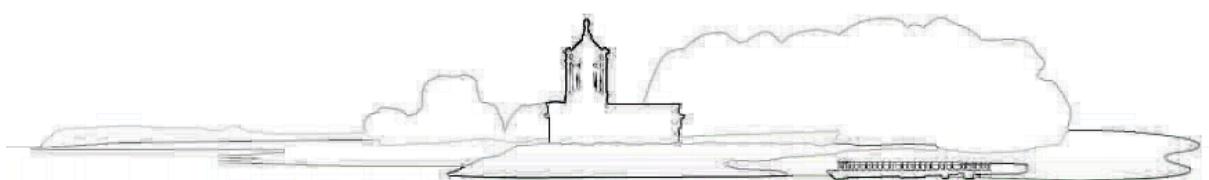


## **Appendix A**

# **COUNTER FRAUD & CORRUPTION POLICY**

Version & Policy Number	V1.0
Guardian	Saverio Della Rocca, Assistant Director for Resources. 01572 758159
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Approved by Full Council	
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## **Foreword**

Rutland County Council is committed to the highest standards of financial probity and takes its duty to protect the public funds it administers very seriously.

This is Rutland County Council's Counter Fraud and Corruption Policy. It provides a clear framework for the Council to investigate suspected fraud thoroughly, to prosecute wherever the evidence supports such action and seek recovery of defrauded monies through all possible legal means.

The Council administers significant public funds and is sometimes targeted by persons wishing to defraud the public purse. This policy, and the structures maintained by the Council, demonstrate that we will make every effort to identify attempts to defraud the public purse and will robustly pursue individuals responsible.

- The Council, through this policy, has adopted a zero tolerance towards fraud including:
- The referral of matters to the Police for investigation wherever appropriate and the full recovery of fraudulently obtained public funds by all legal means;
- The prosecution of persons responsible for defrauding the Council including prosecution through civil and criminal courts in the Council's own name or through the Police etc;
- The termination of contracts with partners and contractors; and
- Taking disciplinary action against employees proven to have defrauded or who have attempted to defraud the Council, including where an employee is complicit with another person's attempts to defraud the Council.

The Council requires all Councillors, staff, partners and contractors to assist in this role and cooperate with any fraud investigation undertaken by authorised officers.

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Cllr Oliver Hemsley  
Leader

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Helen Briggs  
Chief Executive

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# **1. INTRODUCTION**

- 1.1 The Council aims to provide community leadership and high quality services in line with its corporate aims and objectives set out in the Corporate Plan.
- 1.2 In carrying out its functions and responsibilities, the Council aims to adopt a culture of openness and fairness and expects that elected Members and employees at all levels will adopt the highest standards of propriety and accountability. Historically, this has been achieved by leading by example and by an understanding of and adherence to rules, procedures and agreed practices. These standards are also expected from organisations that have dealings with the Council (e.g. suppliers/contractors).
- 1.3 In light of the Nolan Report, several well-publicised fraud and corruption cases within local government and the Local Government Act 2000, the Council has formalised these accepted standards and practices and developed a counter fraud and corruption policy.
- 1.4 The Council demonstrates clearly, through this policy, that it is firmly committed to dealing with fraud and corruption and no distinction will be made for perpetrators inside (Members and employees) or outside the Council. In addition, there will be no distinction made in investigation and action between cases that generate financial benefits and those that do not.
- 1.5 This policy document embodies a series of measures designed to frustrate any attempted fraudulent or corrupt act and the steps to be taken if such an act occurs. For ease of understanding, it is separated into the following sections:
  - Culture Section 2
  - Prevention Section 3
  - Deterrence Section 4
  - Detection and investigation Section 5
  - Awareness and training Section 6
  - Measure of effectiveness Section 7
- 1.6 The Council is also aware of the high degree of external scrutiny of its affairs by a variety of bodies such as its External Auditors, inspection bodies, the Local Government Ombudsman, HM Revenue & Customs. These bodies are important in highlighting any areas where improvements can be made.

