementing the CIPFA Fraud Standards which state that the foundations of an effective anti-fraud framework comprise five key elements:-

- Acknowledge responsibility
- Identify risks
- Develop a strategy
- Provide resources
- Take action.

5.2 The next sections (**A to E**) of this strategy outline each of the CIPFA fraud standards and the specific actions required to ensure compliance with the standards. Additionally, several other actions have been identified, over and above the CIPFA requirements, which will strengthen arrangements.

A Acknowledge Responsibility

A1 The Council should acknowledge its responsibility for ensuring that the risks associated with fraud and corruption are managed effectively across all parts of the organisation. Specific steps should include:

- The Council's leadership acknowledges the threats of fraud and corruption and the harm they can cause to the organisation, its aims and objectives and to its service users.
- The Council's leadership acknowledges the importance of a culture that is resilient to the threats of fraud and corruption and aligns to the principles of good governance.
- The Council acknowledges its responsibility for ensuring the management of its fraud and corruption risks and will be accountable for the actions it takes through its governance reports.
- The Council sets a specific goal of ensuring and maintaining its resilience to fraud and corruption and explores opportunities for financial savings from enhanced fraud detection and prevention.

B Accurately Identifying the Risks

B1 Fraud risk identification is essential to understanding specific exposures to risk, changing patterns in fraud and corruption threats and the potential consequences to the organisation and its service users. Specific steps should include:

- Fraud risks are routinely considered as part of the Council's risk management arrangements.
- The Council identifies the risks of corruption and the importance of behaving with integrity in its governance framework.
- The Council uses published estimates of fraud loss, and where appropriate its own measurement exercises, to aid its evaluation of fraud risk exposures.
- The Council evaluates the harm to its aims and objectives and service users that different fraud risks can cause.

Actions Required:**Action 1**

Complete the corporate fraud risk register and roll this out to managers.

Action 2

Develop new e-learning courses, including a refresh of the Anti-Money Laundering procedures

Action 3

Corruption risks should be incorporated into the corporate fraud risk register

Action 4

The Fraud & Corruption risk register should give an indication of values where relevant

Action 5

Fraud & corruption risks assessments should be developed to include consideration of the potential impact of risks on the achievement of aims and objectives

C Develop a Strategy

C1 An organisation needs a counter fraud strategy setting out its approach to managing its risks and defining responsibilities for action. Specific steps should include:

- The governing body formally adopts a counter fraud and corruption strategy to address the identified risks and align with the organisation's acknowledged responsibilities and goals.
- The strategy includes the organisation's use of joint working or partnership approaches to managing its risks, where appropriate.
- The strategy includes both proactive and responsive approaches that are best suited to the organisation's fraud and corruption risks. Proactive and responsive components of a good practice response to fraud risk management are set out below.

Proactive

- Developing a counter-fraud culture to increase resilience to fraud.
- Preventing fraud through the implementation of appropriate and robust internal controls and security measures.
- Using techniques such as data matching to validate data.
- Deterring fraud attempts by publicising the organisation's anti-fraud and corruption stance and the actions it takes against fraudsters.

Responsive

- Detecting fraud through data and intelligence analysis.
- Implementing effective whistleblowing arrangements.
- Investigating fraud referrals.
- Applying sanctions, including internal disciplinary, regulatory and criminal.
- Seeking redress, including the recovery of assets and money where possible.

C2 The strategy includes clear identification of responsibility and accountability for delivery of the strategy and for providing oversight.

Actions Required:

Action 6

Develop:

- a communications plan in this area
- e-learning training

Action 7

Complete member training on fraud awareness

D Provide Resources

D1 The organisation should make arrangements for appropriate resources to support the counter fraud strategy. Specific steps should include:

- An annual assessment of whether the level of resource invested to counter fraud and corruption is proportionate for the level of risk.
- The organisation utilises an appropriate mix of experienced and skilled staff, including access to counter fraud staff with professional accreditation.
- The organisation grants counter fraud staff unhindered access to its employees, information and other resources as required for investigation purposes.
- The organisation has protocols in place to facilitate joint working and data and intelligence sharing to support counter fraud activity.

