



Borough of Tamworth

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AUDIT AND GOVERNANCE COMMITTEE

19 October 2022

Dear Councillor

A meeting of the Audit and Governance Committee will be held in **Town Hall, Market Street, Tamworth on Thursday, 27th October, 2022 at 6.00 pm.** Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, appearing to be 'AOS', followed by a long horizontal line extending to the right.

CHIEF EXECUTIVE

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 5 - 8)**
- 3 Declarations of Interest**

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

- 4 Modern Slavery Statement 2021/22** (Pages 9 - 16)
(Report of the Assistant Director, Partnerships)
- 5 Local Government and Social Care Ombudsman Annual Review 2021/22**
(Pages 17 - 32)
(Report of the Assistant Director, People)
- 6 Risk Management Quarterly Update Qt2 2022/23** (Pages 33 - 50)
(Report of the Assistant Director, Finance)
- 7 Quarterly Internal Audit Progress Report - Quarter 2 2022/23** (Pages 51 - 70)
(Report of the Audit Manager)
- 8 Counter Fraud Update** (Pages 71 - 158)
(Report of the Audit Manager)
- 9 Audit and Governance Committee Timetable** (Pages 159 - 164)
(Discussion Item)

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

If a member of the public is particularly concerned about being filmed, please contact a member of Democratic Services before selecting a seat

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: P Turner, R Ford, D Cook, A Cooper, S Daniels, J Jones and
R Kingstone

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MINUTES OF A MEETING OF THE AUDIT AND GOVERNANCE COMMITTEE HELD ON 28th SEPTEMBER 2022

PRESENT: Councillor P Turner (Chair), Councillors R Ford (Vice-Chair),
D Cook and A Cooper

Officers Stefan Garner (Executive Director Finance), Joanne Goodfellow (Assistant Director Finance) and Jo Hutchison (Democratic Services, Scrutiny and Elections Officer)

Visitors Laurelin Griffiths (Grant Thornton) and William Guest (Grant Thornton)

Apologies received from: Councillor(s) S Daniels, J Jones and R Kingstone

29 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Daniels, J Jones and R Kingstone.

The Chair also noted that the Audit Manager had sent his apologies.

30 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 10th August 2022 were approved as a correct record.

(Moved by Councillor R Ford and seconded by Councillor A Cooper)

31 DECLARATIONS OF INTEREST

There were no declarations of Interest.

32 UPDATE FROM EXTERNAL AUDITORS

The External Auditors provided an update on the Audit progress which had been delayed due to an issue in relation to the valuation of council dwellings which was being investigated further by the Council's valuers. The revised report from the valuers was expected shortly. No other material issues had been identified, although work continued. The External Auditors reported that they were awaiting the letter from the Staffordshire Pension Fund.

The Chair asked the External Auditors whether they expected to need to look further into the sample size, where the External Auditors reported that once they received the revised report from the valuers they would assess what further sampling and other work was required. The External Auditors reported that the statutory deadline for delivering the Audit Findings Report was the end of November 2022.

The Committee thanked the External Auditors for their update.

RESOLVED that the committee noted the updated

(Moved by Councillor P Turner and seconded by Councillor A Cooper)

33 REVIEW OF THE ANNUAL TREASURY OUTTURN AND ACTUAL PRUDENTIAL INDICATORS 2021/22

The Executive Director, Finance introduced the report to review the Annual Report on the Treasury Management Service and Actual Prudential Indicators 2021/22 following Council's consideration on 27th September 2022.

The executive Director Finance reported that it was the Audit and Governance Committee which scrutinised this area including the treasury management strategy and policy as well as receiving regular monitoring reports.

The Committee sought and received clarifications in the following areas:

1. The reasons for the difference between budgeted funds for treasury management and actuals where the Executive Director, Finance reported that these figures related to capital spend reprofiling of c. £27m as at March 2021, and would have mainly related at that time to projects including the regeneration projects, Gungate and Solway and also related to some grant funding received at that time relating to COVID grants and reliefs which were repaid later that year.
2. The impact of potential interest rate changes on the Council's property fund, where the Executive Director, Finance reported that the investment of the £12m in the property fund had resulted in a significant return since 2018 and the expected return was c.4% per annum and there had also been a rise in the value of those assets.

The Committee thanked the s151 Officer and his team for their work in this area.

RESOLVED that Members considered the Annual Report on the Treasury Management Service and Actual Prudential Indicators 2021/22, as detailed at Annex 1.

(Moved by Councillor P Turner and seconded by Councillor D Cook)

34 AUDIT AND GOVERNANCE COMMITTEE TIMETABLE

The Committee reviewed the timetable.

The Committee noted and supported the scheduling of an additional meeting during November 2022 and agreed that the Chair review the items contained within the Timetable with relevant Officers to support the Committee in managing the agenda items across the relevant meetings.

The Chair thanked the Officers for their support in agenda planning.

Chair

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THURSDAY, 27TH OCTOBER 2022

REPORT OF ASSISTANT DIRECTOR PARTNERSHIPS

MODERN SLAVERY AND HUMAN TRAFFICKING STATEMENT 2021/22

EXEMPT INFORMATION

None

PURPOSE

To endorse the Council's Modern Slavery and Human Trafficking Statement 2021/22

RECOMMENDATIONS

It is recommended that:

1. The Committee endorse the Modern Slavery and Human Trafficking Statement 2021/22 for approval by Cabinet

EXECUTIVE SUMMARY

Section 54 of the Modern Slavery Act 2015 imposes a legal duty on organisations, which supply goods and/or services from or to the UK and have a global turnover above £36 million, to publish a slavery and human trafficking statement covering each financial year.

The statement is due for publication by 30 September each year immediately following the end of the preceding financial year.

Tamworth Borough Council adopts a zero-tolerance position on known violations of anti-human trafficking and anti-modern slavery laws and is included in Safeguarding policies and duties. We are committed to improving our practices and ensuring there is no modern slavery or human trafficking in any part of our business and in so far as is possible requiring our suppliers to hold similar ethos.

The Modern Slavery and Human Trafficking Statement (attached as Appendix 1) sets out the continuing Council's actions to understand potential modern slavery risks related to its business and ongoing actions to ensure that there is no slavery or human trafficking in its own business, and its supply chains and relates to actions and activities during the financial year 1 April 2021 to 31 March 2022. It also outlines further proposed action for 2022/23 and (once approved) will be published on the Tamworth Borough Council website.

RESOURCE IMPLICATIONS

Support of the Modern Slavery Act 2015 obligations is met from existing budget and staff resources through the Partnerships team

LEGAL/RISK IMPLICATIONS BACKGROUND

The publication of an annual Modern Slavery and Human Trafficking Statement is a requirement of the Modern Slavery Act 2015

SUSTAINABILITY IMPLICATIONS

The legislation requires the Council to meet all obligations outlined

BACKGROUND INFORMATION

Modern slavery is an international crime, affecting an estimated 29.8 million slaves around the world. It is a growing global issue that transcends age, gender and ethnicities. It includes victims who have been brought from overseas and vulnerable people in the UK, who are forced to illegally work against their will across many different sectors such as agriculture, hospitality, construction, retail and manufacturing.

The Modern Slavery Act 2015 consolidates various offences relating to human trafficking and slavery. In broad terms:

- 'slavery' is where ownership is exercised over a person
- 'servitude' involves coercion to oblige a person to provide services
- 'forced and compulsory labour' is where a person works or provides services on a non-voluntary basis under the threat of a penalty
- 'human trafficking' involves arranging or facilitating the travel of a person with a view to exploiting them

Section 52 of the Act imposes a duty on public authorities, including district councils, to notify the Secretary of State of suspected victims of slavery or human trafficking.

Section 54 of the Act imposes a legal duty on organisations, which supply goods and/or services from or to the UK and have a global turnover above £36 million, to publish a slavery and human trafficking statement each financial year.

The Council engages in commercial activity (statutory and discretionary) and provides a range of services to residents, businesses and visitors. This includes waste collection and recycling, collection of council tax and business rates, housing, homeless support, parks and open spaces, planning and building control, street cleaning, promoting economic growth and regeneration, environmental health, leisure services, community safety and election administration. Services are delivered through a mixture of direct provision, commissioned services, contracted services, joint/shared services and partnerships. Its annual turnover is greater than £36 million.

REPORT AUTHOR

Jo Sands, Assistant Director Partnerships

LIST OF BACKGROUND PAPERS

Modern Slavery Act 2015

APPENDICES

Appendix 1 – Tamworth Borough Council Modern Slavery and Human Trafficking Statement 2021/22

Tamworth Borough Council Modern Slavery and Human Trafficking Statement

Introduction

Modern slavery is an international crime, affecting an estimated 29.8 million slaves around the world. It is a growing global issue that transcends age, gender and ethnicities. It includes victims who have been brought from overseas and vulnerable people in the UK, who are forced to illegally work against their will across many different sectors such as agriculture, hospitality, construction, retail and manufacturing.

Tamworth Borough Council adopts a zero-tolerance position on known violations of anti-human trafficking and anti-modern slavery laws. We are committed to improving our practices and ensuring there is no modern slavery or human trafficking in any part of our business and in so far as is possible requiring our suppliers to hold similar ethos.

This Modern Slavery and Human Trafficking Statement sets out the Council's actions to understand potential modern slavery risks related to its business and put in place steps that are aimed at ensuring that there is no slavery or human trafficking in its own business, and its supply chains.

This Modern Anti-Slavery and Human Trafficking Statement relates to actions and activities during the financial year 1 April 2021 to 31 March 2022.

The statement is reflective of a year focussing on recovery from the Covid pandemic.

The Modern Slavery Act 2015

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The Council engages in commercial activity (statutory and discretionary) and provides a range of services to residents, businesses and visitors. This includes waste collection and recycling, collection of council tax and business rates, housing, homeless support, parks and open spaces, planning and building control, street cleaning, promoting economic growth and regeneration,

environmental health, leisure services, community safety and election administration. Services are delivered through a mixture of direct provision, commissioned services, contracted services, joint/shared services and partnerships. Its annual turnover is greater than £36million.

Standards

Tamworth Borough Council will meet the following standards and also expects those with whom it does business with, to meet these standards:

- To support every individual's human right to live free from abuse, servitude and inhumane treatment
- To promote ethical business and operational practices in corporate activity and the services delivered
- To take appropriate steps to ensure that slavery and human trafficking is not taking part in any of its business or supply chains
- To take reports of witnessed, suspected or disclosed concerns of slavery and human trafficking seriously
- To take appropriate steps with relevant partner agencies to address actual instances of slavery and human trafficking

Policies and Procedures

Tamworth Borough Council has a range of policies and plans in place which reflect its commitment to acting ethically and with integrity to prevent slavery and human trafficking in its operations:

- Vision and Corporate Plan - The Council's vision is 'Celebrating our heritage, creating a better future' and our Corporate Plan includes a key priority Living in Tamworth – with a community safety focus on neighbourhoods and place.
- Safeguarding Children and Adults at Risk Policy – outlines a robust approach taken by the Council to safeguard the welfare of children and 'adults at risk'. (Reviewed and updated April 2021)

All staff and councillors are required to read and work within this policy. The Council works within multi-agency partnerships to protect and safeguard people and has an identified lead officer for modern slavery

The policy covers how the Council should comply with the duty to notify the Secretary of State of suspected victims of slavery and human trafficking.

- Whistleblowing Policy – encourages all its employees to report concerns about any aspect of service provision, conduct of officers and others acting on behalf of the Council, or the supply chain. The policy is designed to make it easy to make disclosures without fear of discrimination and victimisation. (Reviewed October 2021)
- Employee and Members Code of Conduct – is the ethical framework that employees and Members work to which makes clear the actions and

behaviour expected of them when representing the Council. The Council strives to maintain the highest standards of employee conduct and ethical behaviour and breaches are investigated.

- Recruitment Policy – sets out robust processes in line with UK employment laws, including ‘right to work’ document checks and contracts of employment.. To comply with the Asylum, Immigration and Nationality Act 2006, all prospective employees are asked to supply evidence of their eligibility to work in the UK. References are also requested and followed up, Disclosure and Barring Service (DBS) checks are completed for relevant roles and ID checks undertaken.
- Job Evaluation Scheme - ensures that all employees are paid fairly and equitably. When the Council uses employment agencies to source labour it verifies the practice of any new agency it is using before accepting workers from that agency.
- Equality and Diversity Scheme ‘Making Equality Real In Tamworth’ - sets out the how the Council will promote diversity and equality in the delivery of services provided both directly and in conjunction with our partners. Staff training is also delivered
- Living Wage – the Council pay above the living wage and national living wage and volunteers are not permitted to undertake unpaid work that an employee would normally be paid to do

Supply Chains

In the procurement process, Tamworth Borough Council continues to expect all suppliers of goods and services to comply with all applicable laws, statutes, regulations [and codes] from time to time in force [including [but not limited to] the Modern Slavery Act 2015, their own anti-slavery policy (where applicable) and this Modern Anti-Slavery and Human Trafficking Statement.

