

Anti-Money Laundering Policy



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Version Control:

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0.2	4 Dec 2018	Revised Draft	Muir Laurie
0.3	11 Jan 2019	Revised Draft	Raj Alagh
0.4	21 Jan 2019	Revised Draft	Muir Laurie

1. Introduction

- 1.1 Money laundering legislation requires local authorities to establish internal procedures to prevent the use of their services for money laundering. Money laundering in the UK is governed by the following legislation:
 - The Terrorism Act 2000;
 - The Anti-Terrorist Crime & Security Act 2001;
 - The Proceeds of Crime Act 2002;
 - Serious Organised Crime and Police Act 2005;
 - The Criminal Finances Act 2017;
 - The Money Laundering Regulations 2017; and
 - The Sanctions and Anti-Money Laundering Act 2018.
- 1.2 The London Borough of Hillingdon seeks to actively prevent money laundering within its services by identifying areas of money laundering risk, implementing measures to minimise and control this risk, and ensuring compliance with all legal and regulatory requirements.
- 1.3 This policy is in line with the Counter Fraud Strategic Plan, setting out the procedures to be followed to enable the Council to comply with its legal obligations.
- 1.4 This policy applies to all staff of the London Borough of Hillingdon - permanent and temporary, agency staff, contractors, executives, agents, Members, volunteers and consultants. All have a responsibility to be alert to the risk of money laundering and report suspicions where appropriate.

2. What is Money Laundering

- 2.1 Money Laundering is generally defined as the process by which the proceeds of crime, and the true ownership of those proceeds, are changed so that the proceeds appear to come from a legitimate source. It is not limited to major organised crimes, but covers the proceeds of all crimes, however small. The primary money laundering offences are:
 - Concealing, disguising, converting, transferring criminal property or removing it from the UK (section 327 of the 2002 Act);
 - Entering into or becoming concerned in an arrangement which you know or suspect facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person (section 328 of the 2002 Act);
 - Acquiring, using or possessing criminal property (section 329 of the 2002 Act);
 - Becoming concerned in an arrangement facilitating concealment, removal from the jurisdiction, transfer to nominees or any other retention or control of terrorist property (section 18 of the Terrorist Act 2000);
 - Failing to disclose suspected money laundering; or
 - *'Tipping-off'* i.e. informing someone who is suspected of being involved with money laundering.

3. Reporting Incidents and Suspicions

- 3.1 Suspected cases of money laundering must be reported to the **Anti-Money Laundering Reporting Officer** (AMLRO) or the **Deputy Anti-Money Laundering Reporting Officer** (Deputy AMLRO) for advice and guidance, their contact details are on page 2.

- 3.2 The AMLRO is responsible for:
- Maintaining awareness of money laundering through training and sharing information to ensure the Council's policies and procedures are adhered to;
 - Receiving Money Laundering Reports from anyone who has suspicions of money laundering and maintaining records of these reports;
 - Investigating reports of money laundering to determine if there are reasonable grounds to make a report to the National Crime Agency; and
 - Making reports to the National Crime Agency and cooperating with law enforcement agencies in the prosecution of those who commit money laundering.

4. Staff Responsibilities

- 4.1 Suspicions that money laundering is being committed must immediately be reported to the Council's AMLRO or Deputy AMLRO using the [Money Laundering Reporting Form](#). *This includes guidance on money laundering offences and recognising money laundering.*
- 4.2 Any report which falls within the scope of a 'protected disclosure' under the Whistleblowing Policy will be treated accordingly.
- 4.3 Failure by a member of staff to comply with the requirements and procedures set out in this Policy may lead to disciplinary action being taken against them. Any disciplinary action will be dealt with in accordance with the [Council's Disciplinary Policy and Procedure](#).

5. Other Relevant Policies

- 5.1 Other relevant Council policies etc include:
- [Counter Fraud Strategic Plan](#);
 - [Whistleblowing Policy](#);
 - [Corporate Investigations Protocol](#);
 - [Anti-Bribery Policy](#);
 - [Sanctions Policy](#); and
 - [Surveillance Policy](#).

6. Review Cycle of the Anti-Money Laundering Policy

- 6.1 The Council's Anti-Money Laundering Policy will be updated periodically (as and when required) and be subject to a detailed review every 3 years to ensure it is up to date with best practice in this area. The next detailed review is planned for December 2021.

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