

Corporate Anti-Fraud and Corruption Policy

November 2022

Chief Internal Auditor



Foreword

Milton Keynes City Council is committed to the highest standards of financial probity and takes its duty to protect the public funds it administers very seriously.

This is Milton Keynes City Council's Anti-Fraud Policy. It provides a clear framework for the Council to investigate suspected fraud thoroughly, to prosecute wherever the evidence supports such action and seek recovery of defrauded monies through all possible legal means. This policy also applies to the Bribery Act 2010.

The Council administers significant public funds and is sometimes targeted by persons wishing to defraud the public purse. This policy, and the structures maintained by the Council, demonstrates that we will make every effort to identify attempts to defraud the public purse and will robustly pursue individuals responsible.

The Council, through this policy, has adopted a zero tolerance towards fraud including:

- The referral of matters to the Police for investigation wherever appropriate and the full recovery of fraudulently obtained public funds by all legal means
- The prosecution of persons responsible for defrauding the Council including prosecution through civil and criminal courts in the Council's own name or through the Police etc.
- The termination of contracts with partners and contractors
- The dismissal of employees proven to have defrauded or who have attempted to defraud the Council, including where an employee is complicit with another person's attempts to defraud the Council

The Council requires all partners and contractors to assist in this role and cooperate with any fraud investigation undertaken by authorised officers. This policy also applies to schools' staff.



Cllr. Leo Montague
Audit Committee Chair



Michael Bracey
Chief Executive

1.0 Introduction

- 1.1 The authority has always prided itself on setting and maintaining high standards and a culture of openness, with core values of fairness, trust and value. This policy fully supports the authority's desire to maintain an honest authority, free from fraud and corruption. The authority aims to provide community leadership and quality services in this area.
- 1.2 In carrying out its functions and responsibilities, the authority has always adopted a culture of openness and fairness. It has expected that elected members and employees at all levels will adopt the highest standards of propriety and accountability. This has been achieved by leading by example and by an understanding of and adherence to rules, procedures and agreed practices. These standards are also expected from organisations that have dealings with the authority (such as suppliers/contractors).
- 1.3 The authority demonstrates clearly (through this policy) that it is firmly committed to dealing with fraud and corruption and no distinction will be made for perpetrators inside (members/governors and employees) or outside the authority. In addition, there will be no distinction made in investigation and action between cases that generate financial benefits and those that do not.
- 1.4 This policy document embodies a series of measures designed to frustrate any attempted fraudulent or corrupt act and the steps to be taken if such an act occurs. For ease of understanding, it is separated into the following sections:

Culture	Section 2
Roles	Section 3
Deterrence	Section 4
Detection and investigation	Section 5
Awareness and Training	Section 6
Publicity	Section 7

- 1.5 The authority is also aware of the high degree of external scrutiny of its affairs by a variety of bodies such as its external auditors, inspection bodies, the Local Government Ombudsman, HM Revenue & Customs. These bodies are important in highlighting any areas where improvements can be made.
- 1.6 Fraud is commonly defined as:

FRAUD – “The intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain”.

In addition, fraud can also be defined as:

“The use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party.”

1.7 Bribery and Corruption may be defined as:

“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.”

1.7.1 The Bribery Act places responsibilities and powers on organisations such as Local Authorities.

1.7.2 There are 3 key sections of the Act which need to be considered for the purposes of this document, which are:

- Section 1, which deals with bribing another person by money, payment in kind, or goods and services.
- Section 2, the act of being bribed. This relates to individual officers and could lead to prosecution.
- Section 7, failure of a commercial organisation to prevent bribery. For this section, a “relevant commercial organisation” means an entity that carries on a business and current indications are that this includes Local Authorities. This section also includes persons associated with the organisation, such as agency workers, suppliers and contractors.