E. Take Action

E1 The Council should put in place the policies and procedures to support the counter fraud and corruption strategy and take action to prevent, detect and investigate fraud.

E2 The Council has put in place a policy framework which supports the implementation of the counter fraud strategy. As a minimum the framework includes:

- Counter fraud policy
- Whistleblowing policy
- Anti-money laundering policy
- Anti-bribery policy
- Anti-corruption policy
- Gifts and hospitality policy and register
- Pecuniary interest and conflicts of interest policies and register
- Codes of conduct and ethics
- Information security policy
- Cyber security policy.

E3 Other actions include:

- Ensuring plans and operations are aligned to the strategy and contribute to the achievement of the organisation's overall goal of maintaining resilience to fraud and corruption.
- Making effective use of national or sectoral initiatives to detect fraud or prevent fraud, such as data matching or intelligence sharing.

E4 A report is presented to the Council (Audit Committee) at least annually on performance against the counter fraud strategy and the effectiveness of the strategy from the lead person(s) designated in the strategy. Conclusions are featured in the annual governance statement.

Actions Required:

Action 8

Publicise all anti-fraud and corruption policies; strategies; protocols and cases of proven fraud and corruption to highlight the Council's commitment of a zero policy towards any form of fraud or corruption

Action 9

Link all counter-fraud documents to Internal Audit's Intranet page

6 Defining Success

6.1 Activity should not be confused with outcomes. The focus should always be fixed firmly on the clear outcomes described above for work to counter fraud and corruption. It is important that outcomes relate to the actual sums lost to fraud and corruption rather than to the activity around it. This is no different from a commercial organisation focusing on profit rather than turnover. While activity can give an organisation the air of being busy and, therefore, successful, what matters is the bottom line. Preventing fraud prevents losses that can be directed into core business. A comprehensive and professional approach to countering fraud and corruption is required to effectively protect an organisation's valuable resources.

7 Keeping Ahead

7.1 In order to try and stay one step ahead of the fraud to which the Council may be exposed, it will be necessary to undertake a regular review of national developments and strengthen systems and procedures. Key sources of information that will be used to inform the ongoing continuous improvement of the Anti-Fraud Strategy will be:

- National Audit Office Publications
- Audit Commission Publications / HM Treasury Publications
- CIPFA Better Governance Forum (IPF).
- National Anti-Fraud Network
- Member of the South and West Yorkshire Fraud Group.

8 Fighting Fraud & Corruption Locally – The local government counter fraud and corruption strategy 2016 – 2019

- 8.1 Fighting Fraud and Corruption Locally is a strategy for English local authorities that is the result of collaboration by local authorities and key stakeholders from across the counter fraud landscape. The strategy resulted from an intensive period of research, surveys, face to face meetings and workshops. The strategy provides a blueprint for a tougher response to fraud and corruption perpetrated against local authorities. By using the strategy it is hoped that local authorities will develop and maintain a culture in which fraud and corruption are understood to be unacceptable.
- 8.2 The strategy highlights a number of areas where local authorities need to ensure compliance with best practice. These are highlighted below. An ongoing assessment is maintained of the Council's position relative to best practice and an action plan is kept showing where the Council's arrangements can be developed.

Whistleblowing Arrangements

- 8.3 The best fraud fighters are the staff and clients of local authorities. To ensure that they are supported to do the right thing, a comprehensive, management led, anti-fraud and corruption culture needs to be maintained, including clear whistleblowing arrangements. These arrangements should ensure that staff and the public have access to a fraud and corruption whistle-blowing helpline, and should be kept under review. The Council refreshed its whistleblowing arrangements in 2016.

Transparency Code

- 8.4 The Government published the Transparency Code on 31 October 2014 with the aim of strengthening transparency within local government." "The code sets out the requirements for local authorities to report on their counter fraud work".

Action Required:

Action 10

Include the annual details of the counter fraud work, including the number of occasions the Council has used powers to obtain information from specified bodies to help investigate cases of fraud, in the Council's Annual Fraud Report

Turning Strategy into Action

- 8.5 Local Authorities should consider their performance against each of the six themes that emerged from the research conducted:
- Culture – create a culture in which beating fraud and corruption is part of daily business
 - Capability – ensure range of counter fraud measures deployed is appropriate

- Capacity – deploy the right level of resources to deal with the level of fraud risk
- Competence – have the right skills and standards
- Communication – raising awareness, deter fraudsters, share information
- Collaboration – work together across internal and external boundaries.

