

Bolsover District Council

**Meeting of the Audit and Corporate Overview Scrutiny Committee
on 13th September 2022**

Anti-Fraud, Bribery and Corruption Policy

Report of the Assistant Director of Finance and Resources

Classification	This report is public
Report By	Assistant Director of Finance and Resources
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PURPOSE/SUMMARY OF REPORT

To enable the Committee to consider the Anti-fraud, Bribery and Corruption Policy attached at **Appendix 1**.

1. Report Details

- 1.1 The Council is opposed to all forms of fraud and corruption and wishes to promote a culture of openness and honesty consistent with the principles for conduct identified by the committee for Standards in Public Life, and expects all those who work for and with the Council to adopt the highest standards of propriety and accountability.
- 1.2 The Anti-Fraud, Bribery and Corruption policy aims to help employees (including temporary and agency workers), Elected Members and Co-opted Members on the Council's committees, to understand their roles in the Council regarding fraud, bribery and corruption. Employees must ensure they adhere to legal and contractual requirements and ensure that all procedures and practices remain above reproach.
- 1.3 This policy also aims to help partners, contractors, suppliers, voluntary organisations and members of the public to understand how and when to contact the Council with their concerns.
- 1.4 The policy refers to the following legislation:

- The Fraud Act 2006 - which refers to there being 3 ways fraud can be committed,
- The Theft Act 1968 - which defines theft and corruption,
- The Bribery Act 2010 - introduced to update and enhance UK Law on bribery, it introduced a new strict liability offence for companies and partnerships of failing to prevent bribery. This includes local authorities.
- The Criminal Finance Act 2017 - introduced 2 new criminal offences relating to tax evasion.

1.5 It sets out appropriate and proportionate safeguards and reporting arrangements, designed to detect and avoid involvement in the crimes described in the above legislation.

2. Reasons for Recommendation

2.1 The current policy is at least 6 years old so this new policy is a complete re-write. The Policy has been updated to take account of all legislative and operational changes to ensure it is fit for purpose.

3 Alternative Options and Reasons for Rejection

3.1 No alternatives found – the Council is required to have a policy and this ensures we set the standard at a sufficiently high level to send a clear message that fraud, bribery or corruption will not be tolerated, that all reported or identified instances will be dealt with in a professional and timely manner, that we are committed to preventing and detecting fraud, bribery or corruption and that those perpetrating the aforementioned acts will be dealt with swiftly and firmly and be prosecuted using all the sanctions available.

RECOMMENDATION(S)

1. That the Committee considers the Anti-Fraud, Bribery and Corruption Policy and recommends it to Executive for approval as set out in **Appendix 1**.

Approved by the Portfolio Holder - Cllr Clive Moesby, Executive Member for Finance

IMPLICATIONS:

Finance and Risk: Yes No

Details:

The financial issues are covered in the Policy which is attached at **Appendix 1** to this report.

There are no new financial implications arising from this report.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

Legal implications are covered throughout the Policy but there are no new ones arising specifically from the report.

On behalf of the Solicitor to the Council

Staffing: Yes No

Details:

There are no human resource issues arising directly out of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details:

Links to Council Ambition: Customers, Economy and Environment.

DOCUMENT INFORMATION

Appendix No	Title
1	Anti-Fraud, Bribery and Corruption Policy

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
None