The Council recognises that the organisation is exposed to greater risk when dealing with contractors and service suppliers. The Council has a wide range of suppliers delivering services across all directorates. The Council aims to reduce the risk of modern slavery in its supply chain by undertaking the following actions:

- Where appropriate key contractors are required to have safeguarding policies, procedures and training in place, in addition to providing confirmation of compliance with the Modern Slavery Act;
- Identify services that are more vulnerable to modern slavery and seeking assurance that their supply chain is free of modern slavery and human trafficking;
- All tenderers/suppliers are required to self-certify that they comply with the provisions of the Modern Slavery Act and our Invitation To Quote (ITQ) and Invitation To Tender (ITT) documents ask if the contractor is a relevant commercial organisation as defined by section 54

("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act").

- If a bidder fails to self-certify they are a compliant, their response is checked
- Successful contractors are asked for evidence that they are compliant with the annual reporting requirements contained within Section 54 of the Act. If they are compliant then the contractor is required to provide the relevant URL address and if they aren't, then the company is recorded as failing is removed from the procurement process.
- Where sub-contractors are involved, a reliance is placed on the main contractor. Our standard terms and conditions with regard to sub-contracting, state that:-

'the Contractor shall be responsible for the acts and omissions of any assignee or sub Contractor and its employees and agents as though they were the acts and omissions of the Contractor or the Contractor's employees or agents'

Training and awareness

Tamworth Borough Council has a programme of safeguarding training for all employees and elected members which continues to be utilised and is part of mandatory induction training – this is reported to Health and Wellbeing Scrutiny twice per year. Modern Slavery awareness is included in this training.

Level 1 safeguarding training - eLearning modules to staff and members are now embedded. Level 1 safeguarding training must be refreshed every 3 years and is delivered as a rolling programme.

Level 2 safeguarding children training is delivered by the Staffordshire Safeguarding Children Board (SSCB) training team. Staffing roles that require this enhanced level of training have been identified and officers requested to complete this training.

Level 3 safeguarding children training provides subject specific training courses going forward the Partnership Vulnerability Officer will be working with managers to identify relevant safeguarding courses that will support staff in their job role.

Level 4 specialist training i.e. Designated Safeguarding Lead training. The Assistant Director Partnerships remains the lead officer for the Council

Information on Modern Slavery is incorporated into the Council's Safeguarding Policy and is available to all staff – an update to the policy was shared via Astute in April 2021

A bespoke eLearning Modern Slavery and human trafficking package remains available for all staff and members during induction enabling them to identify and know how to report suspected or disclosed incidents.

At present any concerns can continue to be reported to the Designated Safeguarding Officer or Deputy

Relevant public information is now available on the Council's website.

How to Report Modern Slavery

If you suspect someone may be at risk of Modern Slavery telephone 101 to report it to Staffordshire Police, or if someone is in immediate danger always call 999.

Crimes can be anonymously reported via Crimestoppers on 0800 555 111 or via modernslavery.co.uk's hotline on 0800 0121 700

Partnership working

Tamworth Borough Council has a strong track record of working in partnership with other agencies to respond to safeguarding, slavery and trafficking issues. This includes supporting Staffordshire County Council, Staffordshire Commissioners Office for Police, Fire and Crime and Staffordshire Police through the Tamworth Community Safety Partnership.

The Council continues to work with colleagues to develop a common understanding and partnership approach to the threats, vulnerabilities and risks relating to slavery and human trafficking.

We also work with a range of agencies to safeguard children and adults at risk. This includes supporting the work of the local safeguarding boards and district Councils safeguarding network. The Council wants its employees to understand more about this growing issue and how to report any suspicions they may have, whether in a work or personal context.

Risks have been identified with partners in premises subject to licensing regulations and all partners have taken a collaborative role to report concerns, investigate and take appropriate enforcement actions.

No referrals to the Tamworth Vulnerability Partnership were made during 2021/22 with regard to Modern Slavery concerns

Going Forward

The Council will strengthen its approach to tackling modern slavery by:

- Increasing commitment to attend the Staffordshire Modern Slavery Human Trafficking Tactical meeting to ensure crime trends are recognised, proactively organise action with multi-agency partners to tackle possible problems in the Tamworth area and respond to suspicions of Modern Slavery Human Trafficking.
- County Lines is now recognised as a modern slavery human trafficking issue and further training through the Salvation Army, Voice of Hope and Catch 22 will be considered to raise awareness with the public, council members and staff.

- Develop the work of the Responsible Bodies Group (RBG) to identify and report modern slavery concerns as a result of licencing or other premises inspections
- Continue to seek reassurance via current training packages that staff remain up to date and have undergone relevant training
- Identify and train safeguarding champions in each Council service (in progress)
- Continue to work with Service Managers to undertake relevant risk assessments as necessary with suppliers to ensure their understanding and compliance with the Modern Slavery Act where necessary

This Modern and Anti-Slavery and Human Trafficking Statement has been approved by Council's Corporate Management Team and endorsed by the Audit & Governance Committee and Cabinet. It will be reviewed and updated as necessary on an annual basis for monitoring and assurance purposes.

A handwritten signature in black ink, appearing to read 'AB', followed by a long horizontal line that tapers to a point on the right.

Andrew Barratt
Chief Executive
September 2022

Thursday, 27 October 2022

Report of the Assistant Director - People

Local Government and Social Care Ombudsman Annual Review 2021/22

Exempt Information

None

Purpose

To advise the committee of the contents of the Local Government and Social Care Ombudsman's Annual Report Letter for the year ended 31st March 2022 in relation to complaints against Tamworth Borough Council.

Recommendations

It is recommended that:

1. The Committee endorse the content of the Ombudsman's Annual Review Letter
2. The Committee note the summary of complaints, decisions and compliance during 2021/22

Executive Summary

The Local Government and Social Care Ombudsman (LGSCO) produces an annual letter setting out statistics about complaints relating to our authority that have been referred to the LGSCO. This year's letter was published in July and covers the period April 2021 to March 2022 a copy of which can be found at Appendix 1.

All decisions made by the ombudsman regarding complaints against Tamworth Borough Council can be found on the LGSCO website <https://www.lgo.org.uk/decisions>. This data can also be viewed via an interactive map of all councils performance nationally which can be found on this link <https://www.lgo.org.uk/your-councils-performance>.

Complaints and enquiries received by the ombudsman in 2021/22

In the year 2021/ 22 the Ombudsman received 8 enquiries and complaints about our authority and made 10 reported decisions two of which were from the previous reporting year, Appendix 2 gives further detail on this.

The 8 complaints received by the Ombudsman were related to the following service areas:

- 4 complaints for Environmental Services
- 2 complaints for Planning and Development
- 1 complaint for Benefits/Council Tax
- 1 complaint for Corporate/ other services

An ombudsman assessor investigates complaints and makes an initial judgement on the case. This assessor will normally contact the council to ascertain if the complainant has exhausted the council's complaints process and will also decide whether there is enough information to consider the case and also, if it falls within the jurisdiction of the Ombudsman.

Out of the 10 decisions this year:

- Five complaints/ enquiries were referred back to the council for local resolution (for example, if the complainant had not exhausted the Council's policy or the complaint had already been resolved locally).

- Three complaints/ enquiries were closed after initial enquiries this might be because the law states the Ombudsman is not allowed to investigate it or, because it would not be an effective use of public funds if they did.

This left 2 complaints which were passed on for detailed investigation

- One decision was not upheld after full investigation. The Ombudsman found no fault in the Council's actions. This case was where a customer complained that the council refused an application for a small business grant. The reason for refusal was that the essential criteria was not met to enable payment to be made. Following investigation, the Ombudsman decided that there was no evidence of fault by the council. The full anonymised report from the Ombudsman can be found at Appendix 3.
- The final decision was upheld by the Ombudsman. This case was with respect to a letter sent to the customer regarding electoral registration. The letter to the household included a list of things anyone who is not on the electoral register will not be able to do (for example, get credit, apply for a mortgage, or open a bank account). The customer complained that this was not true. Through the council's complaints process it was accepted that the use of the word "will" was too strong, and an apology was offered to the customer along with an assurance that this would be rectified for the future. The customer was not satisfied with this response and exercised the right to complain to the Ombudsman.

The Ombudsman considered the complaint and decided not to investigate further as this would not add to the investigation undertaken by the council and upheld the complaint. The reason why the ombudsman treated this as upheld is that the council had acknowledged a mistake had been made which could be misleading to the customer. The full anonymised report from the ombudsman can be found at Appendix 4.

The ombudsman annual letter also reports on the number of complaints upheld as a percentage of the total detailed investigations. For this reporting period 1 decision out of 2 investigations was upheld giving a statistic of 50% of complaints being upheld in comparison to 51% in similar organisations.

The ombudsman also reports on compliance with recommendations made by the ombudsman, however, this year there were no recommendations made.

The final element reported by the ombudsman is the percentage of upheld cases where the council provides a satisfactory remedy before the complaint reached the ombudsman. In this reporting period we had provided a satisfactory remedy to the one upheld case and as such achieved 100% in comparison to an average of 20% in similar organisations.

Future Developments

The council remains committed to continuous improvement and to learn from complaints to promote improved service delivery and customer satisfaction. To support this the following actions are planned within the 2022/23 year:

- The Information Governance Team will continue to manage and monitor the complaints process.
- The Tell Us Policy review will be completed, and the new Compliments, Comments and Complaints Policy implemented
- The Link Officer will continue to attend focus groups and workshops with the LGSCO as they seek to develop a unified code of practice with the Housing Ombudsman.

Resource Implications

There are no resource implications arising from this report

Legal/Risk Implications Background

Failure to manage complaints effectively not only reduces the opportunities to learn from the information they provide but could also have a negative impact on the council's reputation and

increase costs via compensation payments. The council's current complaints policy (Tell Us) is currently under review and an improved policy and procedure will help reduce this risk.

Equalities Implications

There are no equalities implications arising from this report

Environment and Sustainability Implications (including climate change)

There are no environment or sustainability implications arising from this report

Background Information

The Committee's role and function includes a requirement to monitor the effectiveness of Local Government and Social Care Ombudsman (LGSCO) investigations. As the operation of the LGSCO forms part of this regulatory framework the Committee is provided with the LGSCO annual review for consideration. The LGSCO distribute annual review letters to all councils regarding their performance in dealing with complaints made about them to the Ombudsman. The aim is to provide councils with information to help them improve complaint handling, and improve services more generally, for the benefit of the public. The letters also include a summary of statistics relating to the complaints received by the LGSCO and dealt with against each council.

The LGSCO has the power to investigate complaints by members of the public who consider that they have been caused injustice by maladministration or service failure in connection with action taken by the Council and certain other bodies in the exercise of its administrative functions. Whilst the Ombudsman can investigate complaints about how the Council has done something, it cannot question what a Council has done simply because someone does not agree with it.

A complainant must give the council an opportunity to deal with a complaint against it first although in practice this is not always the route taken. The Ombudsman expects the council's own complaints procedure to be exhausted in the first instance, in this case the two stages of the Tell Us policy. If a complainant is not satisfied with the action the council takes, he or she can send a written complaint to the Local Government and Social Care Ombudsman they are informed on how to do so at the conclusion of the Tell Us Stage Two process.

The objective of the Ombudsman is to secure, where appropriate, satisfactory redress for complainants and better administration for the authorities. Since 1989, the Ombudsman has had power to issue advice on good administrative practice in local government based on experience derived from their investigations.

The LGSCO provide each local authority with an annual review of the authority's performance in dealing with complaints against it which were referred to them, so that the authority can learn from its own performance compared to other authorities.

The LGSCO require every authority to have a Link Officer to whom all complaints are referred, at TBC this is Zoe Wolicki (Assistant Director People) with Nicola Hesketh (Data Protection Officer and Monitoring Officer) providing support.

Report Author

Zoe Wolicki – Assistant Director People

Appendices

Appendix 1 – Annual Review Letter

Appendix 2 – Complaints, Decisions and Compliance Data

Appendix 3 – Final Decision letter (not upheld)

Appendix 4 – Final Decision letter (upheld)

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20 July 2022

By email

Mr Barratt
Chief Executive
Tamworth Borough Council

Dear Mr Barratt

Annual Review letter 2022

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 27 July 2022. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Supporting complaint and service improvement

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

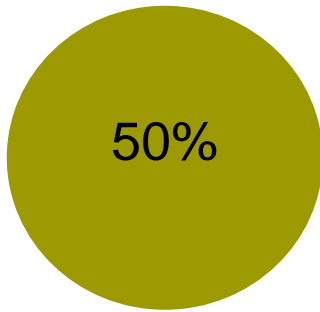
An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



50% of complaints we investigated were upheld.

This compares to an average of **51%** in similar organisations.

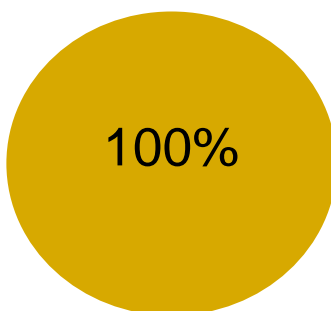
1
upheld decision

Statistics are based on a total of **2** investigations for the period between 1 April 2021 to 31 March 2022

Compliance with Ombudsman recommendations

No recommendations were due for compliance in this period

Satisfactory remedy provided by the organisation



In **100%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **20%** in similar organisations.