These areas are covered within the Council's Anti-Fraud and Corruption Strategy.

Delivery Plan

8.6 The Council's own arrangements should consistently be checked against best practice guidance including the Fighting Fraud and Corruption Locally Companion Checklist and National Crime Agency advice. The Council will ensure that staff are trained on anti-bribery and corruption.

Action Required

Action 11

Carry out an assessment using the Fighting Fraud and Corruption Locally Companion Checklist, and report the findings to Audit Committee, together with an Action Plan where actions are required to meet the criteria

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The five key principles of the code are to:	Specific steps should include:	RMBC Compliance Y/N/P [partial]	Details of compliance	Action required	Action Plan Rec'dation
A Acknowledge responsibility The governing body should acknowledge its responsibility for ensuring that the risks associated with fraud and corruption are managed effectively across all parts of the organisation.	A1 The organisation's leadership team acknowledge the threats of fraud and corruption and the harm they can cause to the organisation, its aims and objectives and to its service users.	Y	Anti-Fraud & Corruption Strategy and Policy document presented to Audit Committee 21 September 2016 and will be externally reviewed.		
	A2 The organisation's leadership team acknowledge the importance of a culture that is resilient to the threats of fraud and corruption and aligns to the principles of good governance.	Y	As above		
	A3 The governing body acknowledges its responsibility for ensuring the management of its fraud and corruption risks and will be accountable for the actions it takes through its governance reports.	Y	As above		
	The governing body sets a specific goal of ensuring and maintaining its resilience to fraud and corruption and explores opportunities for financial savings from enhanced fraud detection and prevention.	Y	As above		

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B Identify risks Fraud risk identification is essential to understand specific exposures to risk, changing patterns in fraud and corruption threats and the potential consequences to the organisation and its service users.	B1 Fraud risks are routinely considered as part of the organisation's risk management arrangements.	P	There are no fraud related risks on the Council's risk registers. It is the responsibility of the relevant risk managers to decide whether to consider / include risk within the relevant risk register.	Internal Audit will complete the corporate fraud risk register and roll this out to managers. IA will also develop new e.learning courses, including a refresh of the Anti-Money Laundering procedures.	Rec 1 Rec 2
	B2 The organisation identifies the risks of corruption and the importance of behaving with integrity in its governance framework.	P	Mentioned in the Strategy / Policy but the associated risks are not specifically noted.	Corruption risks should be incorporated into the corporate fraud risk register	Rec 3
	B3 The organisation uses published estimates of fraud loss, and where appropriate, its own measurement exercises, to aid its evaluation of fraud risk exposures.	Y	When formulating the Internal Audit [IA] Plan, IA consider national estimates contained in the Audit Commission's publication "Protecting the Public Purse": http://www.audit-commission.gov.uk/wp-content/uploads/2014/10/Protecting-the-Public-Purse-2014-Fighting-Fraud-against-Local-	The Fraud & Corruption risk register should give an indication of values where relevant	Rec 4

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			Government-online.pdf IA also considers previous fraud losses.		
	B4 The organisation evaluates the harm to its aims and objectives and service users that different fraud risks can cause.	N	This requires development as part of the fraud risk assessment process	Fraud & corruption risks assessments should be developed to include consideration of the potential impact of risks on the achievement of aims and objectives	Rec 5
C Develop a strategy An organisation needs a counter fraud strategy setting out its approach to managing its risks and defining responsibilities for action.	C1 The governing body formally adopts a counter fraud and corruption strategy to address the identified risks and align with the organisation's acknowledged responsibilities and goals.	Y	Acceptance of this Document		
	C2 The strategy includes the organisation's use of joint working or partnership approaches to managing its risks, where appropriate.	Y	See Anti-Fraud & Corruption Policy, Sections 2.4 and 3.2; and Strategy Sections 1.2; 2.2; 4.3 9.1		
	C3 The strategy includes both proactive and responsive approaches that are best suited to the organisation's fraud and corruption risks. Proactive and responsive				

