

LONDON BOROUGH OF HILLINGDON ANTI-FRAUD AND CORRUPTION STRATEGY

1.Objectives

1.1. Fraud and corruption are rare and not tolerated by the honest majority. The objective of this document is to provide an Anti-Fraud and Corruption Strategy for the London Borough of Hillingdon. The Strategy supports the Council's Anti-Fraud and Corruption Policy and is underpinned by the Council's Fraud Response Plan. This strategy has been agreed by the elected members of the Council and is designed to integrate with and reinforce the Council's key objective of Putting Residents First.

1.2. In order to deliver the Council's aims, it needs to maximise the available financial and non-financial resources. Therefore this strategy is designed to:

- Reduce fraud and corruption losses to an absolute minimum
- Include all areas of the organisation and external stakeholders in its approach to anti-fraud and corruption.
- Support the Council in defending itself against any prosecutions under the Bribery Act

1.3. As part of its strategic risk management process, the Council ensures that there is robust framework in place to mitigate the risk of fraud and corruption. Its aim is to:

- Maintain a 'zero-tolerance' approach to fraud and corruption
- Provide a strong deterrent effect
- Prevent fraud and corruption through proper design of systems and policies
- Continue to undertake the detection and investigation of fraud and corruption including applying sanctions and recovery procedures where fraud is identified.

1.4. The Council is committed to an outcomes based strategy i.e. the achievement of a real reduction of losses to the authority.

2. Definitions of Fraud and Corruption

2.1. There are a number of Acts which can be considered when charging someone under this broad heading. However, the best definitions are encompassed in the Fraud Act 2006 and the Bribery Act 2010

2.2. Fraud Act 2006 provides for a general offence of fraud and three ways of committing it:

- By false representation
- By failing to disclose information; and
- By abuse of position.

In each case there is an offence if the person intends to;

- Make a gain for himself or another
- Cause loss to another or expose another to a risk of loss

2.3. The 2010 Act defines bribery as

A person (“P”) is guilty of an offence if either of the following cases applies. *P offers, promises or gives a financial or other advantage to another person, and*

- *Intends the advantage to induce a person to perform improperly a relevant function or activity, or to reward a person for the improper performance of such a function or activity. Or*
- *P knows or believes that the acceptance of the advantage would itself constitute the improper performance of a relevant function or activity*

A person (“R”) is guilty of an offence if any of the following cases applies.

- *Where R requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, a relevant function or activity should be performed improperly (whether by R or another person); or where*
- *The request, agreement or acceptance itself constitutes the improper performance by R of a relevant function or activity.*

2.4. Under the Bribery Act and organisation can be prosecuted if it has failed to prevent bribery. This strategy as well as the Codes of Conduct for Officers and Members, Financial Regulations and other internal policies detailed at paragraph 5 below should ensure that the Council is never subject to such a prosecution.

3. Scope

3.1. The Anti-Fraud and Corruption Strategy applies to

- Members
- Employees at all levels
- All organisations, contractors and partners associated with the Council
 - Service users; and

- Other stakeholders.

4. Risk Management

4.1. The risks of fraud and corruption are considered as part of the Council's strategic risk management arrangements. This includes fraud and corruption risks in relation to significant partnerships.

5. The Corporate Framework

5.1. The corporate framework which underpins this strategy includes the following:

- Members and Officers who set the tone from the top by setting an example and also by complying with the Codes of Conduct
- The Constitution including the Financial Regulations, Contract Standing Orders and the Scheme of Delegation
- Code of conduct for employees
- Disciplinary policy and procedures
- Code of conduct for members
- Gifts and Hospitality Policy
- Register of interests
- The Council's policies and procedures
- Recruitment Procedures
- The Anti-Fraud and Corruption Policy
- The Fraud response Plan
- Monitoring of and testing of the ethical framework
- The Whistle Blowing procedure
- The Complaints procedure
- The Money Laundering procedure
- The work of the Internal Audit and Enforcement Team and Trading Standards
- Participation in National Fraud Initiatives (NFI) data matching and targeted in-house data matching.
- Links with the National Anti-Fraud Network (NAFN), London Boroughs Fraud Investigation Group (LBFIG), Local Authority Investigation Officers Group (LAIOG), Department of work and Pensions (DWP), the Borders Agency and the Metropolitan Police and the National Fraud Authority

6. The Council's Approach

6.1. The Council's approach is to utilise the above framework by designing and regularly reviewing policies, procedures and systems in order to create a strong deterrent, preventative and detective effect.

6.2. It is further supported by the Council's proactive work to detect both internal and external fraud and corruption and by its commitment to investigate, discipline, prosecute, publicise successes, apply sanctions and recover losses where fraud is found.

6.3. The strategy centres on a very strong corporate anti-fraud culture and robust corporate framework which includes:

- deterrence
- prevention
- detection
- investigation
- sanctions; and
- redress
- within the very strong corporate anti-fraud culture and robust corporate framework.

6.4. Responsibilities in each area are outlined in the Anti-Fraud and Corruption Response Plan.

6.5. Details of the Council's approach are included within the Anti-Fraud and Corruption Policy.