1.7 Definitions for fraud and corruption are provided in Table 1.

Table 1: Definitions

Term	Definition
Fraud	The use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party.
Corruption	The deliberate misuse of your position for direct or indirect personal gain. Corruption includes offering, giving, requesting or accepting bribe or reward, which influences your actions or the actions of someone else.

1.8 Annex A to this document provides details of the Bribery Act 2010 and the Council's procedures in this area.

1.9 The Council has a Gifts and Hospitality policy which provides guidance to officers on the handling and disclosure of any offers of gifts and hospitality.

## 2. CULTURE

2.1 The culture of the Council has always been one of the highest ethical standards, probity, openness and the core values of fairness, trust and value support this. The Council's culture therefore supports the opposition to fraud and corruption.

2.2 The prevention/detection of fraud/corruption and the protection of the public purse are everyone's responsibility and of paramount importance to the Council.

2.3 The Council's elected Members and all employees play an important role in creating and maintaining this culture. They are positively encouraged to raise concerns regarding fraud and corruption, immaterial of seniority, rank or status, in the knowledge that such concerns will, wherever possible, be treated in confidence. To that effect the Council has adopted a Whistleblowing Policy.

2.4 The Council's strong counter fraud culture is epitomised by the following:

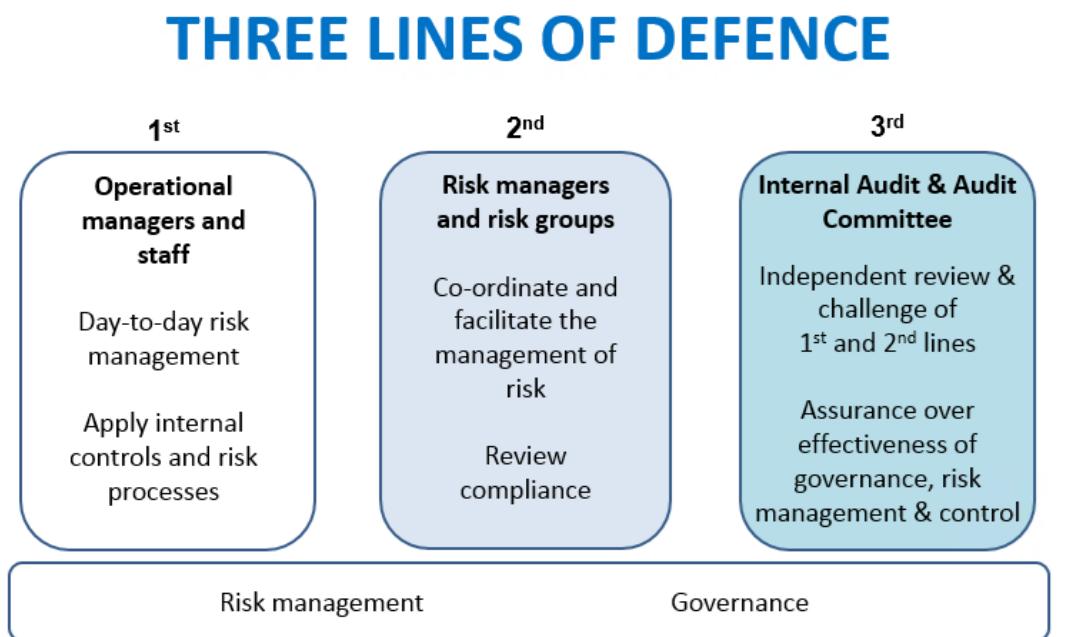
- The development and promotion of the Counter Fraud and Corruption policy and Whistleblowing policy;

- Coverage in Council induction process for new starters on the risk of fraud and the role every officer plays in preventing losses to fraud;
- A fraud risk register which all service areas across the Council contribute to in identifying, assessing and managing fraud risks;
- Responding to allegations of fraud and dealing with this robustly to ensure any losses are recovered, appropriate, formal action is taken and lessons must be learnt;
- Fraud awareness training delivered to the Audit and Risk Committee;
- Annual internal audit review of the fraud risk register and the effective management of the risks;
- Annual fraud report published; and
- Participation in the National Fraud Initiative.

