

## Standards Committee



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<b>PORTFOLIO</b>	Resources
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## Update of Anti-Fraud and Corruption Policy

### PURPOSE

1. Present to members the revised version of the Anti-Fraud and Corruption policy.

### RECOMMENDATION

2. That Full Council approve the revised Anti-Fraud, Bribery and Corruption Policy and that Part 5 of the Constitution be amended accordingly.

### REASONS FOR RECOMMENDATION

3. The Anti-Fraud, Bribery and Corruption Policy is a means by which the council acknowledges its responsibility to encourage the prevention and detection of fraud and corruption which includes bribery; it makes it clear that any such activity will not be tolerated; and it identifies a process of investigation and remedial action.
4. Burnley Borough Council needs to incorporate new legislation particularly the Bribery Act 2010 into its Anti-Fraud Policy.

### SUMMARY OF KEY POINTS

5. The Standards Committee last reviewed the existing policy in January 2009 and consequently Full Council adopted a revised Anti-Fraud and Corruption Policy in February 2009. Since then there have been major changes to legislation, specifically the adoption of a new Bribery Act, the revocation of Public Bodies Corrupt Practices Act 1889 and the Prevention of Corruption Act 1906 & 1916.
6. The Bribery Act makes it an offence to either offer or accept a bribe. Furthermore, an organisation can be found guilty of an offence if it fails to prevent bribery. The penalties for such offences are either a jail term for an individual or an unlimited fine for the organisation.
7. Much of the governance and controls necessary for the new bribery offence is

already embedded into the Council. For example, Burnley Borough Council operates Gifts and Hospitality Registers for both officers and Members, it has a Recruitment Policy, a Register of Interest is maintained and we have in place Financial Procedure Rules and Standing Orders for Contracts.

8. The updated policy incorporates these new changes and makes some further minor amendments. The new policy will be more explicit concerning reference to bribery thereby drawing attention to the seriousness of such malpractice and reflecting the increased emphasis placed by the government on such an offence.
9. The Anti-Fraud, Bribery and Corruption policy itself underpins many other policies, such as, sickness absence, value for money, ethical standards. This should not be considered as an issue of lack of trust, but as ensuring that there is an appropriate response when this trust is abused, and that systems should be in place to control this risk.
10. Officer and Member awareness of the revised policy and requirements of the new Bribery legislation will be raised using Core Brief and an Elvis learning module (Electronic Learning Via Interactive Study).

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

11. None.

#### **POLICY IMPLICATIONS**

12. Anti-Fraud and Corruption Policy is part of the Council's Constitution.

#### **DETAILS OF CONSULTATION**

13. Phil Moore, David Wilcock, Caroline Lee, Nick Aves

#### **BACKGROUND PAPERS**

14. Existing Anti-Fraud and Corruption Policy

#### **FURTHER INFORMATION**

**PLEASE CONTACT:**

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**ALSO:**

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[Appendix 1 – New policy \(Anti-Fraud, Bribery and Corruption Policy\)](#)