1.7.3 Under the legislation, an organisation has a defence if it can show that it has adequate bribery prevention procedures in place, which are informed by the following 6 principles:

- 1) Proportionality – the action an organisation takes should be proportionate to the risks it faces and the size of the business.
- 2) Top Level Commitment – A culture needs to be evident in which bribery is never acceptable. This can be shown via leadership statements, training and procurement expectations.
- 3) Risk Assessment – to include proportionate risk management perhaps via training, newsletters, procurement controls and inclusion within organisational policies such as this one.
- 4) Due Diligence – i.e. knowing who the organisation is dealing with.
- 5) Communication – communicating policies and procedures by training and general awareness including how occurrences should be investigated and by whom.
- 6) Monitoring and Review – to ensure policies, training and awareness are relevant and updated and by nominating a responsible officer.

1.7.4 Defence against bribery charges under the act, therefore, should be considered adequate if the organisation has the following in place:

- Risk awareness and preparation
- Adequate communication and senior management buy-in
- A zero-tolerance culture
- Adequate education and training
- An audit trail and integration with counter fraud processes

1.7.5 The penalties for individuals under this legislation can, on conviction on indictment, be as high as a prison term of 10 years, or a fine or both (although under section 7 a guilty person is only liable to a fine). The organisational consequences may include disbarment from contract tenders, reputational and financial risk exposure, and adverse publicity.

1.8 Other risk areas which need to be considered and are covered by this policy include:

- **Facilitation payments** – i.e. payments designed to make things happen but which do not secure agreement.
- **Gifts and Hospitality** – genuine low-level hospitality is deemed acceptable, but it is imperative that corporate registers are kept up to date and all staff must make declarations of interest.
- **Disclosures of Interests** – “the failure to disclose an interest in order to gain financial or other pecuniary gain.”

2.0 Culture

2.1 The culture of the authority has always been one of the highest ethical standards, probity, openness and the core values of fairness, trust and value support this. The authority’s culture therefore supports the opposition to fraud and corruption.

2.2 The prevention/detection of fraud/corruption and the protection of the public purse are everyone’s responsibility and of paramount importance to the authority.

2.3 The authority’s elected members, school governors and all employees play an important role in creating and maintaining this culture. They are positively encouraged to raise concerns regarding fraud and corruption, immaterial of seniority, rank or status, in the knowledge that such concerns will, wherever possible, be treated in confidence. To that effect, the Council has adopted a Whistleblowing Policy.

2.4 The definitions of Fraud and Corruption are by their nature technical and have their basis in the Fraud Act 2006. A more practical definition is where the Council’s assets, including money, are dishonestly obtained by someone not entitled to them. Examples include:

- theft of cash or assets;
- obtaining access to services to which the person is not entitled, such as obtaining a Council house or disabled blue badge;
- falsifying information or documentation, such as timesheets, overtime, expenses, qualifications etc.;

- dishonesty between officers and management/head teachers;
- the deliberate concealment of information required by the Council, such as convictions or activities inconsistent with the Council's duties and responsibilities;
- Defrauding welfare payments, such as Housing Benefit, Council Tax benefit and Council Tax Single Person Discounts etc.

- 2.5 The authority will ensure that any allegations received in any way, including by anonymous letters or phone calls, will be taken seriously and investigated in an appropriate manner, subject to the requirements of the Human Rights Act 1998 and other statutory provisions.
- 2.6 The authority will deal firmly with those who defraud the authority, or who are corrupt, or where there has been financial malpractice. There is, of course, a need to ensure that any investigation process is not misused and, therefore, any abuse (such as raising malicious allegations) may be dealt with as appropriate.
- 2.7 When fraud or corruption have occurred because of a breakdown in the authority's systems or procedures, Executive or Service Directors will ensure that appropriate improvements in systems of control are implemented to prevent a reoccurrence.
- 2.8 In certain circumstances, and where appropriate, a commercial settlement between the Council and an employee may be deemed necessary as a way of disposing of a case. This should only be undertaken following agreement by the Chief Executive and Monitoring Officer and following an independent review by Counsel.