### **3. PREVENTION**

- 3.1 The Council's top priority in managing the risk of fraud is to focus the majority of resource upon prevention. It is acknowledged that the best possible way to deal with the risk of fraud is to be alert to the risks and to ensure suitable controls are in place to prevent successful attempts to defraud the organisation.
- 3.2 Whilst it is evident that it not possible to guarantee that every fraud can be prevented and that controls must be proportionate, the Council has taken significant steps to embed preventative fraud controls in the first and second lines of defence – see diagram 1. The production of a fraud risk register, in accordance with best practice, has enabled the Council to highlight the key fraud risks; assess the likelihood and impact; review the control framework in place; and highlight any gaps and monitor implementation of further actions.

Diagram 1: Three lines of defence



- 3.3 All officers and Members of the Council have a role to play in delivering effective fraud prevention, as set out in Table 2.

Table 2: Roles in fraud prevention

ROLES	
<b>Elected Members</b>	<p>As elected representatives, all Members of the Council have a duty to citizens to protect the authority from all forms of abuse. This is done through this counter fraud and corruption policy and compliance with the national code of conduct for Members, the Council's Financial Procedure Rules, Constitution and the relevant legislation.</p> <p>Elected Members sign to the effect that they undertake to observe the Council's adopted Code of Conduct when they take office. Conduct and ethical matters are brought to the attention of Members during induction and include the declaration and registration of interests within 28 days of taking office. The Monitoring Officer should advise Members of new legislative or procedural requirements.</p> <p>Members are required to apply the principles of good governance regarding their own affairs and when acting for the Council including declare pecuniary or non-pecuniary interests, potential for a conflict of interest and record the receipt of all gifts and hospitality.</p>

	Members must provide leadership by example in demonstrating the highest standards of probity and conduct so as to create the right anti fraud culture throughout Rutland County Council.
<b>Audit and Risk Committee</b>	<p>The Audit and Risk Committee has specific responsibility for the oversight of the Council's governance arrangements in respect of the adequacy of control systems to prevent and detect fraud but also the assurance that processes work effectively for individual cases.</p> <p>The Audit and Risk Committee considers annual fraud reports on fraud investigation activity and outcomes and should seek assurance over the systems of control.</p>
<b>SMT</b>	<p>SMT are responsible for the communication and implementation of this policy in their work area. They are also responsible for ensuring that their employees are aware of the Financial Procedure Rules and other policies, and that the requirements of each are being met in their everyday business activities.</p> <p>SMT have responsibility to ensure that effective systems of control are in place corporately and within their directorate to both prevent and detect fraud and that those systems operate properly.</p> <p>SMT are required to submit an annual self-assessment of those processes for inclusion within the Council's Annual Governance Statement.</p> <p>SMT must provide leadership by example in demonstrating the highest standards of probity and conduct so as to create the right anti-fraud culture throughout Rutland County Council. SMT are expected to strive to create an environment in which their staff feel able to approach them with any concerns they may have about suspected irregularities.</p>
<b>S151 Officer</b>	<p>The s151 Officer, as the Chief Finance Officer, has specific responsibility for: ensuring robust systems of risk management and internal control; that financial control is exercised consistently; and that the Council implements appropriate measures to protect its assets from fraud and loss.</p> <p>The s151 Officer should ensure that the annual internal audit plan provides the right mix of assurances over preventative fraud controls and that the internal control framework is suitably robust.</p> <p>The s151 Officer has responsibility for maintaining and updating the Council's fraud risk register and presenting this to the Audit and</p>