1
satisfactory remedy decision

Statistics are based on a total of **1** upheld decision for the period between 1 April 2021 to 31 March 2022

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Reference	Authority
20007619	Tamworth Borough Council
21001803	Tamworth Borough Council
21002941	Tamworth Borough Council
21003088	Tamworth Borough Council
21005351	Tamworth Borough Council
21005437	Tamworth Borough Council
21008195	Tamworth Borough Council
21011547	Tamworth Borough Council

Category	Received
Environmental Services & Public Protection & Regulation	27/07/21
Environmental Services & Public Protection & Regulation	10/05/21
Environmental Services & Public Protection & Regulation	28/05/21
Planning & Development	04/06/21
Environmental Services & Public Protection & Regulation	13/07/21
Planning & Development	15/07/21
Corporate & Other Services	06/09/21
Benefits & Tax	03/11/21

The Ombudsman's final decision

Summary: Mr X complained the Council refused his application for a Small Business Grant even though he applied before the closing date. He says his business has suffered financially as a result. We find no fault by the Council as Mr X's business was not in receipt of small business rate relief when he applied for the grant. The relief was not awarded until October when the grant scheme was closed.

The complaint

1. Mr X complained the Council refused his application for a Small Business Grant even though he applied before the closing date for the scheme.
2. Mr X says his business has suffered financially.

The Ombudsman's role and powers

3. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
4. If we are satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(j), as amended*)

How I considered this complaint

5. As part of the investigation, I have:
 - considered the complaint and the documents provided by the complainant;
 - made enquiries of the Council and considered the comments and documents the Council provided;
 - discussed the issues with the complainant;
 - sent my draft decision to both the Council and the complainant and taken account of their comments in reaching my final decision.

What I found

Small Business Rate Relief

6. Small business rate relief (SBRR) is applied if business premises have a rateable value of less than £15,000 and, in most cases, if the business uses only one property.
7. If relief is applied, then any business with premises with a rateable value of less than £12,000 will pay no business rates.

The Small Business Grant Fund

8. In March 2020, in response to the COVID-19 pandemic, the government created schemes for councils to pay grants to small businesses. These included the Small Business Grant Fund (SBGF).
9. To receive funding from the SBGF a business had to be in receipt of small business rate relief (SBRR) (or rural rates relief) on 11 March 2020. Eligible businesses would receive a grant of £10,000.

Key facts

10. Mr X is a solicitor and has a business premises with a rateable value of £11,500. This means the property was eligible for SBRR but Mr X had not applied for it so was not in receipt on 11 March 2020.
11. Mr X made an application in May 2020 for the SBGF. As he was not in receipt of SBRR, his application was refused. Mr X did not contact the Council about this matter again until 12 October 2020 when he queried why his business was not awarded a grant. He said that all other businesses he had spoken to which paid business rates had received a grant.
12. The Council responded the same day saying that as he is not in receipt of SBRR he did not qualify for the SBGF. It also said that as he has more than one business he would not qualify for SBRR. Mr X responded asking why the Council thought he had more than one business. The Council replied saying he never applied for SBRR and so was not entitled to the SBGF. It did not respond to his question about why it thought he had more than one business.
13. Mr X emailed the Council again saying he previously applied for the SBGF before the deadline of 30 September and again asked why he had not been awarded the SBGF. He said the Council seemed to be putting weight on the fact he has a second business and again asked what his second business is. He said that even if the application process has closed, then the Council's determination was potentially defective.
14. The Council email in response said it had tried to call him to discuss the matter but he was unavailable. It acknowledged Mr X had applied for the SBGF before the closing date but that he has not applied for SBRR. It said this was why it decided he was not eligible for the SBGF.
15. Mr X made an application for SBRR. Following investigation by the Council it determined that if Mr X had applied previously he would have been entitled to SBRR from 1 April 2015. The Council says that as a gesture of goodwill it backdated the SBRR which generated a credit of £22,699.93. This was refunded to Mr X on 2 November 2020.
16. Mr X's MP made a formal complaint on his behalf to the Council. In response, the Council explained that when Mr X originally applied for the SBGF he was not in receipt of SBRR and so the application was refused. Although he was later

awarded backdated SBRR, this happened after the closing date for the SBGF and so it could not be awarded.

17. Dissatisfied with the Council's decision, Mr X complained to the Ombudsman.

Analysis

18. When Mr X applied for the SBGF in May 2020, his business was not in receipt of SBRR and so the Council did not make an award. Government guidance states that all businesses in receipt of SBRR on 11 March 2020 are eligible for a payment under the SBGF. To qualify for SBRR, Mr X had to apply for it and there is nothing to suggest he did this before 11 March 2020. There is no fault in the Council's decision to refuse the SBGF.
19. The Council was able to make awards of SBGF until 30 September 2020. After receiving the Council's refusal in May 2020, Mr X did not contact the Council again until 12 October. Although he then applied for and was awarded SBRR, this was after the SBGF closed and so the grant could not then be awarded.
20. While I can appreciate Mr X's frustration that he should have been awarded the SBGF, I am not persuaded the reason it was not awarded was due to fault by the Council. It made the correct decision in May 2020 when Mr X initially applied for the SBGF because he was not in receipt of SBRR on 11 March. Mr X did not apply for SBRR until after the SBGF closed. The fact Mr X made an application in May 2020 was not a basis for the Council to award the SBGF after the scheme had closed.

Final decision

21. I will now complete my investigation as there is no evidence of fault causing a significant injustice.

Investigator's decision on behalf of the Ombudsman

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The Ombudsman's final decision

Summary: We will not investigate this complaint about a letter Mr C received about the electoral register. This is because an investigation would not add to the investigation already undertaken by the Council.

The complaint

1. The complainant, who I will refer to as Mr C, complains about a letter he received from the Council saying nobody at his property was registered to vote. Mr C says the letter included a list of things anyone who is not on the electoral register will not be able to do in addition to not being able to vote. This list included getting a mobile phone contract, applying for a mortgage and opening a bank account. Mr C says he checked and he can do all of these things. Mr C says the letter caused him stress, and other people who received the letter would have reacted the same way. Mr C would like the Council to re-send an amended letter with an apology to everyone who received the letter.

The Ombudsman's role and powers

2. The Ombudsman investigates complaints about 'maladministration' and 'service failure', which we call 'fault'. We must also consider whether any fault has had an adverse impact on the person making the complaint, which we call 'injustice'. We provide a free service, but must use public money carefully. We do not start an investigation if we decide we could not add to any previous investigation by the organisation.

(Local Government Act 1974, section 24A(6))

How I considered this complaint

3. I considered information provided by Mr C.
4. I considered the Ombudsman's Assessment Code.

My assessment

5. In response to Mr C's complaint, the Council said:
 - The majority of unregistered electors would encounter the issues listed in the letter, but this would not be the case in all circumstances. So, the use of the word 'will' was factually inaccurate with the exception of being able to vote.
 - It sincerely apologises for this error and this will be rectified in future communications.

-
- The Council's annual canvass undertaken each summer has superseded the need for a replacement letter. The correspondence associated with this canvass is not in the same format as the letter Mr C received in early 2021, so this inaccuracy has not been repeated.
6. The Council has accepted it was at fault and has apologised to Mr C. This was a suitable response and puts right the injustice Mr C suffered. Also, the information indicates the Council will not use this wording in future letters.
 7. Mr C would like the Council to send an amended version of the letter with an apology to every person who received the letter. But, it is likely the people who received the same letter as Mr C have received a more recent letter which does not use the same wording. Also, the issue Mr C complains about is not serious enough to justify us asking the Council to take such action. The thrust of the Council's message – that not being on the electoral register may have implications for other matters such as mortgage applications and banking – was correct, albeit the form of words used by the Council was too strong.
 8. So, an investigation by the Ombudsman would not add to the action already taken by the Council.

Final decision

9. We will not investigate Mr C's complaint because an investigation by the Ombudsman would not add to the Council's own investigation.

Investigator's decision on behalf of the Ombudsman

AUDIT AND GOVERNANCE COMMITTEE

Thursday 27th October 2022

REPORT OF THE ASSISTANT DIRECTOR FINANCE

RISK MANAGEMENT QUARTERLY UPDATE

Purpose

To report on the Risk Management process and progress for Quarter 2 of the 2022/23 financial year.

Recommendations

- **That the Committee endorses the Corporate Risk Register.**

Executive Summary

One of the functions of the Audit & Governance Committee is to monitor the effectiveness of the Authority's Strategic risk management arrangements. This report includes the actions taken to manage those risks and raises issues of concern that may impact the Authority. Corporate risks are identified, managed, and monitored by the Corporate Management Team (CMT) on a quarterly basis.

A copy of the current Corporate Risk Register is attached, as **Appendix 1**. The control measures contained have been developed to reflect the actions in the 5-year corporate plan. The revised Risk control measures will ensure the delivery of the strategic objectives, as detailed in the 2022-25 Corporate Plan, and minimise the risk of strategic drift.

The nature of some action points contained within the Corporate Plan can be identified as tasks or services rather than risk controls. These items are not included but will be monitored by other risk control measures such as service plans and budget management. Other actions in the plan will be grouped under a common risk control. The others are by their nature a risk control and so can be included directly into the report. To clarify this a summary of these are shown in **Appendix 2**.

The Operational risk champions group have met to discuss cross service risks and will report items of significance that could affect the strategic risks. The recent meeting of the group restated the issues previously reported relating to increased costs and supply shortages. Significant items of shortage leading to increased costs remain particularly in gas, fuel supplies and construction. This issue continues to be monitored, and mitigating measures adopted where possible. As is the case with many organisations there continues to be pressures on the retention and recruitment of staff, although this varies between skill sets.

These do not all directly affect the provision of our services but continue to have an upward pressure on costs as inflation increases or lengthen project delivery

timetables. The heightened risk of cyber-attacks remains due in part to the continuing conflict in Ukraine. The Technology and Information team continue to take steps to mitigate our exposure to these and any other Cyber threats.

In addition, and following the recent mini budget on 23rd September, there are possible cost pressures expected due to the financial markets' response to the contents of that budget. There is an increased likelihood of a rise in interest rates, and it can be expected that this will have a negative effect on the price of goods and services but a positive effect from the return from the Council's Treasury investments.

More recently the publication of information from the National Grid identifies a possibility of power cuts during the winter period. These would be localised and for periods of 3 hours. There is limited information on this at this time, but discussions are being held within the relevant teams and with the CCU to ensure we identify areas of concern and establish priorities should this become a reality.

At the same time as rising supply costs there is the potential for a fall in income as the disposable income of the general public reduces due to the pressures on the household purse. This has the potential to affect collection rates for Council Tax and Housing rents. The situation will be monitored through the monthly budget monitoring process.

Options Considered

None.

Resource Implications

None.

Legal / Risk Implications

There are no direct legal implications from this report but failure to manage strategic risks could lead to issues in delivering strategic priorities.

SUSTAINABILITY IMPLICATIONS

None

BACKGROUND INFORMATION

None

REPORT AUTHOR

Emma Dyer, Operations Accountant, ext. 239

LIST OF BACKGROUND PAPERS

None

APPENDICES


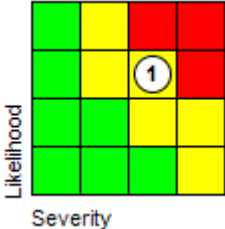

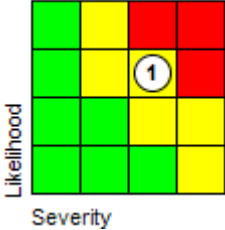
Appendix 1 Corporate Risk Register Qtr. 2

Appendix 2 Corporate Plan 2022-25 Control Items

Corporate Risks Summary 2022

Generated on: 11 October 2022

Corporate Risk Heading	Status	Status	Current Risk Matrix	Executive Leadership Team
Finance/Financial stability 2022		Warning		Stefan Garner
Modernisation and commercial agenda 2022		Warning		Anica Goodwin
Governance 2022		Warning		Anica Goodwin
Community Focus 2022		Warning		Rob Barnes

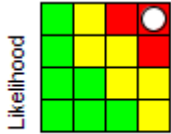
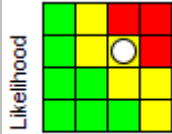
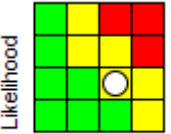
Corporate Risk Heading	Status	Status	Current Risk Matrix	Executive Leadership Team
Economic Growth and Sustainability 2022		Warning		Stefan Garner
Organisational Resilience 2022		Warning		Rob Barnes

1. Finance/Financial Viability 2022

Generated on: 11 October 2022




Corporate Risk Heading	Finance/Financial stability 2022
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Corporate Risk	To ensure that the Council is financially sustainable as an organisation
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Original Matrix		Current Risk Matrix		Target Risk Matrix	
Severity	4	Severity	3	Severity	3
Likelihood	4	Likelihood	3	Likelihood	2
Risk Score	16	Risk Score	9	Risk Score	6
		Date Reviewed	11-Oct-2022	Target Date	