3.0 Roles

ROLES	
<p><u>Elected Councillors and School Governors</u></p>	<p>As elected representatives, all councillors of the authority have a duty to citizens to protect the authority from all forms of abuse. This is done through this anti-fraud and corruption policy and compliance with the national code of conduct for members, the authority’s Financial Regulations, Constitution and the relevant legislation.</p> <p>Elected members sign to the effect that they have read and understood the national code of conduct when they take office. Conduct and ethical matters are specifically brought to the attention of members during induction and include the declaration and registration of interests. The Council’s Monitoring Officer advises members of new legislative or procedural requirements.</p> <p>Councillors and Governors are required to apply the principles of good governance regarding their own affairs and when acting for the Council, including: declaring pecuniary or non-pecuniary interests; declaring the potential for a conflict of interest; and recording the receipt of all gifts and hospitality. Members and governors must provide leadership by example in demonstrating the highest standards of probity and conduct so as to create the right anti-fraud culture throughout Milton Keynes City Council.</p>
<p><u>Audit Committee</u></p>	<p>The Audit Committee and its members have specific responsibility regarding the oversight of the Council’s governance arrangements, in respect of the adequacy of control systems to prevent and detect fraud.</p> <p>The Audit Committee receives periodic reports from Internal Audit on suspected and proven frauds and monitors those systems of control applicable to that area, making recommendation to Council where improvement is required.</p>
<p><u>CLT/ Directors :</u></p>	<p>The Corporate Leadership Team (CLT) / Directors are responsible for the communication and implementation of this policy in their work area. They are also responsible for ensuring that their employees are aware of the Financial Regulations and other policies, and that the requirements of each are being met in their everyday business activities.</p> <p>CLT / Directors have responsibility to ensure that effective systems of control are in place corporately and within their directorate to both prevent and detect fraud, and that those systems operate properly.</p> <p>CLT / Directors are required to submit an annual self-assessment of those processes for inclusion within the Council’s Annual Governance Statement.</p>

	<p>CLT / Directors must provide leadership by example in demonstrating the highest standards of probity and conduct so as to create the right anti-fraud culture throughout Milton Keynes City Council. CLT / Directors are expected to strive to create an environment in which their staff feel able to approach them with any concerns they may have about suspected irregularities.</p>
<p><u>Heads of Service/ Managers / Head Teachers</u></p>	<p>Managers at all levels are responsible for the communication and implementation of this policy in their work area. They are also responsible for ensuring that their employees are aware of the Financial Regulations and other policies, and that the requirements of each are being met in their everyday business activities.</p> <p>Managers of all levels must provide leadership by example in demonstrating the highest standards of probity and conduct so as to create the right anti-fraud culture throughout Milton Keynes City Council. Managers of all levels are expected to strive to create an environment in which their staff feel able to approach them with any concerns they may have about suspected irregularities.</p> <p>Heads of Service, Managers and Head Teachers must ensure that special arrangements will apply where employees are responsible for cash handling or are in charge of financial systems and systems that generate payments, for example payroll, housing benefits or council tax. Managers must ensure that relevant training is provided for employees. Checks must be carried out at least annually to ensure that proper procedures are being followed, in order to inform the directorate annual self-assessment.</p> <p>The authority recognises that a key preventative measure in dealing with fraud and corruption is for managers to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees, whether for permanent, temporary or casual posts. The authority's formal recruitment procedures (which contain appropriate safeguards on matters such as written references, verifying qualifications held, and DBS checks undertaken on employees working in regulated activity with children and vulnerable adults) will be adhered to during this process. In line with the Council's Fraud Response Plan, managers investigating disciplinary matters must liaise with Internal Audit regarding any potential fraud or corruption implications of the conduct / investigation. If a member of staff raises concerns regarding suspected fraud, the line manager must inform the Chief Internal Auditor or contact Internal Audit immediately. Line managers should only undertake discreet preliminary enquiries which should be restricted to the basic facts required to determine whether there are any grounds to the allegation. The handling of evidence at the early stages of an investigation can be critical to the outcome of the investigation and advice must be sought from the Chief Internal Auditor to ensure evidence is safeguarded and not compromised. No action should be taken which may alert those suspected of involvement.</p>