	Risk Committee on a six monthly basis.
<b>Heads of Service/ Managers</b>	<p>Managers at all levels are responsible for the communication and implementation of this policy in their work area. They are also responsible for ensuring that their employees are aware of the Financial Procedure Rules and other policies, and that the requirements of each are being met in their everyday business activities.</p> <p>Managers of all levels must provide leadership by example is demonstrating the highest standards of probity and conduct so as to create the right anti-fraud culture throughout Rutland County Council. Managers of all levels are expected to strive to create an environment in which their staff feel able to approach them with any concerns they may have about suspected irregularities.</p> <p>Heads of Service and Managers must ensure that special arrangements will apply where employees are responsible for cash handling or are in charge of financial systems and systems that generate payments, for example payroll, the integrated benefits computer system or council tax. Managers must ensure that relevant training is provided for employees. Checks must be carried out at least annually to ensure that proper procedures are being followed in order to inform the directorate annual self-assessment.</p> <p>The Council recognises that a key preventative measure in dealing with fraud and corruption is for managers to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees, whether for permanent, temporary or casual posts. The Council's recruitment procedures must be adhered to.</p> <p>Management investigations into disciplinary matters must liaise with the Head of Internal Audit regarding any potential fraud implications of the conduct / investigation.</p>
<b>Internal Audit</b>	<p>Internal Audit plays a vital preventative role in trying to ensure that systems and procedures are in place to prevent and detect fraud and corruption. The Internal Audit Investigators liaise with management to recommend changes in procedures to prevent further losses to the Council.</p> <p>Fraud risks are considered at the outset of any internal audit assignment in order to provide assurances that suitable and proportionate controls are in place and operating effectively to manage key fraud risks. The Council's fraud risk register is</p>

	<p>reviewed by Internal Audit on a regular basis with assurances also sought over the management of specific risks within the register.</p> <p>The Head of Internal Audit shall recommend to the s151 Officer whether a concern / suspicion regarding fraud requires investigation by the Internal Audit Investigators as opposed to management.</p> <p>Internal Audit Investigators shall investigate all cases of suspected irregularity in accordance with the requirements of the Police and Criminal Evidence Act 1984, Human Rights Act 1998, Fraud Act 2006, Bribery Act 2010 and other relevant legislation. In all corporate related cases where employees are involved, they will work with HR and appropriate senior management to ensure that correct procedures are followed and that this policy is adhered to.</p>
<b>External Audit</b>	Independent external audit is an essential safeguard in the stewardship of public money. This role is delivered through the carrying out of specific reviews that are designed to test (amongst other things) the adequacy of the Council's financial systems, and arrangements for preventing and detecting fraud and corruption. It is not the external auditor's function to prevent fraud and irregularity, but the integrity of public funds is at all times a matter of general concern. External auditors are always alert to the possibility of fraud and irregularity, and will act without undue delay if grounds for suspicion come to their notice.
<b>Employees</b>	<p>Each employee is governed in their work by the Council's Constitution and Financial Regulations and other codes of conduct and policies (health and safety, IT strategy, IT security). Included in these are guidelines on gifts and hospitality and codes of conduct associated with professional and personal conduct and conflicts of interest. Key policies are provided to employees as part of the induction process and all are available on the internet pages. A corporate fraud awareness session is also delivered as part of the staff induction process.</p> <p>In addition to the above, employees are responsible for ensuring that they follow the instructions given to them by management, particularly in relation to the safekeeping of the assets of the Council. These will be included in induction training and procedure manuals.</p> <p>Employees are expected always to be aware of the possibility that fraud, corruption or theft may exist in the workplace and be able to share their concerns with management. Concerns should be raised, in the first instance, directly with the supervisor/line manager. If the employee feels that they cannot discuss their concerns directly with</p>