Causes	<ul style="list-style-type: none"> * Austerity cuts/Major variances to the level of grant/subsidy * The uncertainty and financial disruption from External economic influences - mainly on income levels and current cost / inflationary pressures (and potential contractual cost increases) * Poor Procurement practices and weak or ineffective Contract Management meaning VFM not maximised, and TBC exposed to unnecessary liabilities. 	Consequences	<ul style="list-style-type: none"> * Inability to plan long term due to uncertainty over future Local Government funding. The planned funding reforms, Fair Funding Review, business rates reset, and the revised business rates retention scheme has been deferred again although no timescales have been released. * Unplanned cost reductions / savings requirements * Financial issues leading to the Authority being taken over by Government appointed officers
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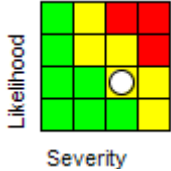
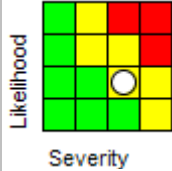
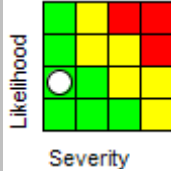
Risk Control Measure	Risk Control Measure Due Date	Risk Control Measure Status	Risk Control Measure Note	Assistant Director
Monthly Budget Monitoring	31-Mar-2023			Joanne Goodfellow
Recovery and Reset Programme	31-Mar-2023			Tina Mustafa
Robust monitoring process for MTFs in place and Quarterly Health check update to Members	31-Mar-2023			Joanne Goodfellow





Latest Note	<p>As part of the recent Spending Review, no announcement was made about the Government’s plans for funding reform or a reset of the Business Rates Retention (BRR) system, both of which were originally expected to be implemented in 2019/20, but which have been delayed a number of times.</p> <p>The 2022/23 local government finance settlement has now been published, for one year only and is based on the Spending Review 2021 (SR21) funding levels. No detailed announcements are made on funding reform, though the Government have stated that it is committed to ensuring that funding allocations for councils are based on an up-to-date assessment of their needs and resources and over the coming months, they will work closely with the sector to look at the challenges and opportunities facing the sector before consulting on any potential changes.</p> <p>While this means the Council will be able to retain its business rate growth for 2022/23, it also means that the uncertainty continues and potentially the Council still faces losing this growth from 2023/24 as, over the coming months, the Government have stated that they will work with the sector before consulting on funding reform.</p>
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Corporate Priority affected	<p>Priority2: The Economy</p> <p>Priority4: Living in Tamworth</p> <p>Priority5: Town Centre</p>
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2. Modernisation and Commercialisation Agenda 2022

Generated on: 11 October 2022

Corporate Risk Heading		Modernisation and commercial agenda 2022				
Corporate Risk		Failure to Develop and implement Continuous Service improvement and develop employees to perform the right work				
Page 39	Original Matrix		Current Risk Matrix		Target Risk Matrix	
	Severity	3	Severity	3	Severity	1
	Likelihood	2	Likelihood	2	Likelihood	2
	Risk Score	6	Risk Score	6	Risk Score	2
			Date Reviewed	11-Oct-2022	Target Date	
Causes	<ul style="list-style-type: none"> * Slow or no progress on commercial investment strategy * Underutilisation of Assets * The uncertainty and financial disruption from External Economic influences and current cost / inflationary pressures (and potential contractual cost increases. * Failure to have the organisational structure and a skilled and motivated workforce * Changes in Job market 		Consequences	<ul style="list-style-type: none"> * Tamworth not seen as a positive place to live or invest in * Lack of economic and commercial growth * General community malaise * Unable to deliver agreed strategies * Increased turnover/unable to recruit/retain key/essential skills * Poor project planning/management 		

Risk Control Measure	Risk Control Measure Due Date	Risk Control Measure Status	Risk Control Measure Note	Assistant Director
Delivery of Planned Commercialisation Strategy	31-Mar-2023			Joanne Goodfellow
Develop Project management skills for key staff	31-Mar-2023			Zoe Wolicki
Management of Assets - deliver Corporate Capital Strategy and Asset Management Strategy actions	31-Mar-2023			Paul Weston
Workforce Planning	31-Mar-2023			Zoe Wolicki

Latest Note	Severity level increased following discussion held at the A&G Cttee on the 08/06/22
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Corporate Priority affected	Priority2: The Economy Priority: Organisation Priority5: Town Centre
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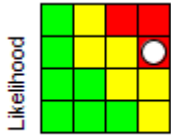
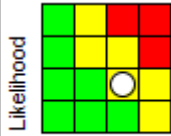
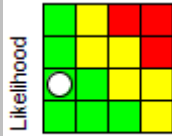
3. Governance 2022

Generated on: 11 October 2022

Corporate Risk Heading	Governance 2022
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Corporate Risk	Avoid bad practices and contravention of legislative requirements and ensure the authority is held to account
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Page 41

Original Matrix		Current Risk Matrix		Target Risk Matrix	
Severity	4	Severity	3	Severity	1
Likelihood	3	Likelihood	2	Likelihood	2
Risk Score	12	Risk Score	6	Risk Score	2
		Date Reviewed	11-Oct-2022	Target Date	

Causes	<ul style="list-style-type: none"> * Failure of democratic process * Non-adherence to legislation - Ultra-vires actions and decisions * Cyber Attack due to lack of preparedness * No horizon scanning of legislative changes 	Consequences	<ul style="list-style-type: none"> * Prosecution of individuals * Loss of reputation * Adverse impact on Tamworth residents * Authority taken over by Government appointed officers * Increase in costs, Legal and settlement
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Risk Control Measure	Risk Control Measure Due Date	Risk Control Measure Status	Risk Control Measure Note	Assistant Director
Audit and Scrutiny Committees	31-Mar-2023			Joanne Goodfellow
Cyber Security	31-Mar-2023			Zoe Wolicki

Data Protection	31-Mar-2023		Zoe Wolicki
Policies and Procedures	31-Mar-2023		Zoe Wolicki

Latest Note

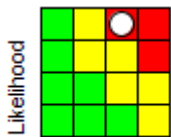
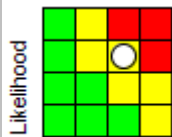

Corporate Priority affected
 Priority2: The Economy
 Priority: Organisation




4. Community Focus 2022

Generated on: 11 October 2022

Corporate Risk Heading	Community Focus 2022
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Corporate Risk	Safety, health and wellbeing of the citizens of the borough
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Original Matrix		Current Risk Matrix		Target Risk Matrix	
Severity	3	Severity	3	Severity	2
Likelihood	4	Likelihood	3	Likelihood	2
Risk Score	12	Risk Score	9	Risk Score	4
		Date Reviewed	11-Oct-2022	Target Date	
Causes	<ul style="list-style-type: none"> * Lack of Community cohesion and engagement * Children & Adults at Risk of Abuse & Neglect * Modern Slavery * Lack of Affordable homes 		Consequences	<ul style="list-style-type: none"> * Increase in crime and disorder * Increased tensions in the community * Death or serious injury * Poor and overcrowded housing * Increased demand for social housing 	

Risk Control Measure	Risk Control Measure Due Date	Risk Control Measure Status	Risk Control Measure Note	Assistant Director
1a - Education with regard to litter and fly-tipping	31-Mar-2023			Joanne Sands
1d - Working with partners to protect people and open spaces	31-Mar-2023			Sarah McGrandle
2c - Local plan to ensure affordable housing and infrastructure	31-Mar-2023			Anna Miller

Latest Note

Corporate Priority affected

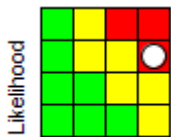
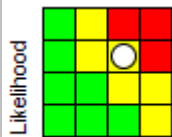

- Priority1: The Environment
- Priority4: Living in Tamworth
- Priority5: Town Centre




5. Economic Growth and Sustainability 2022

Generated on: 11 October 2022

Corporate Risk Heading	Economic Growth and Sustainability 2022
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Corporate Risk	Lack of economic growth and sustainability in the Borough at the levels required
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Original Matrix		Current Risk Matrix		Target Risk Matrix	
Severity	4	Severity	3	Severity	2
Likelihood	3	Likelihood	3	Likelihood	2
Risk Score	12	Risk Score	9	Risk Score	4
		Date Reviewed	11-Oct-2022	Target Date	
Causes	<ul style="list-style-type: none"> * Lack of investment in the Borough * General downturn in the economy due to factors beyond our control * Failure to recognise economic changes 		Consequences	<ul style="list-style-type: none"> * Economic prosperity declines * Deprivation * Reduced Business Rates income 	

Risk Control Measure	Risk Control Measure Due Date	Risk Control Measure Status	Risk Control Measure Note	Assistant Director
1c - Support more people to recycle and to reduce waste	31-Mar-2023			Sarah McGrandle
2a - Development of business initiatives to promote start up and growth	31-Mar-2023			Anna Miller
3a - Local plan to improve infrastructure, evening economy and transport links	31-Mar-2023			Anna Miller

Latest Note

The project for the town centre regeneration financed by the Future High street fund and being undertaken in conjunction with the Tamworth College represents a major contribution to the town centre programme and therefore a high-profile risk area

Corporate Priority affected

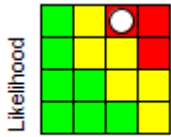
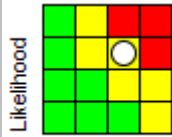
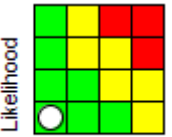
- Priority2: The Economy
- Priority1: The Environment
- Priority3: Infrastructure
- Priority4: Living in Tamworth
- Priority5: Town Centre

6. Organisational Resilience 2022



Generated on: 11 October 2022

Corporate Risk Heading	Organisational Resilience 2022
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Corporate Risk	Failure to provide services or maintain the continued wellbeing and operations within the Borough
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Original Matrix		Current Risk Matrix		Target Risk Matrix	
Severity	3	Severity	3	Severity	1
Likelihood	4	Likelihood	3	Likelihood	1
Risk Score	12	Risk Score	9	Risk Score	1
		Date Reviewed	11-Oct-2022	Target Date	

Causes	<ul style="list-style-type: none"> * Significant event outside of our control e.g., major disaster, pandemic etc. * Staff not aware of action to be taken in the event of an emergency/disaster * Lack of sufficient agile operational options * Global warming/climate change 	Consequences	<ul style="list-style-type: none"> * Services not delivered * Life and property put in harm's way * Reduced 'economic attractiveness' * Loss of reputation * Extreme weather conditions/impact on business's & communities
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Risk Control Measure	Risk Control Measure Due Date	Risk Control Measure Status	Risk Control Measure Note	Assistant Director
1b - Development of infrastructure for acting on Climate Change	31-Mar-2023			Anna Miller
Business Continuity Planning	31-Mar-2023			Paul Weston

Emergency Planning	31-Mar-2023		Tina Mustafa
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Latest Note

Corporate Priority affected

- Priority2: The Economy
- Priority4: Living in Tamworth
- Priority: Organisation

Corporate Plan Objectives

1 The Environment

- a Enforcement and education with regard to litter and fly-tipping
- b Development of infrastructure for acting on Climate Change
- c Support more people to recycle and to reduce waste
- d Working with partners to protect, maintain and improve the green space offer

2 The Economy

- a Development of business initiatives to promote start up and growth
- b Support business growth to generate employment opportunities by working with businesses
- c Provision of good quality and affordable housing
- d Improve tourism in terms of good access to information for visitors to help local businesses and Tamworth as a destination as a whole, maximise and improve the quality of the visitor experience

3 Infrastructure

- a Review Local Plan to improve the transport links within Tamworth
- b Improve existing walkways and cycling routes
- c Ensure more people can access council services digitally/digital enhancement with partners and within Council housing stock

4 Living in Tamworth

- a Ensure adequate supply of affordable housing through the local plan review
- b Investment in Neighbourhood and Place environment
- c Through our Economic Development team, we will support job creation and business retention and expansion through interventions and advice, and seek to protect the local economy where we can influence this
- d Improve and promote Tamworth's historic and cultural assets and events
- e Community Safety focus on neighbourhoods and place
- f Working with partners to ensure the fear of crime within Tamworth is reduced

5 Town Centre

- a Continue to develop street market and extend supporting events around the market to add vibrancy within the town centre
- b Create a branding scheme for "Created in Tamworth"
- c Provide the infrastructure to improve evening and night time economy
- d Embrace Tamworth's history and culture so as to build a sense of local pride and support our children's education and understanding of the significant part Tamworth played in British history
- e Continue to promote all outdoor events
- f Development of a new Tamworth Enterprise Centre as part of the structural transformation of the town centre
- g Make the town centre more accessible
- h Provide the environment where the leisure and food offer can grow and flourish
- i Working with others seek to improve the night-time transport offer to support the overall night-time economy

Key

Corporate plan objectives that are tasks and not controls

Control measure - Working with partners to protect people and open spaces

Control measure - Local plan to ensure affordable housing and infrastructure

Control measure - Local plan to improve infrastructure, evening economy and transport links

These objectives have their own control measures detailed within the corporate risk report

Thursday, 27 October 2022

Report of the Audit Manager

Quarterly Internal Audit Progress Report - Quarter 2 2022/23

Exempt Information

None.

Purpose

To provide Audit & Governance Committee with internal audit's progress report for period to 30 September 2022.

Recommendations

That the Committee notes Internal Audit's Quarterly Report (Appendix 1), which includes results up to 30 September 2022.

Executive Summary

The Accounts and Audit Regulations 2015 require councils to undertake an effective internal audit to evaluate the effectiveness of their risk management, control and governance processes, taking into account Public Internal Audit Standards and guidance.