<p><u>Internal Audit</u></p>	<p>The Head of Audit (in consultation with the Head of HR / Director of Finance and Resources) shall determine whether a concern / suspicion regarding fraud requires investigation by the Internal Audit or Corporate Anti-Fraud Team Investigators as opposed to management.</p> <p>Internal Audit play a vital preventative role in trying to ensure that systems and procedures are in place to prevent and detect fraud and corruption. These teams liaise with management to recommend changes in procedures to prevent further losses to the authority.</p> <p>The Internal Audit service shall report to CLT and the Audit Committee regarding the application of the zero tolerance statement within this policy. Furthermore, investigators shall consider all cases of suspected irregularity in accordance with the requirements of the Police and Criminal Evidence Act 1984, Human Rights Act 1998, Fraud Act 2006, Bribery Act 2010 and other relevant legislation. In all cases where employees are involved, they will work with HR and appropriate senior management to ensure that correct procedures are followed and adhered to.</p>
<p><u>Employees, including school staff</u></p>	<p>Each employee is governed in their work by the authority’s Constitution and Financial Regulations and other codes of conduct and policies (Code of Conduct; Health and Safety; IT Security and so on). Included in these are guidelines on gifts and hospitality and codes of conduct associated with professional and personal conduct and conflicts of interest. These are issued to all employees when they join the authority or will be provided by their manager.</p> <p>In addition to the above, employees are responsible for ensuring that they follow the instructions given to them by management, particularly in relation to the safekeeping of the authority’s assets. These will be included in induction training and procedure manuals.</p> <p>Employees are expected always to be aware of the possibility that fraud, corruption or theft may exist in the workplace and be able to share their concerns with management. Concerns should be raised, in the first instance, directly with the supervisor/business unit manager. Employees who feel unable to report to their line management should contact the Chief Internal Auditor directly, telephone or email the Whistleblowing Hotline . Should there be a preference to make an anonymous notification, then they should refer to the Council’s (or school’s) Whistleblowing Policy which gives details of independent persons with whom they can discuss their concerns.</p> <p>All employees must ensure that they avoid situations where there is a potential for a conflict of interest. Such situations can arise with externalisation of services, internal tendering, planning and land issues etc. Effective role separation will ensure decisions made are seen to be based upon impartial advice and avoid questions about improper disclosure of</p>

	confidential information.
<u>External Audit</u>	Independent external audit is an essential safeguard in the stewardship of public money. This role is delivered through the carrying out of specific reviews that are designed to test (amongst other things) the adequacy of the authority's financial systems, and arrangements for preventing and detecting fraud and corruption. It is not the external auditor's function to prevent fraud and irregularity, but the integrity of public funds is at all times a matter of general concern. External auditors are always alert to the possibility of fraud and irregularity and will act without undue delay if grounds for suspicion come to their notice. The external auditor has a responsibility to review the authority's arrangements to prevent and detect fraud and irregularity, and arrangements designed to limit the opportunity for corrupt practices.
<u>External Bodies</u>	Internal Audit has arranged, and will keep under review, procedures and arrangements to develop and encourage the exchange of information on national and local fraud and corruption activity, in relation to local authorities with external agencies such as: police, county, unitary and district council groups, the external audit service, Department of Work and Pensions and other government departments.
<u>Contractors and Partners</u>	<p>Contractors and partners have a responsibility for the communication and implementation of this policy within their organisation. They are also responsible for ensuring that their employees are aware of the Council's Financial Regulations, Whistleblowing and other policies, and that the requirements of each are being met in their everyday business activities.</p> <p>Contractors and partners are expected to create an environment in which their staff feel able to approach them (or the Council directly) with any concerns they may have about suspected irregularities. Where they are unsure of the procedures, they must refer to the relevant Executive or Service Director for that area or may approach the Head of Audit directly on any Whistleblowing issue.</p>
<u>Stakeholders and Customers</u>	Whilst this policy is primarily aimed at implementing the necessary culture and processes within the Council, its stakeholders and customers may become aware of issues that they feel may indicate fraud. They should refer to the Council's complaints procedure, or they can contact the Head of Audit to discuss their concerns directly.