	<p>their line management they should refer to the Council's Whistleblowing Policy which gives details of independent persons with whom they can discuss their concerns.</p> <p>All employees must ensure that they avoid situations where there is a potential for a conflict of interest. Such situations can arise with externalisation of service. Internal tendering, planning and land issues etc. Effective role separation will ensure decisions made are seen to be based upon impartial advice and avoid questions about improper disclosure of confidential information.</p>
<b>Contractors and Partners</b>	<p>Contractors and partners have a responsibility for the communication and implementation of this policy within their organisation. They are also responsible for ensuring that their employees are aware of the Council's Financial Procedure Rules, Whistleblowing and other policies, and that the requirements of each are being met in their everyday business activities.</p> <p>Contractors and partners are expected to create an environment in which their staff feel able to approach them (or the Council directly) with any concerns they may have about suspected irregularities. Where they are unsure of the procedures, they must refer to the relevant Head of Service for that area or may approach the Head of Internal Audit directly on any whistleblowing issue.</p>

## 4. DETERRENCE

### **Prosecution**

4.1 Each case will be considered on its merits.

### **Disciplinary Action**

4.2 Theft, fraud, bribery and corruption are serious offences against the Council and employees will face disciplinary action if there is evidence that they have been involved in these activities. Disciplinary action will be taken, if appropriate, in addition to criminal proceedings, depending on the circumstances of each individual case.

4.3 Disciplinary action will be undertaken in accordance with the Council's disciplinary policy and procedure with each case considered on its merits.

4.4 Members will face appropriate action under this policy if they are found to have been involved in theft, fraud or corruption against the Council.

Action will be taken in addition to, or instead of, criminal proceedings, depending on the circumstances of each individual case, but in a consistent manner. The procedural guide 'Arrangements for Dealing with Conduct Allegations under the Localism Act 2011' will govern the manner in which investigations are undertaken, and matters, if not referred to the police, will be referred to the Conduct Committee.

- 4.5 Members or employees involved in fraud, theft, bribery or corruption that does not involve the Council or its finances may still be subject to the above action if it is considered to undermine the Council and its reputation.

#### **Publicity**

- 4.6 The Council recognises the key role publicity of fraud cases pursued plays in deterring other attempts to defraud the Council. To that effect, a Publicity Policy is attached at Annex B of this policy which sets out these measures in detail.
- 4.7 The Council's Communications officers will optimise the publicity opportunities associated with counter-fraud and corruption activity within the Council. Management will also try to ensure that the results of any action taken, including prosecutions, are reported in the media. Communications officers will maintain close working relationships with all areas involved in anti-fraud work but particularly Legal Services and Internal Audit.
- 4.8 In all cases where financial loss to the Council has occurred, the Council will seek to recover the loss and publicise this fact.
- 4.9 All counter-fraud and corruption activities, including the update of this policy, will be publicised in order to make the employees and the public aware of the Council's commitment to taking action on fraud and corruption when it occurs.
- 4.10 Regular reports will be made to the Audit and Risk Committee about any fraud and corruption activities and the outcomes of investigations.

## **5. DETECTION AND INVESTIGATION**

- 5.1 All staff, Members and any other stakeholder in Council services have a vital role in identifying potential fraud or corruption. It is not the responsibility of those groups to investigate their suspicions as this may undermine a case to be pursued but all parties play a key role in

bringing such concerns to the Council's attention for a proper and thorough investigation to be undertaken.

- 5.2 Management are in the best position to become aware of any problems that could indicate fraud or theft etc. Management are also best placed to ensure that systems of internal control are in place and operating and thus are ideally placed to identify weaknesses or failures that may be exploited. Internal Audit can provide advice and assistance in this area.
- 5.3 Employees are also ideally placed to detect fraud, theft or corruption. Employees are encouraged to discuss concerns with their line manager but the Whistleblowing Policy also provides mechanisms to raise concerns corporately.
- 5.4 All suspected irregularities are required to be reported either by the person with whom the initial concern was raised or by the originator. This is essential to the policy, and ensures the consistent treatment of information regarding fraud and corruption; and facilitates a proper and thorough investigation.
- 5.5 Suspicions of fraud, corruption or bribery should be promptly reported to the Head of Internal Audit (verbally or in writing) using the contact details below:

**Rachel Ashley-Caunt, Head of Internal Audit**

Email: RAshley-Caunt@Rutland.gov.uk

Tel: 07824 537900

- 5.6 Should the individual feel unable to raise concerns directly, the Whistleblowing policy also provides a process to enable the Council to demonstrate :
  - Proper investigations for all referrals;
  - Proper action taken in relation to findings from investigations;
  - Feedback is provided to anyone making a referral; and
  - Appropriate protection for anyone making or having made a referral.
  - Further details and guidance on using the Whistleblowing policy are available on the Council's intranet.
- 5.7 Internal Audit plays an important role in the detection of fraud and corruption. Included in the annual Audit Plan are reviews of system financial controls and specific fraud and corruption tests. Fraud risks are considered in the scoping of every audit assignment. Internal Audit

operates in accordance with best practice including the adoption of a formal Audit Manual in line with CIPFA best practice and the Public Sector Internal Audit Standards. This includes suitable processes to provide assurance to management on the adequacy of systems of internal control including the completion of follow ups for previous recommendations.

- 5.8 In addition to internal audit, there are numerous systems controls in place to deter fraud and corruption, but it is often the vigilance of employees and members of the public that aids detection.
- 5.9 In some cases frauds are discovered by chance or 'tip-off' and arrangements are in place to enable such information to be properly dealt with, in accordance with the requirements of the Human Rights Act 1998.
- 5.10 This process will apply to all the following areas:
  - a) fraud/corruption by elected Members;
  - b) internal fraud/corruption;
  - c) other fraud/corruption by Council employees;
  - d) fraud by contractors' employees; and
  - e) external fraud (the public).
- 5.11 Cases under a) will be referred to the Council's External Auditor and the Monitoring Officer.
- 5.12 In accordance with basic legal concepts any person who witnesses or discovers a criminal act has the right to refer concerns directly to the police.
- 5.13 Any decision to refer a matter to the police will be taken by the s151 Officer in consultation with the Chief Executive and Monitoring Officer. The Council will normally wish the police to be made aware of, and investigate independently, offenders where financial impropriety is discovered.
- 5.14 Depending on the nature of an allegation under b) to e), the Head of Internal Audit will normally work closely with the relevant senior manager concerned to ensure that all allegations are thoroughly investigated and reported upon.
- 5.15 The Council's disciplinary procedures will be used to facilitate a thorough investigation of any allegations of improper behaviour by employees.

## **6. AWARENESS AND TRAINING**

- 6.1 The Council recognises that the continuing success of this policy and its general credibility will depend in part on the effectiveness of programmed training and an awareness of elected Members and employees throughout the Council.
- 6.2 To facilitate this in the past, positive and appropriate provision had been made via induction training. It is also intended that a programme of anti-fraud awareness training will be rolled out across the Council and the Council will participate in an annual Fraud Awareness Week.
- 6.3 All employees have access to full copies of the Whistleblowing Policy, Counter Fraud and Corruption Policy, Money Laundering Policy and Gifts and Hospitality Policy on the Council's network.
- 6.4 Key to effective awareness (and deterrent) is a formal and comprehensive system of feedback to provide outcome information to the person who originally referred concerns. Whilst confidentiality must be respected (including the Data Protection Act and Human Rights Act provisions) every referral should be concluded and the outcome communicated to the person making the original referral.

