

# TONBRIDGE & MALLING BOROUGH COUNCIL

## AUDIT COMMITTEE

21 January 2019

### Report of the Director of Finance and Transformation

#### Part 1- Public

#### Delegated

#### 1 **ANNUAL REVIEW OF ANTI-FRAUD POLICIES AND WHISTLEBLOWING POLICY**

**This report informs Members of the outcome of the annual review of the Council's Anti-Fraud Policies and Whistleblowing Policy.**

#### 1.1 Introduction

1.1.1 The Anti-Fraud, Bribery and Corruption Policy (the overall Policy) is used to provide structure to the combating of fraud, bribery and corruption, which the Council may be subject to. In addition, separate policies have been developed specifically for housing benefit fraud and for council tax fraud including council tax reduction, discounts and exemptions.

1.1.2 The Whistleblowing Policy provides employees and Members with information about how they may report concerns regarding breaches of laws, regulations, policies or procedures committed by other employees or Members of the Council. It also outlines how the Council will deal with those concerns once they have been reported.

#### 1.2 Anti-Fraud Policies

1.2.1 The Anti-Fraud Policies were last reviewed by the Committee in January 2018. This latest review found that only minor changes were required and these are highlighted in the relevant appendices. However, it should be noted that the Fraud Team will be subject to an independent review this financial year and the outcomes of that review may mean some amendments are required. In addition, the Department for Work and Pensions (DWP) will be rolling joint working on investigations out across Kent early in 2019, the Policies will need to be updated once we have met with the DWP and have a clearer understanding of the impact of this. In normal circumstances these Policies are brought before the Committee for approval annually, but given changes are likely to be required in-year the Policies will be brought back to the Committee for approval once they are updated.

1.2.2 Copies of the Anti-Fraud, Bribery and Corruption Policy, Housing Benefit Anti-Fraud Policy and Council Tax Reduction, Discounts and Exemptions Anti-Fraud Policy are attached at **[Annex 1, 2 and 3]** respectively.

### **1.3 Whistleblowing Policy**

1.3.1 The Whistleblowing Policy was last reviewed by the Committee in January 2018. This latest review found that no changes were required at this time. Please note that as stated at 1.2.1 above in-year changes may be required and, if so, this Policy will be brought back to the Committee once updated.

1.3.2 A copy of the Whistleblowing Policy is attached at **[Annex 4]**.

### **1.4 Action Following Approval of the Policies**

1.4.1 The policies, once approved, will be circulated to all staff with computer access using Netconsent and made available on the Council website.

### **1.5 Legal Implications**

1.5.1 These policies are not mandatory, but do comply with best practice and refer to the relevant legislation where appropriate.

### **1.6 Financial and Value for Money Considerations**

1.6.1 Fraud prevention and detection is an area subject to central government focus with initiatives such as the National Fraud Initiative and Local Government Counter Fraud and Corruption Initiative. The message coming from these initiatives is that effective fraud prevention and detection releases resources and minimises losses to the Council through fraud.

1.6.2 These policies comply with recognised best practice and reinforce the zero tolerance stance of the Council towards fraud.

1.6.3 Providing clear guidelines to staff on how they may report concerns of inappropriate conduct or fraud strengthen the Council's zero tolerance approach to fraud, bribery and corruption.

### **1.7 Risk Assessment**

1.7.1 The policies reflect best practice and the culture of the Council and aimed at minimising the risk of fraud, bribery and corruption. The policies are supported by the internal control mechanisms in place and form part of the overall control environment of the Council.

1.7.2 While there is no statutory requirement to have an appropriate mechanism for dealing with whistleblowing, it is relevant to helping the Council comply with associated law. Failure to have an adequate whistleblowing mechanism carries significant reputational risk.

## **1.8 Equality Impact Assessment**

1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **1.9 Policy Considerations**

1.9.1 Crime & Disorder Reduction

## **1.10 Recommendations**

1.10.1 Members are asked to review and, subject to any required amendments, **approve** the Anti-Fraud Policies attached at **[Annex 1, 2 and 3]**.

1.10.2 Members are asked to review and, subject to any required amendments, **recommend** that the Whistleblowing Policy attached at **[Annex 4]** is approved by the next General Purposes Committee.

Background papers:

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Nil

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