4.0 Deterrents

4.1 Prosecution

Each case will be considered on its merits.

4.2 Disciplinary Action

- 4.2.1 Theft, fraud and bribery and corruption are serious offences against the authority and employees will face disciplinary action if there is evidence that they have been involved in these activities. Disciplinary action will be taken, if appropriate, in addition to criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner, after consultation with the relevant Executive or Service Director, Head Teacher, and if appropriate the Head of HR /Director of Finance and Resources.
- 4.2.2 Disciplinary action will be undertaken in accordance with the Council's disciplinary policy and procedure with each case considered on its merits.
- 4.2.3 Members will face appropriate action under this policy if they are found to have been involved in theft, fraud or corruption against the authority. Action will be taken in addition to, or instead of, criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner. As per the Council's Fraud Response Plan, if fraud concerns relate to an elected Member, the Chief Internal Auditor will inform the Council's Monitoring Officer and Chief Executive and matters, if not referred to the police, will be referred to the Standards Committee or appropriate group leader.
- 4.2.4 Members or employees involved in fraud, theft or corruption that does not involve the Council or its finances may still be subject to the above action, if it is considered to undermine the Council and its reputation.

4.3 Publicity

- 4.3.1 The Council recognises the key role that publicity of fraud cases plays in deterring other attempts to defraud the Council. To that effect, a Publicity Policy is shown in Section 7 A of this policy which sets out these measures in detail.
- 4.3.2 The authority's Communications team will optimise the publicity opportunities associated with anti-fraud and corruption activity within the authority. Communications will also try to ensure that the results of any action taken, including prosecutions, are reported in the media. The service will maintain close working relationships with all areas involved in anti-fraud work, but particularly Legal Services and Internal Audit.
- 4.3.3 In all cases where financial loss to the authority has occurred, the authority will seek to recover the loss and advertise this fact.

- 4.3.4 All anti-fraud and corruption activities, including the update of this policy, will be publicised in order to make employees and the public aware of the authority's commitment to taking action on fraud and corruption when it occurs.
- 4.3.5 Regular reports will be made to the Audit Committee about countering fraud and corruption activities and their success.

5.0 Detection and Investigation

- 5.1 All staff, Members and any other stakeholders in Council services have a vital role in identifying potential fraud or corruption. It is not the responsibility of those groups to investigate their suspicions, as this may undermine a case to be pursued, but all parties play a key role in bringing such concerns to the Council's attention for a proper and thorough investigation to be undertaken.
- 5.2 Management, including Head Teachers, are in the best position to become aware of any problems that could indicate fraud or theft etc. Management are also best placed to ensure that systems of internal control are in place and operating and thus are ideally placed to identify weaknesses or failures that may be exploited. Internal Audit can provide advice and assistance in this area.
- 5.3 Employees are also ideally placed to detect fraud, theft or corruption. Employees are encouraged to discuss concerns with their line manager, but the Fraud Response Plan also provides mechanisms to raise concerns corporately.
- 5.4 The Fraud Response Plan provides a process to enable the Council to demonstrate:
- Proper investigations for all referrals
 - Proper action taken in relation to findings from investigations
 - Feedback is provided to anyone making a referral
 - Appropriate protection for anyone making or having made a referral.
- 5.5 Internal Audit plays an important role in the detection of fraud and corruption. Included in the Audit Plan are reviews of system financial controls and specific fraud and corruption tests, spot checks and unannounced visits. Internal Audit operates in accordance with best practice, including the adoption of a formal Audit Manual in line with CIPFA best practice. This includes suitable processes to provide assurance to management on the adequacy of systems of internal control including the completion of follow ups for previous recommendations.
- 5.6 In addition to Internal Audit, there are numerous system controls in place to deter fraud and corruption, but it is often the vigilance of employees and members of the public that aids detection. In particular, the Council's Corporate Anti-Fraud Team are involved in the reactive and proactive investigation of specialised areas, such as Council Tax, Social Housing Tenancy Fraud, and transport-related fraud.

