



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	Audit and Governance Committee: Wednesday 23 November 2022
Report Number	Agenda Item No. 5
Subject	Counter Fraud and Anti-Corruption Policy
Wards affected	All indirectly
Accountable member	Councillor Andy Graham, Leader of the Council Email: Andy.Graham@westoxon.gov.uk
Accountable officer	Emma Cathcart, Head of Service, Counter Fraud and Enforcement Unit Email: Emma.Cathcart@cotswold.gov.uk
Summary/Purpose	To present the Audit and Governance Committee an updated Counter Fraud and Anti-Corruption Policy for comment. The Policy has been reviewed to ensure the content reflects current legislation and the Council's Policies and Procedures. The Policy will replace the existing Counter Fraud and Anti-Corruption Policy.
Annexes	Annex A – Counter Fraud and Anti-Corruption Policy
Recommendation	That the Committee considers the Counter Fraud and Anti-Corruption Policy to comment thereon to Cabinet, to aid its deliberations and decision making.
Corporate priorities	Modern Council Services and Sustainable Finance: Delivering excellent modern services whilst ensuring the financial sustainability of the Council
Key Decision	No
Exempt	No
Consultees/ Consultation	Any Policies drafted or revised by the Counter Fraud and Enforcement Unit have been reviewed by Legal Services and have been issued to the relevant Senior Officers, Governance Group and Corporate Management for comment.

1. BACKGROUND

- 1.1. The Counter Fraud and Enforcement Unit is tasked with reviewing the Council's Counter Fraud and Anti-Corruption Policy. It is recommended good practice that the Policy is updated and reviewed at least every few years in line with any legislative changes.
- 1.2. In administering its responsibilities; this Council has a duty to prevent fraud and corruption, whether it is attempted by someone outside or within the Council such as another organisation, a resident, an employee or Councillor.
- 1.3. The Council is committed to an effective counter fraud and corruption culture, by promoting high ethical standards and encouraging the prevention and detection of fraudulent activities, thus supporting corporate and community plans.

2. MAIN POINTS

- 2.1. The Policy, attached at Annex A, has been updated in accordance with the review period. Review frequency is as required by legislative changes or every three years. This has been slightly delayed due to events over the last two years.
- 2.2. The Council's existing Counter Fraud and Anti-Corruption Policy was developed to reflect (i) latest legislation and (ii) the changes from the creation of the Single Fraud Investigation Services (operated by the Department for Work and Pensions) which subsumed the Council's responsibilities for investigating Housing Benefit Fraud.
- 2.3. The Policy was last reviewed following the changes brought about by data protection legislation / regulations.
- 2.4. The Policy highlights the key legislation and roles and responsibilities of Members, Officers and other parties.
- 2.5. The Audit and Governance Committee (Audit and General Purposes Committee) last considered the Policy in March 2016 when it replaced the existing Policy.
- 2.6. The changes are relatively minor and can be seen as red text within the Policy at Annex A.
- 2.7. A section has been inserted relating to Money Laundering and Proceeds of Crime and relating to Modern Slavery, detailing the Council's responsibilities.
- 2.8. The Policy has also been refreshed to reflect the growth of the Counter Fraud and Enforcement Unit work streams and responsibilities relating to risk.
- 2.9. As part of the consultation process, the Policy has been reviewed by Legal Services and the Deputy Chief Executive.
- 2.10. Awareness will be raised with all staff following the approval of the Policy. Online refresher training will be issued to staff following approval of the Policy.

3. FINANCIAL IMPLICATIONS

- 3.1. There are no direct financial implications as a result of this report.
- 3.2. The support of the Counter Fraud and Anti-Corruption Policy will help to support the prevention and detection of misuse of public funds and fraud therefore reducing potential financial loss to the Council.

4. LEGAL IMPLICATIONS

- 4.1. In general terms, the existence and application of an effective fraud risk management regime assists the Council in effective financial governance which is less susceptible to legal challenge.
- 4.2. The legislation utilised by the Counter Fraud and Enforcement Unit and other service areas within the Council is identified within the Policy and the Council must comply with all legislative requirements.
- 4.3. The Council must also ensure that authorisations obtained under the Regulation of Investigatory Powers Act 2000 or the Investigatory Powers Act 2016 are appropriately logged, maintained and updated on the central register.

5. RISK ASSESSMENT

- 5.1. The Council is required to proactively tackle fraudulent activity in relation to the abuse of public funds.
- 5.2. Failure to undertake such activity would accordingly not be compliant and expose the authority to greater risk of fraud and/or corruption. If the Council does not have effective counter fraud and corruption controls it risks both assets and reputation.

6. EQUALITIES IMPACT

- 6.1. The promotion of effective counter fraud controls and a zero tolerance approach to internal misconduct promotes a positive work environment.

7. ALTERNATIVE OPTIONS

- 7.1. None.

8. BACKGROUND PAPERS

- 8.1. The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:
 - Audit Committee Report March 2016 – Counter Fraud and Anti-Corruption Policy.
- 8.2. These documents will be available for inspection at the Council Offices at Woodgreen, Witney, OX28 1NB during normal office hours for a period of up to 4 years from the date of the meeting. Please contact the author of the report.