## **7. MEASURE OF EFFECTIVENESS**

- 7.1 Ultimately, the objective of this policy is to ensure that no fraud is successfully committed against the Council.
- 7.2 In order to measure and demonstrate the effectiveness of the policy, an annual fraud report will be produced and published. This report will include the following information:
  - How frauds are identified
  - Details of any frauds identified
  - Which type of frauds were involved
  - Any patterns or themes detected
  - New fraud issues highlighted
  - Prevention measures

# **ANNEX A**

## **Anti-Bribery Protocol**

### **1. Definition**

1.1 A bribe is a financial or other advantage that is offered or requested with the intention of inducing or rewarding the improper performance of a relevant function or activity, or with the knowledge or belief that the acceptance of such an advantage would constitute the improper performance of such a function or activity.

### **2. Legislation**

2.1 The Bribery Act is now in force and places responsibilities and powers on organisations such as local authorities.

2.2 There are four key sections of the Act which need to be considered for the purposes of this document, which are:

Section 1, which deals with bribing another person by money, payment in kind, or goods and services.

Section 2, the act of being bribed. This relates to individual officers and could lead to prosecution of senior managers.

Section 6, bribery of foreign officials.

Section 7, failure of a commercial organisation to prevent bribery. For this section a “relevant commercial organisation” means an entity that carries on a business and current indications are that this includes Local Authorities. This section also includes persons associated with the organisation, such as agency workers, suppliers and contractors.

2.3 Under the legislation an organisation has a defence if it can show that it has adequate bribery prevention procedures in place, which are informed by the following six principles:

1) Proportionality – the action an organisation takes should be proportionate to the risks it faces and the size of the business.

2) Top level Commitment – A culture needs to be evident in which bribery is never acceptable. This can be shown via leadership statements, training and procurement expectations.

3) Risk Assessment – to include proportionate risk management perhaps via training, newsletters, procurement controls and inclusion within organisational policies such as this one.

4) Due Diligence – i.e. knowing who the organisation is dealing with.

5) Communication – communicating policies and procedures by training and general awareness including how occurrences should be investigated and by whom.

6) Monitoring and Review – to ensure policies, training and awareness are relevant and updated and by nominating a responsible officer.

2.4 Defence against bribery charges under the act, therefore, should be considered adequate if the organisation has the following in place:

- Risk awareness and preparation

- Adequate communication and senior management buy-in
  - A zero-tolerance culture
  - Adequate education and training
  - An audit trail and integration with counter fraud processes
- 2.5 The penalties for individuals under this legislation can, on conviction on indictment, be as high as a prison term of 10 years, or a fine or both. Although under section 7 a guilty person is only liable to a fine. The organisational consequences may include disbarment from contract tenders, reputational and financial risk exposure and adverse publicity.

### **3. The Council's commitment**

#### **3.1 The Council commits to :**

- Setting out a clear anti-bribery protocol and keeping it up to date;
- Making all employees aware of their responsibilities to adhere strictly to this policy at all times;
- Encouraging its employees to be vigilant and to report any suspicions of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately;
- Rigorously investigating instances of alleged bribery and assisting police and other appropriate authorities in any resultant prosecution;
- Taking firm and vigorous action against any individual(s) involved in bribery;
- Provide information to all employees to report breaches and suspected breaches of this policy; and
- Include appropriate clauses in contracts to prevent bribery.

### **4. Officer responsibilities**

#### **4.1 It is unacceptable to:**

- give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;
- give, promise to give, or offer a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
- accept payment from a third party where it is known or suspected that it is offered with the expectation that it will obtain a business advantage for them;
- accept a gift or hospitality from a third party where it is known or suspected that it is offered or provided with an expectation that a business advantage will be provided by the Council in return;
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy; or

- engage in activity in breach of this protocol or the Officer Code of Conduct.
- 4.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the organisation or under its control. All staff are required to avoid activity that breaches these requirements.

## **5. Gifts and Hospitality**

- 5.1 This document is not intended to change the requirements of the Council's gifts and hospitality policy included in the Code of Conduct for both Members and Officers.