- 5.7 In some cases, frauds are discovered by chance or 'tip-off' and arrangements are in place to enable such information to be properly dealt with, in accordance with the requirements of the Human Rights Act 1998.
- 5.8 All suspected irregularities are required to be reported (verbally or in writing) either by the person with whom the initial concern was raised or by the originator. This is essential to the policy, and:
- ensures the consistent treatment of information regarding fraud and corruption;
 - facilitates a proper and thorough investigation by an experienced audit team, in accordance with the requirements of the Human Rights Act 1998.
- 5.9 This process will apply to all the following areas:
- a) fraud/corruption by elected members
 - b) internal fraud/corruption
 - c) other fraud/corruption by authority employees
 - d) fraud by contractors' employees
 - e) external fraud (the public).
- 5.10 Cases under a) will be referred to the Council's External Auditor and the Council's Monitoring Officer for consideration of action via the Police or the Milton Keynes City Council Standards Committee.
- 5.11 In accordance with basic legal concepts any person who witnesses or discovers a criminal act has the right to refer concerns directly to the Police.
- 5.12 Any decision to refer a matter to the police will be taken by the Head of Internal Audit in consultation with the Head of HR / Director of Finance and Resources and/or Chief Executive and relevant Executive or Service Director or Head Teacher. The authority will normally wish the police to be made aware of, and investigate independently, offenders where financial impropriety is discovered.
- 5.13 Depending on the nature of an allegation under b) to e), the Head of Audit will normally work closely with the Director or Head Teacher concerned to ensure that all allegations are thoroughly investigated and reported upon.
- 5.14 The authority's Fraud Response Plan and disciplinary procedures will be used to facilitate a thorough investigation of any allegations of improper behaviour by employees. The processes as outlined in paragraph 4.2.3 will cover members.

6.0 Awareness and Training

- 6.1 The authority recognises that the continuing success of this policy and its general credibility will depend in part on the effectiveness of programmed training and an awareness of elected members and employees throughout the authority.
- 6.2 To facilitate this, anti-fraud awareness training is offered where considered needed. There will still be specialist training for certain elected members and employees.
- 6.3 Full copies of the anti-fraud and corruption policy and whistleblowing are on the Council's intranet.
- 6.4 Key to effective awareness (and deterrence) is a formal and comprehensive system of feedback to provide outcome information to the person who originally referred concerns. Whilst confidentiality must be respected (including the Data Protection Act and Human Rights Act provisions) every referral should be concluded and the outcome communicated to the person making the original referral.
- 6.5 Anti-fraud services will also maintain management information to show:
- How frauds are identified
 - Which type of frauds were affected
 - Any patterns or themes detected
 - New fraud issues highlighted
 - Prevention measures

7.0 Publicity

7.1 Introduction

- 7.1.1 Milton Keynes City Council has adopted this policy to address anti-fraud and corruption issues enhancing public confidence in the administration of taxpayers' money.
- 7.1.2 This Corporate Anti-Fraud & Corruption Policy, and particularly this Publicity section, aims to:
- a. Make clear the connection between saving public monies and the fraud work that achieves this;
 - b. Dispel the belief held in some quarters that fraud is a victimless crime;
 - c. Demonstrate consistent action is taken for both complex frauds and the perceived lower-level frauds;
 - d. Ensure that tough action taken against persons who commit fraud is utilised as an effective deterrent to others;
 - e. Alter perceptions of this area of work to move from an image of petty bureaucracy or snoopers to one of professional public funds watchdog;

- f. Ensure that action taken is consistent with Milton Keynes City Council policies and legislative provisions as well as being in the public interest.