Progress during Quarter 2 of 2022/23 is contained and detailed in **Appendix 1** to this report. The performance against target of 39% completion of the audit plan is currently 28%. Following comments received from this committee **Appendix 1** includes a profile of the work to be completed quarter by quarter. However, as outlined at the Audit & Governance Committee in August 2022 we have been required to undertake significant assurance work during this period together with a planned approach to obtain general auditor services.

As of September 2022 we have procured general auditor services through a NHS Framework Agreement and BDO are currently scheduling and holding audit briefing and scoping meetings with the relevant managers. This will accelerate the completion of the remaining audits during quarter 3 – with a forecast completion rate at 31st December of 75% compared to the profiled 83%.

As part of Internal Audit's compliance with the Public Sector Internal Audit Standards we are required to undertake an external quality assessment every 5 years. Following discussions with a number of suppliers of these services we have provided Business Risk Services with the external quality assessment which will be carried out towards end of Q3 and beginning of Q4 2022/2023. To facilitate this a meeting with the supplier is being held in early October 2022 to discuss the approach and documentary requirements.

Options Considered

Not applicable.

Resource Implications

None.

Legal/Risk Implications Background

Failure to report would lead to non-compliance with the requirements of the Annual Governance Statement and the Public Internal Audit Standards.

Equalities Implications

None.

Environment and Sustainability Implications (including climate change)

None.

Background Information

None.

Report Author

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List of Background Papers

Appendices

Appendix 1 – Internal Audit Progress Report including progress to 30 September 2022.

Internal Audit Progress Report (Quarter 2)
October 2022



Contents

- 01 Introduction
- 02 Internal Audit Work Undertaken
- 03 Opinion
- 04 Follow Up
- 05 Performance of Internal Audit

Appendices

- 01 Summary of Internal Audit Work Undertaken
- 02 Assurance and Recommendation Classifications

In the event of any questions arising from this report please contact Andrew Wood, Audit Manager andrew-wood@tamworth.gov.uk

The matters raised in this report are only those which came to our attention during our internal audit work. Whilst every care has been taken to ensure that the information provided in this report is as accurate as possible, Internal Audit have only been able to base findings on the information and documentation provided and consequently no complete guarantee can be given that this report is necessarily a comprehensive statement of all the weaknesses that exist, or of all the improvements that may be required. This report was produced solely for the use and benefit of Tamworth Borough Council. The Council accepts no responsibility and disclaims all liability to any third party who purports to use or rely for any reason whatsoever on the report, its contents, conclusions, any extract, reinterpretation, amendment and/or modification.

01 INTRODUCTION

BACKGROUND

This report summarises internal audit activity and performance for the period to 30 September 2022.

SCOPE AND PURPOSE OF INTERNAL AUDIT

The Accounts and Audit Regulations require councils to undertake an effective internal audit to evaluate the effectiveness of their risk management, control and governance processes, taking into account Public Sector Internal Auditing Standards or guidance.

This progress report and opinion forms part of the framework of assurances that is received by the Council and is used to help inform the annual governance statement. Internal audit also has an independent and objective consultancy role to help managers improve risk management, governance and control.

Internal Audit's professional responsibilities as auditors are set out within Public Sector Internal Audit Standards (PSIAS) produced by the Internal Audit Standards Advisory Board produced by the Internal Audit Standards Advisory Board.

ACKNOWLEDGEMENTS

Internal audit is grateful to the directors, heads of service, service managers and other staff throughout the council for their help during the period.

02 INTERNAL AUDIT WORK UNDERTAKEN

The internal audit plan for 2022/23 was approved by the Audit & Governance Committee at its meeting in March 2022. The plan was for a total of 18 audits. To the end of quarter 2 2022/2023 we have completed 28% of the audit plan. An analysis of audit plan completion and indicatively planned audits is shown in the table below;

	Q1	Q2	Q3	Q4
Number of audits allocated per quarter	3	4	8	3
% of plan	17	22	44	17
Cumulative audit plan %	6	28		

Planned work initially envisaged that by 30 September 2022 we would have completed 39% of the Audit Plan, actual out turn figures show that we have completed 28% of the expected plan.

Quarter two work has continued with maintained final completion of the audit plan for 2021/22, completing annual reports, compliance statements and supporting assurance work on Coronavirus Business Grants and Energy Rebates.

We have now completed the procurement exercise for general auditor support and BDO were contracted to undertake these services from early September 2022. This will accelerate the completion of the remaining audits during quarter 3 – with a forecast completion rate at 31st December of 75% compared to the profiled 83%.

There have been a number of delays in progressing audits, obtaining management responses and obtaining management responses to our draft reports and this is reflected in only 25% of our draft reports being issued within 6 weeks of start date of the audit. Additionally, we have only completed 50% of our closure meetings within 5 days of the conclusion of the audit field work. Again, this has been attributed to delays in completing the draft report and organizing closure meetings with management. Audit management will keep all KPI's under review to ensure compliance and improved performance in these areas.

The audit findings of each review, together with recommendations for action and the management response are set out in our detailed reports. A summary of the reports we have issued and the progress made this year is included at **Appendix 01**.

03 OPINION

SCOPE OF THE OPINION

In giving an opinion, it should be noted that assurance can never be absolute. The most that the internal audit service can provide to the Council is a reasonable assurance that there are no major weaknesses in risk management, governance and control processes.

The matters raised in this report are only those which came to our attention during our internal audit work and are not necessarily a comprehensive statement of all the weaknesses that exist, or of all the improvements that may be required.

In arriving at an opinion, the following matters have been taken into account:

- The outcomes of all audit activity undertaken during the period.

- The effects of any material changes in the organisation’s objectives or activities.
- Whether or not any limitations have been placed on the scope of internal audit.
- Whether there have been any resource constraints imposed upon us which may have impinged on our ability to meet the full internal audit needs of the organisation.
- What proportion of the organisation’s internal audit needs have been covered to date.

INTERNAL AUDIT OPINION

On the basis of audit work completed, the Audit Manager’s opinion on the council’s framework of governance, risk management and internal control is reasonable in its overall design and effectiveness. Certain weaknesses and exceptions were highlighted by audit work. These matters have been discussed with management, to whom recommendations have been made. All of these have been, or are in the process of being addressed.

Specific Issues

No specific issues have been highlighted through the work undertaken by internal audit during the period.

Fraud & Irregularity

No matters of fraud or irregularity have been reported during the period. Also see the fraud update on this Committee’s agenda.

Consultancy & Advice

The audit team may be requested by managers to undertake consultancy and advice on governance, risk management and internal control matters from time to time. During the period to 30 September

2022, the following was undertaken:

- Attending disabled facilities grant working group;
- Test and Trace assurance statement; and
- Protect and Vaccinate assurance statement.

04 Follow Up

As previously agreed by the Committee, all high priority actions and those arising from no and limited overall assurance reports are followed up by audit, managers confirmation applies to the rest.

The total outstanding actions at the end of Quarter 2 are 81 (17 high, 43 medium, 21 low). During 2022/23 the Audit Manager continues to hold quarterly meetings with all Assistant Directors to review all outstanding recommendations. This has shown a specific improvement in the implementation and the number of recommendations, over time, has been shown within **Appendix 3**. This shows in tabular graph form the progress regarding the number of outstanding audit recommendations over time.

The Audit Manager is currently holding meetings with all Assistant Directors to review outstanding recommendations as at 30th September 2022 and will complete this work by 31 October 2022.

Priority of Recs	Number of O/S recs – 30 June 2022	Number of recs closed during the period July – Sept 2022	Number of additional recs made during Q2	Number of current O/S recs as at 30 Sept 2022	Overall movement of rec numbers during the quarter 2
High	14	1	4	17	+3
Medium	35	6	14	43	+8
Low	11	1	11	21	+10

As at 30 September 2022 there were 17 high priority recommendations outstanding however of these 13 were overdue, 5 from April 2022, 5 from June 2022 and 3 from September 2022, and these are being followed up during September/October 2022 as part of the Quarter 2 review with Assistant Directors. Since 30th September 2022 we have confirmed that from the 13 original overdue recommendations 5 recommendations are considered complete. The current high priority recommendations which are overdue relate Housing Repairs (1), PCI DSS (3), Data Protection (2) Licensing (1) and Pentana (1).

Compliance with professional standards

We employ a risk-based approach in planning and conducting our audit assignments. Internal audit work has been performed in accordance with PSIAS.

Conflicts of interest

There have been no instances during the year which have impacted on internal audit's independence that have led to any declarations of interest.

Performance of Internal Audit

Internal audit quality assurance


To ensure the quality of the work internal audit performs, there is a programme of quality measures which includes:

- Supervision of staff conducting audit work.
- Review of files of working papers and reports by managers.
- Regular meetings of our networking groups, which issue technical and sector updates.


Performance Measures

- Complete 90% of the audit plan - 28% relates to assurance work completed.
- 100% Draft reports issued within 6 weeks of start date – 25% delays
- 100% Closure meetings conducted within 5 days of completion of audit work – 50%
- 100% draft reports to be issued within 10 working days of closure meeting – 100%
- 100% of all high priority actions are implemented at follow up – 100%
- All no and limited assurance reports have a revised assurance rating of substantial or reasonable on follow up – 100%
- Achieve an average customer satisfaction score of 4 or more – 100% (3 out of 5 returned)

Appendix 01: Summary of Internal Audit Work Undertaken


Assurance	Audit	Scope	Indicative Planned Quarter	Assurance Summary	Assurance Opinion
Core Financial Systems	Council Tax	Risk based review covering the adequacy and effectiveness of controls around the maintenance of systems, billing, discounts and reliefs, collection, refunds and write offs.	Q2	Allocated to BDO – scoping and briefing meetings to be held.	
	Payroll	Risk based review to ensure controls in place for the timely and accurate payment of salaries and subsistence allowances to staff and members. To include, new starters, leavers, accounting for tax and deductions.	Q3	Allocated to BDO – scoping and briefing meetings to be held.	
	Housing Rents	Risk based review of housing rents system to ensure correct rent charged, payments recorded, rent accounting systems are accurate. Controls in place for the setting up of rent debit.	Q3		
	Business Grants	Risk based review grants allocated to businesses to ensure compliance with award criteria and accurate/robust payment systems in place and operating. Proactive assessment processes in place prior to grant award. Robust processes in place for the repayment and recovery of grants.	Q1-Q4	Ongoing assurance review.	
Strategic & Operational Risks	Cemeteries	Risk based review of the cemetery operations to ensure compliance with Health & Safety requirements, together with overall management controls of the service.	Q1-Q4	The system has some good controls in place to mitigate against key risks. Training has been provided to staff via an external provider and is regularly refreshed. Risk assessments are completed annually for cemetery related tasks and use of equipment. Equipment is certified as in good working order each year, with equipment rotated to prevent wear and tear. Testing confirmed that all income due has been received and at the correct fee. Documentation in relation to burials, cremations, pre-selects and memorials was in place. Grave maintenance records are completed which include the grave size to be dug; sizes agreed to those provided by the funeral directors.	 H-0 M-7 L-2 Reasonable Assurance


				<p>Grave sizes are independently checked for size prior to the burial/ cremation. Cemetery maps were updated with both burials and preselects details. A 6-month check of the grave is completed. Memorial applications are required to use accredited stonemasons and approval is received through a permit issued by the cemetery officer.</p> <p>The weaknesses found within the cemeteries system included the requirement to document a workflow for all processes, staff cover for absences to be addressed, retention of documentation in one location and recording receipt for all income, restricted access to amending records, consider enforcement action/ revision of regulations for non-compliance with the cemetery rules and documenting memorial safety testing policy/ procedure.</p> <p>Implementation of the recommendations in the action plan will enhance arrangements and address these risks.</p>	
	Recovery and Reset	Programme assurance based review of Recovery and Reset programme. Programme assurance includes programme planning, governance structure and controls, delivery,	Q3	Allocated to BDO – scoping and briefing meetings to be held.	