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	components of a good practice response to fraud risk management are set out below :				
	Proactive Developing a counter-fraud culture to increase resilience to fraud.	Y	Mentioned many times within the Anti-Fraud & Corruption Policy.	N/A	
	Proactive Preventing fraud through the implementation of appropriate and robust internal controls and security measures.	Y	See Anti-Fraud & Corruption Strategy, section 9.1.	N/A	
	Proactive Using techniques such as data matching to validate data	Y	See Anti-Fraud & Corruption Policy, section 9.1: NFI mandatory participation. NFI voluntary participation in Mortality Screening	Recent data matching exercise to detect housing Tenancy Fraud and participation in the NFI Data Matching exercise.	
	Proactive Deterring fraud attempts by publicising the organisation's anti-fraud and corruption stance and the actions it takes against fraudsters	P	See Anti-Fraud & Corruption Policy, section 3.2. Renumber	Internal Audit is currently developing: <ul style="list-style-type: none"> • a communications plan in this area • an E-learning module to be rolled out 	Rec 6

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Responsive Detecting fraud through data and intelligence analysis	Y	See Anti-Fraud & Corruption Strategy, section 9.1 Internal Audit uses analytics for fraud and non-fraud work:	N/A	
Responsive Implementing effective whistleblowing arrangements.	Y	See Anti-Fraud & Corruption Strategy, section 9.1; 11.1	N/A	
Responsive Investigating fraud referrals.	Y	See Anti-Fraud & Corruption Strategy, section 9.1 Link to Fraud and Investigation Plan and Disciplinary Procedures.	N/A	
Responsive Applying sanctions, including internal disciplinary, regulatory and criminal.	Y	See Anti-Fraud & Corruption Strategy, section 9.1.	N/A	
Responsive Seeking redress, including the recovery of assets and money where possible	Y	See Anti-Fraud & Corruption Strategy, section 9.1.	N/A	
C4 The strategy includes clear identification of responsibility and accountability for delivery of the strategy and for providing oversight.	Y	See Anti-Fraud & Corruption Strategy 4.3 and section 7.	Complete member training on fraud awareness	Rec 7

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D Provide resources The organisation should make arrangements for appropriate resources to support the counter fraud strategy.	D1 An annual assessment of whether the level of resource invested to counter fraud and corruption is proportionate for the level of risk.	Y	The IA Planning exercise matches resources to risk.		
	D2 The organisation utilises an appropriate mix of experienced and skilled staff, including access to counter fraud staff with professional accreditation	Y	IA staff includes 1 fraud qualified staff, and other very experienced staff.	N/A	
	D3 The organisation grants counter fraud staff unhindered access to its employees, information and other resources as required for investigation purposes.	Y	All IA staff have such access, in accordance with Financial Regulations.	N/A	
	D4 The organisation has protocols in place to facilitate joint working and data and intelligence sharing to support counter fraud activity.	Y	RMBC participates in NFI, follows agreed protocol.	N/A	
E Take action The organisation should put in place the policies and procedures to support the counter fraud and corruption strategy and take action to prevent, detect and	E1 The organisation has put in place a policy framework which supports the implementation of the counter fraud strategy. As a minimum the framework includes: Counter fraud policy Whistleblowing policy Anti-money laundering policy Anti-bribery policy Anti-corruption policy Gifts and hospitality policy and register	P Y Y Y Y Y	But, many of these documents do not appear on the RMBC Intranet and / or are not apparently available.	Publicise all anti-fraud and corruption policies; strategies; protocols and cases of proven fraud and corruption to highlight the Council's commitment of a zero policy towards any form of fraud or	Rec 8