7.1.3 This policy covers the methods by which the work of the Anti-Fraud services within Milton Keynes City Council will be promoted, including the publicity associated with specific cases.

7.2 **Publicity Categories**

7.2.1 Publicity takes many forms, including:

- Leaflets
- Posters
- Press Releases / Articles
- Advertisements
- Intranet or Internet media

7.2.2 It is imperative that all available forms are optimised to promote an anti-fraud culture throughout the organisation and to the public. However, great care is needed to ensure that publicity in relation to anti-fraud work is positive and does not undermine the service or reinforce the negative perceptions of this area of work.

7.2.3 Thus publicity needs to focus on 3 key areas:

- a. Proactive work of Anti-Fraud services, such as a day in the life of a Fraud Investigator;
- b. Specific Cases pursued by Anti-Fraud services, such as specific prosecutions / convictions sought;
- c. Reactive responses to Media enquiries.

7.3 **Proactive Publicity – Work of Anti-Fraud Services**

7.3.1 This area of work is essential to promote the work of the services and ensure that others are aware of this work, and thus deterred from attempting fraud. The aim of this publicity is to increase the profile of anti-fraud work across Milton Keynes City Council and the wider community, in order to promote the referral processes and deter fraud.

7.3.2 Intranet pages are maintained which set out details as to how to contact Internal Audit and how to report fraud. The site also provides links to relevant policies.

7.3.3 Any leaflets and posters used for Fraud Awareness purposes shall be reviewed annually to reflect any necessary changes.

7.3.4 In addition to the above, the work of Anti-Fraud services shall be promoted periodically both within the Council and to the general community.

7.3.5 For high profile cases prosecuted, the publicity shall consider whether the work of Anti-Fraud services shall be promoted such as volumes of cases referred; investigated; prosecuted; convicted etc.

7.4 **Specific Cases**

- 7.4.1 Great care must be taken when publicising any specific case of fraud, theft or corruption. Data Protection Act and Human Rights Act provisions are key legal protections provided to those suspected of committing such offences and must not be breached by the Council's attempts to promote anti-fraud work.
- 7.4.2 However, the publicity attached to any specific case is a necessary element of promoting the deterrent effect of anti-fraud work, as it demonstrates actual instances and consequences to individuals.
- 7.4.3 Any decision that the Council should prosecute an individual, individuals or organisation(s) must be taken following the formal quality assurance procedure.
- 7.4.4 Any decision to pursue prosecution will be taken on the basis of professional advice, the merits of the case itself and any applicable guidelines relevant.
- 7.4.5 All prosecutions should include a consideration of publicity issues and ensure that the Council's Communications Service are involved / aware of the issue so that the Council can adopt a proactive publicity strategy and avoid the need to react to press enquiries.
- 7.4.6 A specific decision will be taken and recorded by the Director to issue a press release for any specific case. In all other cases, a press statement / position shall be prepared to address any potential press enquiry.
- 7.4.7 Press releases shall be prepared that promote the Council's Anti-Fraud policy and maximise the deterrent effect of prosecutions.

7.5 **Reactive Responses to Media Enquiries**

- 7.5.1 Ideally the above measures aim to minimise the need for this, where the Council proactively provides relevant information to promote anti-fraud through local (and possibly national) media.
- 7.5.2 Press queries will arise on some occasions and it is essential that they are responded to in such a way as to promote the anti-fraud policy of the Council.
- 7.5.3 Responses to Press queries regarding specific individuals must not breach Data Protection or Human Rights legislation.

<http://staffintranet/services/audit>

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