## **ANNEX B**

### **Publicity**

#### **1. Introduction**

- 1.1 Rutland County Council has adopted this policy to address counter fraud and corruption issues enhancing public confidence in the administration of taxpayers' money.
- 1.2 The Counter Fraud & Corruption Policy and particularly this Publicity section aim to :
  - Make clear the connection between saving public monies and the fraud work that achieves this.
  - Dispel the belief held in some quarters that fraud is a victimless crime
  - Demonstrate consistent action is taken for both complex frauds and the perceived lower level frauds
  - Ensure that tough action taken against persons who commit fraud is utilised as an effective deterrent to others
  - Alter perceptions of this area of work to move from an image of petty bureaucracy or snoopers to one of professional public funds watchdog.
  - Ensuring that action taken is consistent with Rutland County Council policies and legislative provisions as well as being in the public interest
- 1.3 This policy covers the methods by which the counter fraud work by the Council will be promoted including the publicity associated with specific cases.

#### **2. Publicity categories**

- 2.1 Publicity takes many forms including
  - Leaflets
  - Posters
  - Press Releases / Articles
  - Advertisements
  - Intranet or Internet media
- 2.2 It is imperative that all available forms are maximised to promote a zero tolerance culture towards fraud throughout the organisation and to the public. However great care is needed to ensure that publicity in relation to counter fraud work is positive and does not undermine the service or reinforce the negative perceptions of this area of work.
- 2.3 Thus publicity needs to focus on three key areas :
  - Pro-active publicity of counter fraud work
  - Specific cases pursued e.g. specific prosecutions / convictions sought; and
  - Reactive responses to Media enquiries.

#### **3. Proactive publicity of counter fraud work**

- 3.1 This area of work is essential to promote the work of the services and ensure that others are aware of this work and thus deterred from attempting fraud. The aim of this publicity is to increase the profile of counter fraud work across Rutland County Council and the wider community in order to promote the referral processes and deter fraud.
- 3.2 An internet/intranet site shall be maintained which sets out details as to how to report fraud. The site will also provide links to relevant policies.
- 3.3 Any materials used for Fraud Awareness purposes shall be reviewed annually to reflect any necessary changes.
- 3.4 Fraud Awareness training is part of the Council's Corporate Training/Induction system.
- 3.5 In addition to the above the counter fraud work shall be promoted periodically both within the Council and to the general community.

#### **4. Specific cases**

- 4.1 Great care must be taken when publicising any specific case of fraud, theft or corruption. Data Protection Act and Human Rights Act provisions are key legal protections provided to those suspected of committing such offences and must not be breached by the Council's attempts to promote anti-fraud work.
- 4.2 However the publicity attached to any specific case is a necessary element of promoting the deterrent effect of anti-fraud work as it demonstrates actual instances and consequences to individuals.
- 4.3 Any decision that the Council should prosecute an individual, individuals or organisation must be taken following a formal quality assurance procedure.
- 4.4 Any decision to pursue prosecution will be taken on the basis of professional advice, the merits of the case itself and any applicable guidelines.
- 4.5 All prosecutions should include a consideration of publicity issues and ensure that the Council's communications team are involved / aware of the issue so that the Council can adopt a proactive publicity strategy and avoid the need to react to press enquiries.
- 4.6 A specific decision will be taken and recorded by the Head of Service to issue a press release for any specific case. In all other cases a press statement / position shall be prepared to address any potential press enquiry.
- 4.7 Press releases shall be prepared that promote the Council's Counter Fraud and Corruption policy and maximise the deterrent effect of prosecutions.

#### **5. Reactive responses to media enquiries**

- 5.1 Ideally the above measures aim to minimise the need for this where the Council proactively provides relevant information to promote anti-fraud through local (and possibly national) media.

- 5.2 Press queries will arise on some occasions and it is essential that they are responded to in such a way as to promote the anti-fraud policy of the Council.
- 5.3 Responses to Press queries regarding specific individuals must not breach Data Protection or Human Rights legislation.

**A large print version of this document is available on request**



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