

LAPWORTH PARISH COUNCIL

ANTI-FRAUD, CORRUPTION AND THEFT POLICY

INTRODUCTION

Lapworth Parish Council is committed to ensuring effective safeguarding of the public money and all other assets and resources for which it is responsible. In administering its responsibilities, the Council operates financial control systems to mitigate against fraud and corruption, whether it is attempted from outside or inside the Council.

For the purpose of this policy, fraud, corruption and theft are defined as follows:

Fraud: The intentional distortion of financial statements or other records by persons internal or external to the Council, carried out to conceal the misappropriation of assets or otherwise for gain. Fraud is the deliberate act by an individual or group of individuals, and is therefore always intentional and dishonest.

Corruption: The offering, giving, soliciting or accepting of an inducement or reward which may influence a person's actions.

Theft: The dishonest appropriation of property belonging to another with the intention of permanently depriving the other of that property.

CULTURE OF OPENNESS AND HONESTY

Lapworth Parish Council is committed to the prevention, detection and investigation of all forms of fraud, corruption and theft. This is firstly achieved by promoting a culture of openness and honesty in all Council activities. The Council's members and staff are key to creating, maintaining and promoting this culture. Members and staff are strongly encouraged to raise any serious concerns they have about any aspects of the Council's activities.

The Council has adopted the Code of Conduct for Members which requires high standards of integrity, openness and honesty from Councillors and which lays out stringent requirements regarding transparency in public life. The Declaration, made by all Councillors at the commencement of their term of office, lays similar demands upon individual Councillors. It is a requirement of the Council that all individuals and organisations associated with it act with integrity and that Councillors and employees at all levels will lead by example in such matters.

PREVENTION

Councillors

All Councillors, as elected representatives, have a duty to ensure that the Council uses its resources prudently and legally. As such, they must operate and adhere to the Council's Standing Orders and the Code of Conduct which include rules regarding to the disclosure of personal and pecuniary interests, relationships, gifts and hospitality, as well as the declaration they made upon the commencement of their term of office.

All members are required to operate within the constraints of the following regulations:

- The Council's adopted Code of Conduct.
- Chapter 7 of the Localism Act.

LAPWORTH PARISH COUNCIL

ANTI-FRAUD, CORRUPTION AND THEFT POLICY

- The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464).

Employees

The Council recognises that a key preventative measure in the fight against fraud, theft and corruption is to employ staff who have high standards in terms of propriety and integrity. The Council strives to achieve this through effective recruitment policies including obtaining written references before appointing staff. In addition the Council has grievance and disciplinary procedures which will be used where the outcome of an investigation indicates improper behaviour by staff.

PARISH CLERK & RESPONSIBLE FINANCE OFFICER

The Parish Clerk/RFO has a key role in providing advice to all Councillors of the proper administration of the Council's affairs, including financial, propriety, policy framework and budgetary issues.

The Parish Clerk/RFO undertakes the statutory responsibility under Section 151 of the Local Government Act 1972 to ensure proper arrangements for the administration of the Council's financial affairs. Their role is supported by work undertaken by the Internal Controls Councillor and the Internal Auditor.

The Parish Clerk/RFO is responsible for the successful implementation of controls designed to prevent and detect fraud within the Council, and for the security and efficient and effective use of all the assets and resources for which it is responsible. They are also responsible for ensuring that staff are aware of all the Council's policies and that the requirements of each and all of these are being met. They are also responsible for ensuring that adequate and appropriate training is provided for Councillors and staff and that checks are carried out from time to time to ensure that proper procedures are being followed.

The Council has developed financial systems and procedures which incorporate efficient and effective internal controls. This includes adequate separation of duties to ensure that, as far as possible, financial impropriety is prevented. The Parish Clerk/Responsible Finance Officer will ensure that such controls, including those in a computerised environment, are properly maintained and effective, including documentation and review of the controls.

INTERNAL AUDIT

The Accounts and Audit Regulations 2015 requires the Council to maintain an adequate and effective system of internal control. An independent Internal Auditor monitors the existence, appropriateness and effectiveness of these internal controls.

EXTERNAL AUDIT

Independent external audit is a further safeguard of the stewardship of public money. All external auditors are required under the Local Government Finance Act 1982 to carry out their audits in accordance with the Code of Audit Practice. This Code emphasises management's role in preventing and detecting fraud and corruption.

LAPWORTH PARISH COUNCIL

ANTI-FRAUD, CORRUPTION AND THEFT POLICY

The External Auditor has the power to independently investigate fraud and corruption, and the Council may use their services for this purpose.

DETECTION & INVESTIGATION

The preventative measures put in place by the Council have been designed to deter fraud and provide indicators of fraudulent activity.

The internal control systems within the Council have been designed to provide indicators of any fraudulent activity, although generally they should be sufficient in themselves to deter fraud. It is the responsibility of the Parish Clerk/RFO to ensure that arrangements are in place to give reasonable assurances of detection and prevention of fraud. However, it is often the alertness of employees and the public that identifies that fraud or corruption may have been committed or is in progress.

If fraud and/or corruption is reported then the following responses will occur:

- Consistent and confidential treatment of information regarding fraud and corruption
- Investigation by an independent and experienced person
- When appropriate, submission of a full report to the Police
- Implementation of a fraud response investigation plan
- Optimum protection of the Town Council's interest

Depending on the nature and the anticipated extent of the allegation, the Internal Auditor will normally work closely with the Parish Clerk/RFO and other agencies, such as the Police, to ensure that all allegations and evidence are properly investigated and reported upon and, where appropriate, maximum recoveries are made for the Council.

The Council's disciplinary procedures will be used where the outcome of the investigation indicates improper behaviour. Where financial impropriety is discovered, the Police will be called in. The Crown Prosecution Service determines whether a prosecution will be pursued.

TRAINING

Lapworth Parish Council recognises that the continuing success of this Policy, and its credibility, will depend largely upon awareness of and adherence to the Policy by Councillors and employees. The Parish Clerk/Responsible Finance Officer will be responsible for ensuring that Councillors and staff are properly trained in the procedures that they should follow when carrying out their duties and that this training is regularly refreshed.

Lapworth Parish Council has a clear set of systems and procedures in place to assist in the prevention, detection and investigation of fraud, corruption and theft and thereby to protect public funds and assets. The Council will maintain a continuous overview of these arrangements.

Signed: ClIr Henderson

Date: 9th October 2023

Next review: October 2024