Assurance	Audit	Scope	Planned Quarter	Assurance Summary	Assurance Opinion
		change management, RAIDD management (Risk, Action, Issue, Decision, Dependency), testing and reporting.			
	Future High Street Fund	Programme assurance review (as recovery and rest above) of progression towards transformation of the town centre following the £21.65m allocation of Future High Street Funding.	Q3		
	Housing White Paper – follow up	Risk based review of organisation implementation for new regulatory inspection regime.	Q3		
	Climate Change	Risk based review looking at the Council's preparation to de-carbonisation / climate change agenda.	Q1	Allocated to BDO – scoping and briefing meetings to be held.	
	Income Management	Risk based review of the Council's controls around the management of income throughout the Council is ensure that this collected in a robust manner that accounts for monies received.	Q4	Allocated to BDO – scoping and briefing meetings to be held.	
	Project Management	Programme assurance based review of Council's Project Management systems. Programme assurance includes programme planning, governance structure and controls, delivery, change management, RAIDD management (Risk, Action, Issue, Decision, Dependency), testing and reporting.	Q3	Allocated to BDO – scoping and briefing meetings to be held.	
	Landlord Health & Safety	Compliance review to ensure that the Council maintains compliance with relevant H&S legislation as it affects; asbestos, lifts, fire assessments and general H&S within housing stock –	Q1	The landlord health and safety system is designed with controls in place to mitigate the major risks. Compliance activities are recorded and scheduling facilities act as a prompt for regular inspection. The Orchard Housing Management system is updated with additions and disposals of properties. Task scheduling and documents such as risk assessments are held on the Zetasafe	 H-1 M-8 L-2

	<p>electrical/gas.</p>	<p>system.</p> <p>Assurance is provided by Morgan Lambert who inspect gas and electric certificates and Zurich who inspect lift maintenance. The contractor, Graham is accredited for fire risk assessment, surveying of asbestos and holds registration with legionella control association.</p> <p>Testing noted that fire risk assessments were completed annually, completed gas and electric inspections were confirmed by the relevant certificates and legionella risk assessments have been completed. Firefighting equipment checks are completed annually, and jobs raised to rectify any remedial action. Lifts and stairlifts have been serviced in accordance with the schedule.</p> <p>Meetings are held with the contractors regularly, compliance meetings with EQUANs fortnightly and Graham, monthly. Agenda items include servicing programme, remedial actions, action monitoring tracker status.</p> <p>The weaknesses found within the landlord health and safety system included obtaining confirmation that remedial action has been undertaken following on from fire and legionella risk assessments and EICR's (requesting new certificates). Information was requested in relation to the systems in place for empty properties to confirm compliance with the legionella policy. Although some documents and an overview were provided, more detail and clarification was requested but not provided during the course of the audit.</p> <p>Additional areas of control weakness were also identified. There were two void properties that had not had an asbestos survey completed during the void period. The asbestos policy needs reviewing to align to current practice. Legionella required actions should be updated on the Zetasafe tracking system. There is a performance indicator for gas and electric only, with key performance indicators (KPI's) for lift inspections, fire assessments, asbestos surveys or legionella risk assessment/ sampling not in place. New tenants would benefit from documented responsibilities in relation to asbestos, gas and electric management. Relevant staff would benefit from refresher training. Implementation of the recommendations in the action plan will enhance arrangements. Draft report issued for management comment</p>	<p>Reasonable Assurance</p>
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Assurance	Audit	Scope	Planned Quarter	Assurance Summary	Assurance Opinion
	Events Management	Risk based review looking at key aspects of the council's operations in relation to the management of events, to include; bidding for external events, management of internal events.	Q2		
ICT	Web Portals	ICT review of the development and management of web portals to ensure that this is developed and rolled out in a consistent and managed manner. To ensure that web portals do not place Council systems at risk. Web Portal management is maintained and regularly updated.	Q2-Q4	Fieldwork completed and draft report issued to management for review.	
	GDPR	A risk based review to ensure compliance with GDPR legislation across the authority.	Q2-Q4		
	Disabled Facilities Grant	Assurance Statement	Q3	Assurance work required for certification sign off	
	Municipal Charities	Preparation of municipal charities accounts	Q3	Charity accounts completed to 31 December 2021.	Completed
	Pensions	Assurance Statement	Q4	Allocated to BDO – scoping and briefing meetings to be held.	
	Counter Fraud	Work to support the mitigation of fraud risk, the provision of fraud awareness training, pro-active fraud exercises and reactive investigations.	Q1-Q4	On-going	
	Annual Governance Statement	Production of the AGS	Q1-Q2	AGS fully completed and reported to Audit & Governance Committee.	

Assurance	Audit	Scope	Planned Quarter	Assurance Summary	Assurance Opinion
	Annual Audit Opinion	Production of the Annual Audit Opinion	Q1-Q2		
	Management and Planning	Management, planning and assurance reporting to CMT and Audit & Governance Committee	Q1-Q4	On-going	
	Ad-hoc / Consultancy / Contingency	Contingency allocation to be utilised upon agreement of the Chief Finance Officer	Q1-Q4	On-going	
	IA QAIP and PSIAS	Review of PSIAS standards and review	Q3		
Additional Assurance Reviews requested by management	Protect and Vaccinate	Assurance review to enable sign off by the Chief Executive and S151 Officer		Complete	
	Test and Trace	Assurance review to enable sign off by the Chief Executive		Complete	
21/22 Planned Audits finalised	NNDR	Risk based review of NNDR including assurance over the adequacy of controls around the maintenance of systems recording taxable properties and liable persons, billing, discounts and reliefs, collection, refunds and write offs.		<p>Controls were in place to mitigate against key risks. The Academy System maintains a record for each account of the total amount of income due to be received based on the rateable value of the property and any discounts/exemption if applicable. In addition it maintains a record of all transactions relating to bills issued, refunds made and income received, including if any reminder letters have been sent or summons issued. Sample testing relating to discounts/exemptions, refunds and arrears was conducted. In all cases appropriate documentation had been maintained to support the transactions and, where appropriate, action relating to arrears had occurred.</p> <p>A reconciliation of daily NDR income received is conducted between the Academy System and the Aims System. A sample of 10 daily reconciliations were reviewed. In all cases any discrepancy had been investigated and the reason for the discrepancy noted. In addition a monthly reconciliation of NDR Income received is carried out</p>	 <p>H-0 M-0 L-2</p> <p>Substantial Assurance</p>

Assurance	Audit	Scope	Planned Quarter	Assurance Summary	Assurance Opinion
				<p>between the Academy system and the General Ledger. Four reconciliations were reviewed and in all cases no differences had been noted and all the reconciliations had been appropriately completed and authorised.</p> <p>In addition, reconciliations of the total Rateable Value are carried out between the Academy system and Valuation Office listings and reconciliation details are appropriately maintained. For a sample of 5 VO lists there were no discrepancies identified. A secondary check had also been conducted for all cases where there had been a change in the Rateable Value compared to the previous list.</p> <p>As per the previous audit report five recommendations had been made, out of which two were not agreed. For the three that had been agreed, it was confirmed that two had been actioned. However, one relating to periodic reviews of discounts applied had not been actioned and therefore the recommendation has been reiterated.</p> <p>It was also noted that no current year write offs had been processed and an appropriate recommendation has been made.</p>	
	Assets and Inventory	Risk based review covering the adequacy and effectiveness of controls regarding the Council's assets and inventory.		<p>The audit was completed on five service areas (Sheltered Housing, Marmion House/Town Hall, TEC, Castle and IT). Information was not provided to the auditor for the Assembly Rooms, Street Scene and Leisure.</p> <p>The asset and inventory system is designed well with controls in place to mitigate against the risks. Assurance can be given that the design of controls is adequate and the controls were found to be operating effectively.</p>	 <p>H-0 M-4 L-2</p> <p>Reasonable Assurance</p>

Assurance	Audit	Scope	Planned Quarter	Assurance Summary	Assurance Opinion
				<p>The requirements of managing assets and inventory is noted in the Council's Financial Guidance Section C 11.</p> <p>Service areas maintain records of equipment required to carry out their functions. The Council Asset Register is maintained in the Asset Manager system and access is restricted to Finance. The Asset Register is updated annually, service areas update their inventories at the time of any additions or disposals.</p> <p>The Council Asset Register is maintained by the Assistant Director – Finance and is updated once a year as part of the Final accounts process although other registers such as Insurance Register are updated as and when necessary throughout the year. Again, as part of final accounts process asset users are asked to verify that they still have and use the assets allocated to them. All responses from managers are collated by the Assistant Director Finance</p> <p>Property is secured when not in use as appropriate, locked rooms, CCTV, alarm systems, keys locked in secure cabinets. IT equipment is tagged with pre-printed numbered tags that cannot be easily removed.</p> <p>Some areas for improvement were identified. Inventory records are not fully completed and lack detail as required in the Financial Guidance. The IT Asset Register did not include detail of the employee allocated the equipment. The replacement of equipment is not reflected as a disposal / addition to the record. There was no</p>	

Assurance	Audit	Scope	Planned Quarter	Assurance Summary	Assurance Opinion
				<p>evidence to confirm that an annual verification of inventory had been completed. Inventories are not consistently security marked.</p> <p>Implementation of the recommendations in the action plan will enhance arrangements and address these risks.</p>	
Follow Up of No and Limited Assurance Opinion Audits					

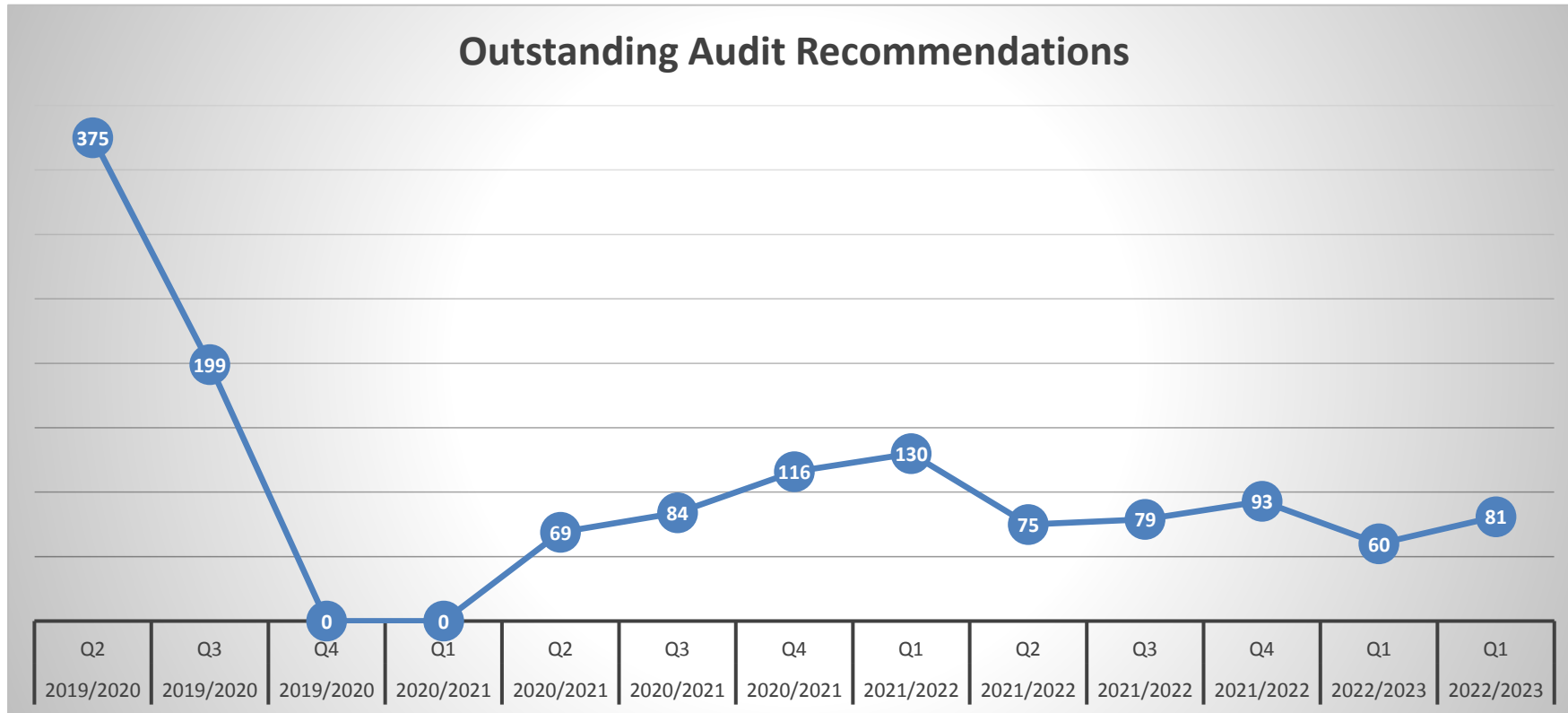
Appendix 02: Assurance and Recommendation Classifications

Overall Assurance Opinion	Definition
Substantial	There is a sound system of internal control designed to achieve the organisation's objectives. The control processes tested are being consistently applied.
Reasonable	While there is a basically sound system of internal control, there are some weaknesses which may put the organisation's objectives in this area at risk. There is a low level of non-compliance with some of the control processes applied.
Limited	Weaknesses in the system of internal controls are such as to put the organisation's objectives in this area at risk. There is a moderate level of non-compliance with some of the control processes applied.
No	Significant weakness in the design and application of controls mean that no assurance can be given that the organisation will meet its objectives in this area.

Recommendation Priority	Definition
High	High priority recommendation representing a fundamental control weakness which exposes the organisation to a high degree of unnecessary risk.
Medium	Medium priority recommendation representing a significant control weakness which exposes the organisation to a moderate degree of unnecessary risk.
Low (Housekeeping)	Low priority (housekeeping) recommendation highlighted opportunities to implement a good or better practice, to add value, improve efficiency of further reduce the organisation's exposure to risk.

