

Anti-Fraud and Corruption Policy



Introduction

Peterborough City Council (PCC) is forecast to spend £146.89m in 2018 / 2019.

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.

The Council takes a responsible, long term view of the need to continuously develop anti-fraud initiatives and maintain its culture of anti-fraud awareness.

Policy Statement

PCC is committed to protecting the public funds that it administers and consequently it will not tolerate any abuse of its services. It is determined to prevent, deter and detect all forms of fraud, bribery and corruption committed against it, whether that be internal or from outside the Council.

PCC is determined that the culture and tone of the organisation is one of honesty and rigorous opposition to fraud, bribery and corruption. Thus, it is committed to ensuring all of its business is conducted in an open, honest, equitable and fair manner, and is accountable to all its stakeholders.

It will not tolerate fraud or corruption committed, or attempted, by its councillors, employees, suppliers, contractors or service users and will take all necessary steps to investigate allegations of fraud or corruption and pursue sanctions available in each case, such as removal from office, dismissal and / or prosecution and the recovery of Council assets and funds.

The measures adopted by PCC in its commitment to the prevention, deterrence and detection of fraud, bribery and corruption are set out in detail in documents listed at the end of the policy.

Fraud and Corruption

Fraud

The Fraud Act 2006 is used for the criminal prosecution of fraud offences. The definition also applies to fraud in non-criminal disciplinary matters and the definition applies to both. The Fraud Act created 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.

For the purpose of this document fraud is defined 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." Fraud has moved away from the concept of the deceit of another to the dishonest intent of the fraudster to make a gain or cause a loss or risk of a loss. Thus, the arena of fraud is far more reaching than the simple crime of theft.

Theft

Theft is the act of stealing any property belonging to the Council or which has been entrusted to it (i.e. client funds), including cash, equipment, vehicles or data. Theft does not necessarily require fraud to be committed. Theft can also include the stealing of property belonging to another whilst on PCC property.

Bribery and Corruption

The Bribery Act 2010 came into force on 1 July 2011 and created offences of:

- Accepting a bribe
- Bribery of another person
- Bribery of a foreign official, and
- Failure to prevent bribery.

Corruption is seen as "the offering, giving, soliciting or acceptance of an inducement or reward for performing an act, or failing to perform an act, designed to influence official action or decision making".

Money Laundering

Money laundering is the process by which criminals attempt to 'recycle' the proceeds of their criminal activities in order to conceal its origins and ownership and which leaves them with money that cannot be traced back.

Reporting, Fraud, Bribery and Corruption

All employees, its partners, suppliers, contractors and elected Members have a duty to report any fraudulent, or perceived fraudulent activity which may impact on the Council financially and / or reputationally.

In normal cases it will be Internal Audit and Investigations that will undertake or direct the investigation. Matters of a criminal nature will be referred to the Police.

Monitoring Fraud, Bribery and Corruption

The Audit Committee, through its Terms of Reference, has the responsibility for monitoring the delivery of the Anti-Fraud and Corruption Policy and Strategy through the annual report on investigations.

Further Information

Further information on Council policy can be found in the following documents:

- Codes of Conduct (Councillors and Officers);
- Whistleblowing Policy;
- Anti-Fraud and Corruption Policy;
- Anti-Bribery Policy;
- Money Laundering Policy;
- Financial Regulations;
- Contract Procedure Rules;
- Regulation of Investigatory Powers Act (RIPA).

Responsible Officer: Chief Internal Auditor
Date: February 2018

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