

ANTI-FRAUD AND CORRUPTION POLICY STATEMENT

1. INTRODUCTION

1.1 Tonbridge & Malling is a large public service organisation employing a significant number of people. In order to meet the expectations of the public the Council has a positive approach to combating fraud. The Council is committed to prevent fraud and corruption, whether it is attempted on the Council from the outside or inside, and is committed to an effective Anti-Fraud and Corruption Policy designed to:

- encourage prevention
- promote detection; and
- support investigation.

1.2 The Council's expectation on propriety and accountability is that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

1.3 The Council also expects that individuals and organisations (e.g., suppliers, contractors, and service providers) that it comes into contact with will act towards the Council with integrity and without thought or actions involving fraud and corruption.

1.4 The Council is also aware of the high degree of external scrutiny of its affairs by a variety of bodies and people.

1.5 As part of the Audit Commission statutory duties there is a requirement to ensure that the Council has in place adequate arrangements for the prevention and detection of fraud and corruption.

1.6 There is an expectation and requirement that all individuals and organisations associated in whatever way with the Council will act with integrity and that Council Members and employees, at all levels, will lead by example in these matters.

2. PREVENTION

2.1 Employees

2.1.1 The Council recognises that a key preventative measure in the fight against fraud and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the previous record of potential employees, in terms of propriety and integrity. In this regard temporary and contract employees should be treated in the same manner as permanent employees.

- 2.1.2 Employee recruitment, therefore, is required to be in accordance with procedures laid down by the Central Services Director (Personnel) and, in particular to obtain written references regarding knowledge and integrity of potential employees before employment offers are made.
- 2.1.3 Employees of the Council are expected to follow any Code of Conduct related to their personal Professional Institute and abide by the Council's Code of Conduct for Employees which sets out the Council's requirement on Personal Conduct. This Code forms part of the Contract of Employment.
- 2.1.4 The Council has in place Disciplinary Procedures for all categories of employee.
- 2.1.5 Employees are reminded under the Council's Standing Orders that they must operate within Section 117 of the Local Government 1972, regarding the disclosure of pecuniary interests in contracts relating to the Council or the non-acceptance of any fees or rewards whatsoever other than their proper remuneration. These requirements are set out in the Council's Code of Conduct for Employees, and in more specific operational Codes governing Contracting Procedures, Hospitality, Gifts, Private Work, Conflicts of Interest, etc.

2.2 Members

2.2.1 Members are required to operate within:

- the Council's Constitution
- the Council's adopted Code of Conduct
- Local Authorities Members Interest Regulations 1992 (S1618)

2.2.2 Any Member who has concerns relating to compliance with these requirements should make these known to the Standards Board for England or to the Councils' Monitoring Officer.

2.3 Combining With Others

2.3.1 Arrangements are in place and continue to develop to encourage the exchange of information between the Council and other agencies on national and local fraud and corruption activity in relation to Local Authorities. However due care must be taken to ensure that there are no breaches of the Data Protection Act.

3. DETECTION AND INVESTIGATION

- 3.1 The array of preventative systems, particularly internal control systems within the Council, has been designed to provide indicators of any fraudulent activity, although generally should be sufficient in themselves to deter fraud.
- 3.2 It is acknowledged to be the responsibility of Chief Officers and their managers to prevent and detect fraud and corruption. However, it is often the alertness of employees and the public to such indicators that enables detection to occur and the appropriate action to take place when there is evidence that fraud or corruption may have been committed, or is in progress.
- 3.3 The Council is committed to undertake initiatives in order to detect fraud and corruption. This will include data matching with other bodies. Participation in any similar exercise will comply with the Council's Data Matching Code of Practice. This Code of Practice is designed to ensure that the Council complies with Data Protection and Human Rights legislation.
- 3.4 The Council has a separate Benefits Anti-Fraud and Corruption Policy that deals specifically with Benefits issues.

4. TRAINING

- 4.1 The Council recognises that the continuing success of its Anti- Fraud and Corruption Policy and its general credibility will depend largely on the effectiveness of programmed training and responsiveness of employees throughout the organisation.
- 4.2 To facilitate this, the Council supports the concept of training, particularly for employees involved in internal control systems, to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced.
- 4.3 The investigation of fraud and corruption centres on the Council's Internal Audit Service. It is apparent, therefore, that employees involved in this work should also be properly and regularly trained; the training plans of audit employees will reflect this requirement.

5. RAISING AWARENESS OF THIS POLICY STATEMENT

- 5.1 To be effective, it is essential that all staff, Members and members of the public are aware of the existence of this Policy Statement. This will be achieved through a variety of means, such as:-
 - Inclusion on the Council's Internet and Intranet site;

- Distribution to Members, Senior Officers and all new employees within 2 weeks of commencing employment.
- Service Managers ensuring that Contractors of the Council are issued with copies
- Copies to be available at Council Buildings

6. EQUAL OPPORTUNITIES

6.1 In applying this policy we are committed to the promotion of equal opportunities. Every effort will be made to ensure that staff and members of the public are treated equitably and fairly, regardless of race, sex, marital status, colour, religion, disability or age.

7. CONCLUSION

7.1 The Council has in place a clear set of systems and procedures to assist it in the fight against fraud and corruption.

7.2 The Council will maintain a continuous overview of such arrangements through the annual review of Procedure Rules, various Codes of Conduct and audit arrangements.

7.3 This Policy Document was adopted by the Full Council on 27 September 2005. It will be reviewed on an annual basis ensure its relevance and to take account of developments in working practices.