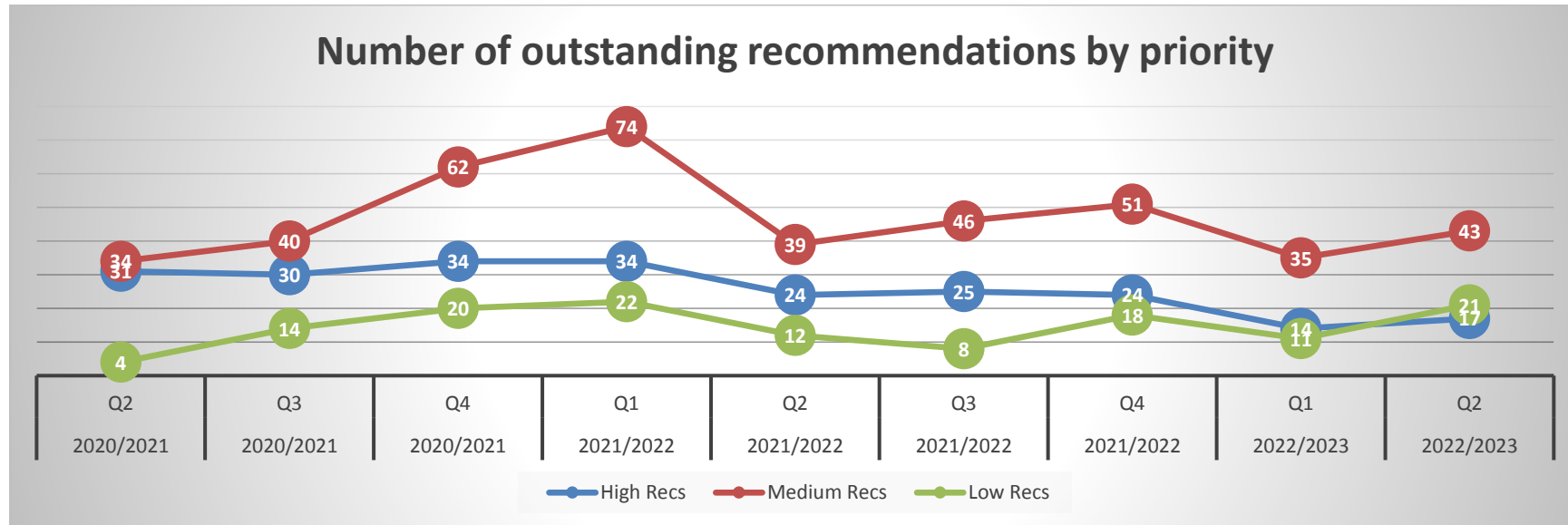
Appendix 03: Outstanding Audit Recommendations

The graph below shows the number of outstanding audit recommendations over time.



To inform the process I have included a table below outlining the number of outstanding actions whether High, Medium or Low Priority.

Below is a table showing the number of recommendations in each assurance level.



Financial Year	Quarter	No of Outstanding Recommendations	No of High Recs	No of Medium Recs	No of Low recs
2019/2020	Q2	375			
	Q3	199	101	98	NIL
	Q4				
2020/2021	Q1				
	Q2	69	31	34	4
	Q3	84	30	40	14
	Q4	116	34	62	20
2021/2022	Q1	130	34	74	22
	Q2	75	24	39	12
	Q3	79	25	46	8
	Q4	93	24	51	18
2022/2023	Q1	60	14	35	11
	Q2	81	17	43	21

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Thursday, 27 October 2022

Report of the Audit Manager

Counter Fraud Update

Exempt Information

None.

Purpose

To provide Members with:

- An update of counter fraud work completed this financial year, including an updated fraud action plan and fraud risk register;
- Endorse the updated Counter Fraud & Corruption Strategy;
- Endorse the updated Whistleblowing Policy; and
- Endorse the updated Anti Money Laundering Policy.

Recommendations

That the Committee:

1. Endorses this update report, including the updated fraud action plan at **Appendix 1** and the fraud risk register at **Appendix 2**.
2. Endorse the refreshed Counter Fraud & Corruption Policy Strategy at **Appendix 3**.
3. Endorse the refreshed Whistleblowing Policy at **Appendix 4**.
4. Endorse the refreshed Whistleblowing Policy at **Appendix 5**.

Executive Summary

Counter Fraud Update

Counter fraud work this financial year, April to September 2022 has included counter fraud 'Spotlight' checks on Covid-19 related grant applications i.e., Energy Rebate grant awards and post payment assurance work for business grant processes since March 2022. Additional proactive work has also been completed on Protect & Vaccinate Rough Sleeper Initiative, this has included the compilation of grant assurance claims returned to central government.

In addition, new matches continue to be received through the National Fraud Initiative (NFI), the Cabinet Office's national data matching service. This year 2022/2023, there is an exercise on; Council Tax Single Person Discount, Council Tax Reduction, Electoral Register, Payroll Data, Housing Tenant's Data, Trade Creditors and Taxi Driver Licencing. These data uploads are required to be provided during the submission window of 7th October 2022 to 18th November 2022. The Audit Manager and Counter Fraud Officer will liaise with management to ensure that a timely return is made.

Routine counter fraud work including NNDR, Council Tax Reduction, Single Persons Discount, illegal sub-letting and non-residence of council housing has continued. A summary of the results to the end of September 2022 is as shown in the table below;

	Number of cases investigated	Number of cases proven	Value
Council Tax reduction	7	3	£5,768.41
Revenues – Single Person Discount (SPD)	19	9	£4,351.87
Housing - sublet	6	0	0
Housing – non residence	2	0	0
NFI SPD check – NFI Dataset	291*	0	0
NFI – Other dataset	49*	0	0
NFI Spotlight checks	1036	0	0
Total		8	£10,120.28
Notes * relate to reviewed and closed dataset matches			

In addition to the above, proactive checks have been undertaken on 69 housing related applications (50 Right to Buy, 8 waiting list and 2 credit checks) at application stage.

As the Committee is aware, in line with good practice, a fraud response plan and fraud risk register is maintained and reviewed in a regular basis. The latest fraud Action plan is detailed at **Appendix 1** and the fraud risk register at **Appendix 2**.

Counter Fraud & Corruption Policy Strategy

The Counter Fraud & Corruption Strategy has been reviewed and updated for minor changes. The Counter Fraud & Corruption Strategy has been produced for the Committee's endorsement at **Appendix 3** and shows changes highlighted in the attached document.

Committee should note that CIPFA are currently undergoing a consultation exercise to implement international standards in respect of Anti Corruption Code of Practice. Any changes highlighted from the implementation of the Code of Practice will be adopted into the Council's suite of counter fraud documentation.

Whistleblowing Policy and Anti Money Laundering Policy

The Whistleblowing Policy at **Appendix 4** and Anti Money Laundering Policy at **Appendix 5** have been reviewed and updated for minor changes. These changes are highlighted in the attached documents.

Options Considered

None.

Resource Implications

None.

Legal/Risk Implications Background

Without sufficient counter fraud arrangement in place, the risk of fraud/corruption is increased. This can lead to a loss of Council assets/resources/fines and associated reputational damage.

Equalities Implications

None.

Environment and Sustainability Implications (including climate change)

None.

Background Information

None.

Report Author

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List of Background Papers

Appendices

- Appendix 1** Fraud Action Plan 2022/23
- Appendix 2** Fraud Risk Register
- Appendix 3** Counter Fraud & Corruption Strategy
- Appendix 4** Whistleblowing Policy
- Appendix 5** Anti Money Laundering Policy

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Fraud Action Plan 2022/23

Report Author: Andrew Wood / Andrea Isaac

Date: March 2022

Fraud Response Area	Creating an Anti-Fraud Culture		
Description	To build an anti-fraud culture through the adoption of various measures to promote counter fraud awareness.		
Risks	Failure to make staff, member and the public that their suspicions will be treated confidentially, objectively and professionally		
Actions	Action Notes	Due Date / Responsibility	Completed Date
Issue of the counter fraud and corruption policy and whistleblowing policy to raise all staff awareness via Astute	All staff email issued 14/10/21 with update of Astute Policies. Following refresh of policies in October 2022, reissue via Astute.	November 2022 / Counter Fraud Officer (CFO)	
Provide drop in sessions to staff and members as required promoting counter fraud	Fraud drop in day completed November 2019. Virtual session planned for after Easter 2022	March 2023/ CFO	
Fraud Response Area	Deterring and Preventing Fraud		
Description	Deterring fraud through proactive communications. Preventing fraud by ensuring that relevant policies are in place and fraud risks are identified.		
Risks	A lack of robust strategic approach to deterring fraud can undermine actions to build an anti-fraud culture		
	A lack of understanding as to the stance the authority takes against fraud		
	Out of date policies and procedures which do not cover relevant legislation.		
Actions	Action Notes	Due Date	Completed Date

Regular attendance at service team meetings to promote counter fraud work	On-going	31 March 2023/ CFO	
Active participation in Staffordshire Counter Fraud Partnership	Joined the Staffordshire Counter Fraud Partnership early 2021. Continue to engage with the partnership and the Audit Manager to evaluate benefits.	31 March 2023/ CFO, Audit Manager (AM)	Ongoing, meetings regularly attended.
Produce and issue prevention of the facilitation of tax evasion policy statement and procedures	CMT approved 15/10/20, A&G Committee approval sought 29/10/20. Audit Manager to complete risk assessment required and then issue of the policy to all staff via the Astute system and provision of targeted training to finance and business support staff.	31 March 2023 / AM	Ongoing, risk assessment to be completed.
Ensure all counter fraud policies and procedures and Financial Guidance are reviewed by their review date / or on change of key legislation / best practice.	All policies and procedures are currently in date. Next review cycle November 2022 to be completed.	30 October 2022 / AM	Counter Fraud Policy and Strategy reviewed.

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Fraud Response Area	Detecting Fraud		
Description	Detecting fraud through proactive investigations		
Risks	If not undertaken, there is a risk that the opportunity to abuse a system weakness may be heightened as the risk of being caught maybe deemed negligible by the perpetrator.		
	If not undertaken, there is a risk that fraud could go undetected		
Actions	Action Notes	Due Date	Completed Date
Participating and undertaking NFI checks	Regular ongoing activity.	31-Mar-2023 / CFO	Ongoing Data uploads conducted – NFI matches checked and continue to be checked.
Undertake local proactive exercises through data & intelligence analysis at the Authority as agreed with the Executive Director—Finance	On-going	31-Mar-2023 / CFO	

Internal audit programme includes review of counter fraud and corruption controls.	Plan on target	31-Mar-2023/ AM	
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Fraud Response Area	Investigations		
Description	Investigate fraud in accordance with laid down policies and procedures.		
Risks	The risk of not investigating is that fraud goes unpunished and there is no resulting deterrent effect thus increasing the prevalence of fraud further		
	The staff (or others) making the allegation feel they are not taken seriously and referrals cease to be made.		
Actions	Action Notes	Due Date	Completed Date
Fraud referrals investigated	On-going	31-Mar-2023 / CFO	Ongoing

Fraud Response Area	Sanctions		
Description	Apply sanctions correctly and consistently		
Risks	If sanctions are not imposed there is no deterrence of fraud.		
Actions	Action Notes	Due Date	Completed Date
Ensure that sanctions are applied correctly and consistently (including internal disciplinary, regulatory & criminal)	On-going	31-Mar-2023/ CFO	Ongoing

Fraud Response Area	Redress		
Description	To ensure that redress is calculated correctly		
Risks	Fraudsters may not realise that any and all measures will be taken to recover any money lost to fraud.		
Actions	Action Notes		

Maintain comprehensive records of time spent on each investigation so that this can be included in any compensation claim. Identify and maintain a record of the actual proven amount of loss so that appropriate recovery procedures can be actioned.	On-going	31-Mar-2023 / CFO	Ongoing
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Fraud Response Area	Strategic Work		
Description	To maintain mandatory counter fraud arrangements.		
Risks	Failure to ensure the completion of mandatory strategic work may mean that the professional knowledge and skills are not maintained to a high standard	Due Date	Completed Date
Actions	Action Notes	Due Date	Completed Date
Attendance at relevant fraud forums/meetings to ensure that professional knowledge and skills are maintained	On-going	31-Mar-2023/ CFO, AM	Ongoing Attended Midland Fraud group and Staffordshire Counter Fraud group meeting
Attendance at relevant training as required	On-going	31-Mar-2023 / CFO, AM	Ongoing
Regular reporting of counter fraud work	Update to A&G Committee – October 2022	31-Mar-2023 / CFO, AM	28 October 2022
Regular meetings with the Chief Executive	On-going	31-Mar-2023 / CFO, AM	Ongoing. Monthly 1 to 1's.















