

TITLE	Review of the Council's Anti-Fraud and Anti-Corruption Policies
FOR CONSIDERATION BY	Audit Committee on 29 November 2023
WARD	None Specific
LEAD OFFICER	Deputy Chief Executive - Graham Ebers

OUTCOME / BENEFITS TO THE COMMUNITY

This report outlines the Council's key policies to support its Anti-Fraud and Anti-Corruption culture and ensure good governance practices.

RECOMMENDATION

That the Audit Committee agree the proposed amendments to the: -

- Anti-Fraud and Anti-Corruption Policy;
- Raising Concerns at Work (Whistleblowing Policy);
- Anti-Money Laundering Policy;
- Anti-Bribery Policy; and
- Acquisition of Communications Data, and Use of Covert Surveillance and Covert Human Intelligence Sources (Regulation of Investigatory Powers Act 2000) Policy

In addition, to recommend these for approval to Council, via the Constitution Review Working Group.

SUMMARY OF REPORT

The Council's Constitution provides for the Audit Committee to agree all of the Council's Anti-Fraud and Anti-Corruption policies prior to their adoption being recommended to Council via the Constitution Review Working Group. This review takes place regularly and is an important element of good governance.

A summary of the changes for each policy is outlined below and a copy of each of the updated fraud policies is attached at Appendix A (clean version), with a version showing tracked changes at Appendix B (tracked changes).

Background

The Council's Anti-Fraud and Anti-Corruption Policies were last refreshed and presented to Audit Committee for approval on 5 February 2020.

The six policies are: -

1. Anti-Fraud and Anti-Corruption Strategy
2. Whistleblowing Policy
3. Anti-Bribery Policy
4. Anti Money Laundering Policy

5. Acquisition of Communications Data, and Use of Covert Surveillance and Covert Human Intelligence Sources (Regulation of Investigatory Powers Act 2000) Policy
6. Enforcement Sanctions Policy (Chapter 9.8 - being reviewed separately by Legal Services)

There have been no significant changes to the content of the policies during this refresh.

In respect of policies 1 to 5 above, these have been reviewed to adhere to the Council's Communication style in terms of aiming to make the policies clearer and more understandable. Minor changes have been made to contact details / officers / external organisations, where appropriate.

In respect of the "Acquisition of Communications Data, and Use of Covert Surveillance and Covert Human Intelligence Sources (Regulation of Investigatory Powers Act 2000) Policy", this document was reviewed by the Investigatory Powers Commissioner's Office during a recent Inspection of the Council's Regulation of Investigatory Powers Act arrangements during October 2022.

Following the Inspection, the Inspector concluded the Council's Acquisition of Communications Data, and Use of Covert Surveillance and Covert Human Intelligence Sources (Regulation of Investigatory Powers Act 2000) Policy and Procedures documents were found to be comprehensive, and they had been updated in line with the recommendations from the previous Inspection.

One suggestion was made during the Inspection was for the Council to consider the Assistant Director, Governance, as part of the Senior Leadership Team, replacing the Chief Executive as Senior Responsible Officer (SRO) purely for logistical reasons. This change has been included within the updated Policy attached.

The Enforcement Sanctions Policy falls under the responsibility of Legal Services and is separately being reviewed and updated as part of the review of the Council Constitution.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer-term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil	Yes	N/a
Next Financial Year (Year 2)	Nil	Yes	N/a
Following Financial Year (Year 3)	Nil	Yes	N/a

Other financial information relevant to the Recommendation/Decision
An effective investigation policy framework mitigates financial and other risks associated with the Council achieving its objectives. Delivery of the investigations work is contained within the Medium-Term Financial Plan budget.

Cross-Council Implications
The Internal Audit and Investigation Service works across all areas of the Council and is one of the ways assurance is provided that the Council’s key priorities and objectives will be achieved.

Public Sector Equality Duty
The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered. This report is a non-decision-making report providing a refresh of the council’s anti-fraud and anti-corruption policies.

Climate Emergency – <i>This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030</i>
N/a

Reasons for considering the report in Part 2
N/a

List of Background Papers
N/a

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