

Council Cabinet

12 July 2017

Minute Extract

Key Decision

26/17 Corporate Fraud Prosecution Policy

The Council Cabinet considered a report which stated that the Council had a zero tolerance to fraud. The Council's Anti-Fraud and Corruption Strategy 2013 sets out the corporate commitment to the prevention, detection and investigation of all forms of fraud and corruption. Since early 2017, this commitment had been further enhanced with the creation of the Corporate Fraud Team, which sits within the Finance Department.

In 2011, the Council approved its Corporate Prosecution Policy. This set out the high level principles that the Council used to react to instances of fraudulent or criminal activity committed against it. The Policy applied to all staff, elected members, contractors, agents and the public at large.

The report introduced the Corporate Fraud Prosecution Policy. This would sit beneath the Corporate Prosecution Policy and set out the Corporate Fraud Team's approach to assisting in the prosecution of offenders. It also provided consistent guidelines for making decisions to prosecute, and the administration of other sanctions. The Policy was set out at Appendix 2 of the report.

A change would need to be made to the Council's Constitution, to delegate to relevant members of the Corporate Fraud Team the authority to fully investigate and take appropriate action relating to all corporate fraud matters within their remit.

An Equalities Impact Assessment (EIA) was conducted on 23 May 2017. A copy of the results was set out at Appendix 3 of the report.

The Executive Scrutiny Board noted the report.

Options Considered

Do not have a Corporate Fraud Prosecution Policy. The Corporate Fraud Team needs to have the means to fully conduct investigations and apply relevant sanctions where appropriate, if a robust approach to preventing and deterring fraud was to be delivered. Therefore, this option was discounted.

Decision

1. To approve the Corporate Fraud Prosecution Policy.

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2. To recommend to Council that changes resulting from the adoption of the Policy detailed at recommendation 2.1 be made to the Scheme of Delegations

Reasons

1. To ensure the Council has robust processes in place to deter and prevent fraud.
2. To give the Corporate Fraud Team a consistent framework for their activities in preventing and deterring fraud being committed against the Council.
3. To ensure that the Corporate Fraud Team has the necessary delegated authority to utilise the full powers of the law when appropriate to do so as part of the investigation and prosecution process.
4. To provide more financial resilience to the Council and enable more effective targeting of money and resources to customers. The prevention and deterrence of fraud helps the Council to target money and services to those people in the community who were most in need, and not to anyone who seeks to defraud the Council by dishonestly claiming money or services they are not entitled to.