

Anti-Fraud, Corruption and Theft Policy

Introduction

Sandwich Town Council / Sandwich Toll Bridge Fund is committed to ensuring effective safeguarding of the public money and all other assets and resources for which it is responsible. Therefore the Council / Trustee is committed to the prevention, detection and investigation of all forms of fraud, corruption and theft which could threaten the security of its assets or its reputation.

Our anti-fraud and corruption measures consist of a series of arrangements, policies and procedures designed with the intention of preventing and detecting any attempted fraudulent or corrupt act. For the purpose of this policy, *fraud*, *corruption* and *theft* are defined as follows:

Fraud

The intentional distortion of financial statements or other records by persons internal or external to the Council / Toll Bridge Fund, carried out to conceal the misappropriation of assets or otherwise for gain. Fraud is the deliberate act by an individual or group of individuals, and is therefore always intentional and dishonest.

Corruption

The offering, giving, soliciting or acceptance of an inducement or reward which may influence a person's actions.

Theft

The dishonest appropriation of property belonging to another with the intention of permanently depriving the other of that property.

Culture of Openness and Honesty

Sandwich Town Council / Sandwich Toll Bridge Fund is committed to the prevention, detection and investigation of all forms of fraud, corruption and theft. This is firstly achieved by promoting a culture of openness and honesty in all Council / Fund activities.

The Council's / Fund's employees are key to creating, maintaining and promoting this culture. All staff are strongly encouraged to raise any serious concerns they have about any aspects of the Council's / Fund's activities.

Moreover the Council has adopted the Kent Code of Conduct for Members which requires high standards of integrity, openness and honest from councillors and which lays out stringent requirements regarding transparency in public life. The Declaration to be made by all Councillors at the commencement of their term of office, with regard to the Council's role as Toll Bridge Fund Trustee, lays similar demands upon individual Councillors.

It is a requirement of the Council / Toll Bridge Fund Trustee that all individuals and organisations associated with it act with integrity and that councillors and employees at all levels will lead by example in such matters.

Prevention

Councillors

All councillors, as elected representatives, have a duty to ensure that the Council / Toll Bridge Fund uses its resources prudently and legally. As such, they must operate and adhere to the Council's Standing Orders / Toll Bridge Fund's Standing Orders and the Kent Code of Conduct for Members which include rules regarding to the disclosure of personal and pecuniary interests, relationships, gifts and hospitality, as well as the declaration they made upon the commencement of their term of office with regard to the Council's role as Toll Bridge Fund Trustee.

Employees

The Council / Trustee recognises that a key preventative measure in the fight against fraud, theft and corruption is to employ staff who have high standards in terms of propriety and integrity. The Council / Trustee strives to achieve this through effective recruitment policies including obtaining written references before appointing staff.

In addition the Council / Toll Bridge Fund has a grievance and disciplinary procedure which will be used where the outcome of an investigation indicates improper behaviour by staff.

Town Clerk & Responsible Finance Officer

The Town Clerk & Responsible Finance Officer / Clerk to the Trustee has a key role in providing advice to all councillors and staff on the proper administration of the Council's / Fund's affairs, including financial, probity, propriety, policy framework and budgetary issues.

The Town Clerk undertakes the statutory responsibility under Section 151 of the Local Government Act 1972 to ensure proper arrangements for the administration of the Council's financial affairs. His/her role is supported by work undertaken by internal audit.

The Town Clerk / Clerk to the Trustee is responsible for the successful implementation of controls designed to prevent and detect fraud within the Council / Toll Bridge Fund, and for the security and efficient and effective use of all the assets and resources for which it is responsible. He/she is also responsible for ensuring that staff are aware of all the Council's / Fund's policies and that the requirements of each and all of these are being met. He/she is further responsible for ensuring that adequate and appropriate training is provided for staff and that checks are carried out from time to time to ensure that proper procedures are being followed.

Internal Audit

The Accounts and Audit Regulations 1996 and 2003 requires the Council to maintain an adequate and effective system of internal audit.