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investigate fraud.	Pecuniary interest and conflicts of interest policies and register Codes of conduct and ethics Information security policy Cyber security policy	Y Y Y Y		corruption Links to the documents will be included on Internal Audit's Intranet page.	Rec 9
	E2 Plans and operations are aligned to the strategy and contribute to the achievement of the organisation's overall goal of maintaining resilience to fraud and corruption.	Y			
	E3 Making effective use of national or sectoral initiatives to detect fraud or prevent fraud, such as data matching or intelligence sharing.	Y	Participation in mandatory NFI. Participate in NFI voluntary "Mortality matching exercise."	N/A	
	E4 Providing for independent assurance over fraud risk management, strategy and activities.	Y		Peer review has been carried out and an ongoing review of current progress reports and strategy documents is being undertaken for the duration of 2016/17 audit work	

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	E5 There is a report to the governing body at least annually on performance against the counter fraud strategy and the effectiveness of the strategy from the lead person(s) designated in the strategy. Conclusions are featured in the annual governance report.	Y		Progress against the Anti-Fraud and Corruption Plan has been reported to Audit Committee	
Applying the code in practice	<p>Where organisations are making a statement in an annual governance report about their adherence to this code, one of the following statements should be approved according to whether the organisation conforms with the code or needs to take further action. The statement should be approved by the governing body and signed by the person responsible for signing the annual governance report.</p> <p>Statement 1 Having considered all the principles, I am satisfied that the organisation has adopted a response that is appropriate for its fraud and corruption risks and commits to maintain its vigilance to tackle fraud, or</p> <p>Statement 2 Having considered all the principles, I am satisfied that, subject to the actions identified below, the organisation has adopted a response that is appropriate.</p>	Y			

Anti-Fraud and Corruption Policy & Strategy Action Plan

Ref	Guidance	Action	Officer	Target date
1	Fraud risks are routinely considered as part of the organisation's risk management arrangements.	Internal Audit will complete the corporate fraud risk register and roll this out to managers.	Head of Internal Audit	31 March 2017
2	Fraud risks are routinely considered as part of the organisation's risk management arrangements.	Internal Audit will develop new e-learning courses, including a refresh of the Anti-Money Laundering procedures.	Head of Internal Audit	30 June 2017
3	The organisation identifies the risks of corruption and the importance of behaving with integrity in its governance framework.	Corruption risks should be incorporated into the corporate fraud risk register	Head of Internal Audit	31 March 2017
4	The organisation uses published estimates of fraud loss, and where appropriate, its own measurement exercises, to aid its evaluation of fraud risk exposures.	The Fraud & Corruption risk register should give an indication of values where relevant	Head of Internal Audit	31 March 2017
5	The organisation evaluates the harm to its aims and objectives and service users that different fraud risks can cause	Fraud & corruption risks assessments should be developed to include consideration of the potential impact of risks on the achievement of aims and objectives	Head of Internal Audit	30 June 2017
6	Deterring fraud attempts by publicising the organisation's anti-fraud and corruption stance and the actions it takes against fraudsters	Internal Audit is currently developing: <ul style="list-style-type: none"> • a communications plan in this area • an E-learning module to be rolled out 	Head of Internal Audit	31 December 2016

Anti-Fraud and Corruption Policy & Strategy Action Plan

7	There should be clear responsibility and accountability for delivery of the strategy and for providing oversight.	Complete member training on fraud awareness	Head of Internal Audit	14 November 2016
8	The organisation has put in place a policy framework which supports the implementation of the counter fraud strategy.	Publicise all anti-fraud and corruption policies; strategies; protocols and cases of proven fraud and corruption to highlight the Council's commitment of a zero policy towards any form of fraud or corruption	Head of Internal Audit	31 March 2017
9	The organisation should put in place a policy framework which supports the implementation of the counter fraud strategy	Links to the documents will be included on Internal Audit's Intranet page	Head of Internal Audit	31 December 2016
10	The Transparency Code includes requirements for local authorities to report on their counter fraud work	Include the annual details of the counter fraud work, including the number of occasions the Council has used powers to obtain information from specified bodies to help investigate cases of fraud, in the Council's Annual Fraud Report	Head of Internal Audit	31 March 2017
11	The Council's own arrangements should consistently be checked against best practice guidance including the Fighting Fraud and Corruption Locally	Carry out an assessment using the Fighting Fraud and Corruption Locally Companion Checklist, and report the findings to Audit Committee, together with an Action Plan where actions are required to meet the criteria	Head of Internal Audit	31 March 2017