

TELFORD & WREKIN COUNCIL**AUDIT COMMITTEE 22nd MARCH 2011****UPDATE OF THE CORPORATE ANTI-FRAUD & CORRUPTION POLICY****REPORT OF THE HEAD OF GOVERNANCE****PART A) – SUMMARY REPORT****1. SUMMARY OF MAIN PROPOSALS**

The Council is committed to high standards of Corporate Governance and has a set of procedures in place which are regularly updated and reviewed by the External Auditor. These procedures include the Anti-Fraud & Corruption Policy. The existing Anti-Fraud and Corruption Policy was last updated in 2008 and needs to be kept under review in order to meet legal requirements and maintain the Council's high standards of governance.

2. RECOMMENDATIONS

- 2.1** That the Audit Committee approves the updated Corporate Anti-Fraud and Corruption Policy attached at Annex A and recommends it for adoption by the Council.
- 2.2** That the Audit Committee delegates power to the Head of Governance to make minor changes to the policy that may be required as a result of the guidance on the Bribery Act 2010, when published.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<i>Community-Focussed Efficient Council – Working Together in New Ways – Achieving fast and flexible decision making while also ensuring good governance, accountability and transparency.</i>
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY DATE	Annual Council May 2011 and initial communications and awareness completed by 30/06/11. Further training will be provided to meet the requirements of the Bribery Act 2010	
FINANCIAL/VALUE FOR MONEY IMPACT	No	None, any training and awareness sessions will be provided from within existing budgets.
LEGAL ISSUES	Yes	The Anti-Fraud and Corruption policy needs to comply with all relevant legislative requirements. The regular review of the policy will ensure that

		this is the case. See paragraph 4.4 below.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	Having a policy which sets out the Council's anti-fraud, bribery and corruption culture and associated procedures assists in the management of the risk of fraud, bribery and corruption against the Council. The other opportunities and risks associated with this policy have been identified and are being managed appropriately.
IMPACT ON SPECIFIC WARDS	Yes	Borough-wide impact

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 The Anti-Fraud and Corruption Policy supports one of the key dimensions of good Corporate Governance – Standards of Conduct. The Council aims to ensure that all those associated with it maintain high standards of ethics and conduct in public life contributing to good corporate governance.
- 4.2 The key changes to the policy are due to the requirements of the Bribery Act 2010,
- 4.3 The implementation of the Bribery Act 2010 has been delayed several times due to a long consultation period on the guidance that supports the Act. However officers have been told that the guidance is now imminent and the provisions in the Act will then be effective 3 months from guidance issue date (estimated guidance issue date late March 2011 and therefore Act effective from late June 2011).
- 4.4 The Bribery Act 2010 repeals the Public Bodies Corrupt Practices Act 1889, the Prevention of Corruption Act 1916 and sub sections 68 and 69 of the Criminal Justice (Scotland) Act 2003. However, the definitions within the Bribery Act 2010 are very similar to those for corruption so the objectives and aims of the Anti-Fraud and Corruption policy are not fundamentally affected. The main changes to the policy are that it has been changed to refer to and define bribery. Once the guidance has been received Governance (Legal, Procurement and Audit & Assurance) will, subject to the approval of recommendation 2.2 above, make minor consequent amendments to the policy and develop/update appropriate procedures to meet these requirements and provide appropriate awareness to members, staff and external stakeholders. This policy is supported by the Speak Up Policy (last reviewed early 2008).

5. PREVIOUS MINUTES

- 5.1 Audit Committee 16th September 2008

6. BACKGROUND PAPERS

Corporate Anti-Fraud and Corruption Policy 2008

Speak Up Policy 2008

Benefit Fraud Sanction & Prosecution Policy 2010

Corporate Prosecution Policy 2010

Audit Commission requirements for the National Fraud Initiative

Fraud Act 2006

Local Government and Public Involvement in Health Act 2007

The Bribery Act 2010

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