External Audit

Independent external audit is a further safeguard of the stewardship of public money. All external auditors are required, under the Local Government Finance Act 1982, to carry out their audits in accordance with the Code of Audit Practice. This code emphasises management's role in preventing and detecting fraud and corruption. External Audit review the Council's arrangements in meeting this objective.

Detection & Investigation

The preventative measures put in place by the Council / Toll Bridge Fund, especially the implementation of robust control systems, have been designed to deter fraud and provide indicators of fraudulent activity.

It is often the alertness of employees and the public to such indicators that enables detection to occur and the appropriate action to be taken when there is evidence that fraud or corruption may be in progress. Despite the best efforts of officers and auditors, fraud can be discovered by chance or by tip-off and the Council / Fund has arrangements in place to enable such information to be properly dealt with (see appendix A).

The investigation of any other suspected fraud, theft or corruption is normally carried out by internal audit. Upon completion of the investigation, an audit report is issued to the Town Clerk & Responsible Finance Officer / Clerk to the Trustee who will determine, in consultation with the Chairman of the Council, what further action to take.

The reporting procedure is essential as it ensures:

- that information regarding any suspected fraud, theft or corruption is dealt with consistently;
- that an effective investigation by an experienced auditor takes place;
- that a structured response to any suspected fraud, theft or corruption is properly implemented, and
- that the investigation will be carried out in accordance with the Regulation of Investigatory Powers Act 2000.

Depending on the nature and anticipated extent of the allegations, internal audit will normally work closely with the relevant council officers and enforcement agencies to ensure that all allegations and evidence are properly investigated and reported on.

The Town Clerk & Responsible Finance Officer / Clerk to the Trustee, in consultation with the Chairman of the Council, will decide whether or not to refer the matter to the Police with a view to charging offenders. Regardless of whether it has been reported to the Police, the Council's Grievance and Disciplinary Procedure will be used where the outcome of an audit investigation indicates improper behaviour.

Training

Sandwich Town Council / Sandwich Toll Bridge Fund Trustee recognises that the continuing success of this Policy, and its credibility, will depend largely upon awareness of and adherence to the Policy by councillors and employees. The Town Clerk / Clerk to the Trustee will be responsible for ensuring that councillors and staff are properly trained in the procedures that they should follow when carrying out their duties and that this training is regularly refreshed.

Conclusion

Sandwich Town Council / Sandwich Toll Bridge Fund has a clear set of systems and procedures in place to assist in the prevention, detection and investigation of fraud, corruption and theft and thereby to protect public funds and assets. The Council / Trustee will maintain a continuous overview of these arrangements through its officers and through internal audit.

Appendix A

What you should do, as a member of the public or an outside organisation, if you suspect fraud, theft or corruption.

Please note that your identity and personal details will be kept confidential in most cases by the Council. The Council will only divulge them when the law requires this or with your consent.

1. Make an immediate note of your concern

Note all relevant details: what was observed, details of conversations, the date, time and name of the parties involved. Do not attempt to investigate the matter yourself.

2. Convey your suspicions in writing, marked CONFIDENTIAL, to:

Laura Fidler – Town Clerk
Sandwich Town Council
Guildhall
Cattle Market
Sandwich
Kent CT13 9AH

Or

The Mayor
Sandwich Town Council
Guildhall
Cattle Market
Sandwich
Kent CT13 9AH

3. If, after raising your suspicions, you are not satisfied with the action taken, you may wish to take the matter outside Sandwich Town Council to one of the following organisations:

- The Audit Commission (<http://www.audit-commission.gov.uk/>)
- Kent Police (<http://www.kent.police.uk/>)
- The Local Government Ombudsman (<http://www.lgo.org.uk/>)
- The National Audit Office (<http://www.nao.org.uk/>)
- HM Revenue & Customs (<http://www.hmrc.gov.uk/>)
- The Department for Work & Pensions
(<https://www.gov.uk/government/organisations/department-for-work-pensions>)
- The Information Commissioner's Office (<http://ico.org.uk/>)
- The Serious Fraud Office (<http://www.sfo.gov.uk/>)