Fraud & Corruption Risk Register

Report Type: Risks Report

Report Author: Andrew Wood/ Andrea Isaac

Date: 30 September 2021








Risk Title	Risk Description	Gross Risk	- Assessment	Current Risk	- Assessment	Last Review Date
Staffing (internal)						
Credit Income	Misappropriation of income		4 significant-unlikely		2 significant-very unlikely	30-Sep-23
Assets	Theft of fixed assets		9 serious-likely		2 minor-unlikely	30-Sep-23
Assets	Theft of Council information/intellectual property		12 major - likely		8 major - unlikely	30-Sep-23
Assets	Inappropriate use of Council assets for private use		8 significant - very likely		2 minor-unlikely	30-Sep-23
Petty cash/imprest accounts	Theft of takings disguised by manipulation of accounts		2 minor-unlikely		2 minor-unlikely	30-Sep-23
Expenses claims	Inflated claims		6 significant-likely		2 minor-unlikely	30-Sep-23
Corruption	Disposal of assets - land and property		6 serious-unlikely		3 serious-very unlikely	30-Sep-23
Corruption	Award of planning consents and licences		9 serious-likely		4 significant-unlikely	30-Sep-23
Corruption	Acceptance of gifts, hospitality, secondary employment		6 significant-likely		4 significant-unlikely	30-Sep-23
Car parking	Theft of takings		9 serious-likely		2 minor-unlikely	30-Sep-23
Treasury management	Falsifying records to gain access to loan or investment monies		12 major - likely		4 significant-unlikely	30-Sep-23
Money laundering	Using the council to hide improper transactions		8 major - unlikely		4 significant-unlikely	30-Sep-23
ICT fraud	Improper use of council ICT equipment		12 major - likely		4 significant-unlikely	30-Sep-23

Risk Title	Risk Description	Gross Risk	- Assessment	Current Risk	- Assessment	Last Review Date
Employee - general	Abuse of flexi system Falsification of car loans		6 significant-likely		4 significant-unlikely	30-Sep-23
Payment of grants to the public	Grants fraudulently claimed		12 major - likely		4 significant-unlikely	30-Sep-23
Loans & Investments	Misappropriation of funds Fraudulent payment or investment of funds		12 major - likely		4 significant-unlikely	30-Sep-23
Regeneration development corruption	Regeneration development corruption		12 major - likely		4 significant-unlikely	30-Sep-23
Financial statements	The financial statements may be materially mis-stated due to fraud		6 serious-unlikely		4 significant-unlikely	30-Sep-23
New starter	Fraudulent job application		9 serious-likely		4 significant-unlikely	30-Sep-23
IT abuse	Improper use of IT equipment		9 serious-likely		4 significant-unlikely	30-Sep-23
Benefits fraud - internal	Fraudulent claim by member of staff		9 serious-likely		4 significant-unlikely	30-Sep-23
Cash theft	Theft of takings disguised by manipulation of accounts		4 significant-unlikely		2 significant-very unlikely	30-Sep-23
Cash theft	Theft of cash without disguise		4 significant-unlikely		1 minor - very unlikely	30-Sep-23
Payroll	Payment to non existent employees		2 significant-very unlikely		3 serious-very unlikely	30-Sep-23
Payroll	Over claiming hours worked		6 significant-likely		2 minor-unlikely	30-Sep-23
Payroll	Manipulation of standing data		6 serious-unlikely		2 significant-very unlikely	30-Sep-23
Assets	Theft of current assets		6 significant-likely		4 significant-unlikely	30-Sep-23
Procurement & Contract Management						30-Sep-23
Selection process	Senior staff influencing junior staff involved in a selection process		6 serious-unlikely		4 significant-unlikely	30-Sep-23

Risk Title	Risk Description	Gross Risk	- Assessment	Current Risk	- Assessment	Last Review Date
Lack of awareness of the procurement process	Lack of awareness of risks and issues in the procurement process		6 significant-likely		4 significant-unlikely	30-Sep-23
Lack of anti fraud culture	No antifraud culture - no due diligence/risk registers		6 significant-likely		2 significant-very unlikely	30-Sep-23
Contract awarded prior to specification being agreed	Contract awarded prior to specifications being fully agreed and developed; meaning the organisation becomes responsible for additional development and training expenses		6 significant-likely		4 significant-unlikely	30-Sep-23
Manipulation of preferred bidders list	Manipulation of preferred bidders list		4 significant-unlikely		2 significant-very unlikely	30-Sep-23
No formal contract in place	No formal contract in place		8 significant - very likely		4 significant-unlikely	30-Sep-23
Prices reworked	Prices reworked to enable the successful bidder to move up the proposal list following initial bidding		6 significant-likely		4 significant-unlikely	30-Sep-23
Value of contract disaggregated	Value of contract disaggregated to circumvent organisation/EU regulations		12 serious - very likely		4 significant-unlikely	30-Sep-23
Inappropriate high value purchase	Inappropriate high value purchase for an unauthorised purpose		6 significant-likely		4 significant-unlikely	30-Sep-23
Inappropriate use of single tender acceptance	Inappropriate use of single tender acceptance		6 significant-likely		4 significant-unlikely	30-Sep-23
Using agency staff or consultants			4 significant-unlikely		1 minor - very unlikely	30-Sep-23
Initial commercial consultations	Procurement staff being sidelined during initial		12 major - likely		4 significant-unlikely	30-Sep-23

Risk Title	Risk Description	Gross Risk	- Assessment	Current Risk	- Assessment	Last Review Date
	commercial consultations and subsequently being presented with a "done deal".					
Contract signing	Contracts signed by member of staff not authorised to do so		12 major - likely		4 significant-unlikely	30-Sep-23
Diversion of funds	Diversion of funds: the risk that a member of staff diverts funds through the set up of non-existent supplier/freelancer		12 major - likely		4 significant-unlikely	30-Sep-23
Bogus vendor	An individual could authorise the set up of a bogus vendor and raise and authorise a purchase order		16 major - very likely		4 significant-unlikely	30-Sep-23
Sale of confidential information	A member of staff could disclose information on bids to other contract bidders		12 major - likely		4 significant-unlikely	30-Sep-23
Creditor payments	Fraudulent requests for creditor payments		9 serious-likely		4 significant-unlikely	30-Sep-23
Fraudulent use for one off payment	Staff use the cheque payment process to send to a bogus vendor		6 serious-unlikely		2 significant-very unlikely	30-Sep-23
Declaration of interests	Lack of declarations of interests		9 serious-likely		4 significant-unlikely	30-Sep-23
Housing tenancy/homelessness						30-Sep-23
Housing allocations	Housing allocated for financial reward fraudulent allocation of property		9 serious-likely		4 significant-unlikely	30-Sep-23
Illegal sub letting	Illegal sub letting of council property		4 significant-unlikely		2 minor-unlikely	30-Sep-23
Homelessness	False claim of homelessness		6 significant-likely		2 minor-unlikely	30-Sep-23
Right to Buy	Fraudulent claim of right to buy discount		6 significant-likely		4 significant-unlikely	30-Sep-23

Risk Title	Risk Description	Gross Risk	- Assessment	Current Risk	- Assessment	Last Review Date
Council Tax						30-Sep-23
Single Persons Discount	Single persons discount fraudulently claimed		6 significant-likely		6 significant-likely	30-Sep-23
Discounts/exemptions	Discounts and exemptions falsely claimed		3 minor-likely		2 minor-unlikely	30-Sep-23
Refund fraud			3 minor-likely		2 minor-unlikely	30-Sep-23
Suppressed recovery action	Suppressed recovery action		3 minor-likely		2 minor-unlikely	30-Sep-23
NNDR						30-Sep-23
Void exemption	Void exemption falsely claimed		6 significant-likely		4 significant-unlikely	30-Sep-23
Occupation dates	Occupation dates incorrectly notified		6 significant-likely		4 significant-unlikely	30-Sep-23
Changes to property	Changes to property increase the rateable value		6 significant-likely		4 significant-unlikely	30-Sep-23
Insurance						30-Sep-23
Insurance claims	Claiming for non existent injuries Claiming at another establishment for the same injury overclaiming		9 serious-likely		4 significant-unlikely	30-Sep-23
Other						30-Sep-23
Elections	Fraudulent voting Fraudulent acts by canvassers		12 major - likely		4 significant-unlikely	30-Sep-23
External funding	Fraudulently claiming/using external funding		1 minor - very unlikely		1 minor - very unlikely	30-Sep-23
Housing Benefits/Council Tax Reduction Scheme						30-Sep-23
Benefits fraud -	Claimant fraudulently claims		12 serious - very likely		6 significant-likely	30-Sep-23

Risk Title	Risk Description	Gross Risk	- Assessment	Current Risk	- Assessment	Last Review Date
claimant	benefits					
Benefits fraud - third party eg landlord	fraudulent claim by third party		4 significant-unlikely		4 significant-unlikely	30-Sep-23
Cyber	Risk of loss, disruption or damage to the reputation of the Authority from some sort of failure of Information Technology systems				6 serious-unlikely	30-Sep-23
Cyber risk			6 serious-unlikely		6 serious-unlikely	30-Sep-23
Sheltered schemes	Theft of customer monies		4 significant-unlikely		2 significant-very unlikely	30-Sep-23

COUNTER FRAUD AND CORRUPTION POLICY STATEMENT,
STRATEGY & GUIDANCE NOTES

Document Status: **Draft**

Originator: A Struthers

Updated: A Wood

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Printed documents may be obsolete. An electronic copy will be available on Tamworth Borough Councils Intranet. Please check for current version before using.

Revision History

Revision Date	Version Control	Summary of changes
1/3/12	1.01.01	Scheduled review
30/07/13	1.01.02	Scheduled review
15/08/15	1.01.03	Scheduled review
22/08/17	1.01.04	Scheduled review
04/07/18	1.01.05	Minor changes
26/09/2018	1.01.06	Scheduled review
14/10/19	1.01/07	Scheduled review
October 2021	1.01.08	Minor changes
October 2022	1.01.09	Scheduled review

Approvals

Name	Title	Approved
Audit & Governance Committee	Committee Approval	
CMT	Group Approval	
Andrew Wood	Audit Manager	

Document Review Plans

This document is subject to a scheduled 3 yearly review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet and the website.

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TAMWORTH BOROUGH COUNCIL

COUNTER FRAUD AND CORRUPTION POLICY STATEMENT

- 1.0 Tamworth Borough Council fully recognises its responsibility in relation to the spending of public money (Protecting the Public Purse) and is committed to the fullest support for Councillors and Employees in upholding the reputation of the Council and maintaining public confidence in its integrity. It also recognises its responsibilities under the Proceeds of Crime Act 2002, The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and the Bribery Act 2010.
- 2.0 The Council acknowledges the threats of fraud and corruption and the harm that they can cause. The Council is committed to maintaining an ethical culture which does not and will not tolerate any form of fraud and corruption. Any such issues will be thoroughly investigated and, if confirmed, dealt with rapidly in the strongest possible way. We will seek the strongest possible sanctions against those who seek to defraud the Council. This includes taking appropriate action against employees, Councillors, contractors, external individuals and organisations.
- 3.0 To deliver the Council's corporate priorities, aims and strategic objectives we need to maximise the financial resources available to us. In order to do this we must reduce the risk of fraud to an absolute minimum.
- 4.0 This Policy Statement, together with the Counter Fraud & Corruption Strategy and Guidance Notes, is intended to provide advice and information to Employees and Councillors but suppliers, contractors and the general public are also encouraged to use this advice and guidance.



Chief Executive



Leader of the Council

COUNTER FRAUD AND CORRUPTION STRATEGY

1.0 Introduction

1.1 This strategy is a key element of the Council's overall corporate governance arrangements which aim to ensure the Council is well managed and does the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable way. The Council has a range of other interrelated policies and procedures that provide a corporate framework to counter fraud activity. These have been formulated in line with appropriate legislative requirements and include, for example, the anti-money laundering policy, whistleblowing policy, constitution, financial guidance and codes of conduct.

1.2 All references to fraud within this document include any type of fraud-related offence. Fraud, bribery and corruption are defined as follows:

Fraud by false representation or failure to disclose information when there is a legal duty to do so, or by abuse of position. Fraud Act 2006

Bribery – Broadly, the Bribery Act defines bribery as giving or receiving a financial or other advantage in connection with the "improper performance" of a position of trust, or a function that is expected to be performed impartially or in good faith.

Corruption - is a form of dishonesty or criminal activity undertaken by a person or organization entrusted with a position of authority, often to acquire illicit benefit.

1.3 A dishonest act or fraudulent activity may be, but is not limited to, an act or activity that is unethical, improper, or illegal such as:

- theft of an asset including, but not limited to, money, tangible property, intellectual property etc;
- misappropriation, misapplication, destruction, removal, or concealment of property;
- false claims and/or misrepresentation of facts;
- alteration or falsification of paper or electronic documents, including the inappropriate destruction of paper or electronic documents;
- inappropriate use of computer systems including hacking and software piracy;
- embezzlement;
- bribery, or corruption of any kind;
- unlawful or undeclared conflict of interest; and
- unauthorised use or misuse of Council property, equipment, materials or records.

- 1.4 Although a dishonest or fraudulent act may have criminal and/or civil law consequences, the Council is not required to use a determination by a criminal or civil body as the basis for determining whether an act is dishonest or fraudulent, nor must the act rise to the level of a crime or violation of civil law in order to constitute a violation of the Council's Conduct and Capability Policy.
- 1.5 The Council also expects that **all** individuals and organisations (e.g. partners, suppliers/contractors and service users) which it comes into contact with, will act towards the Council with integrity and without actions involving fraud or corruption. The Council in turn will endeavour to ensure that all of its dealings will be on the same basis.
- 1.6 In administering its aims and responsibilities the Council is totally committed to deterring fraud and corruption, whether it is attempted on or from within the Council, and is committed to an effective counter fraud and corruption strategy designed to:
- limit, as far as possible, the opportunities to commit fraudulent acts - **prevention**,
 - enable any such acts to be **detected** at an early stage, and
 - deal with any subsequent **investigations** in a prompt, thorough and professional manner.
- 1.7 Overall responsibility for dealing with fraud and corruption rests with the Executive Director - Finance, who is the nominated Section 151 Officer having a statutory duty under Section 151 of the Local Government Act 1972 to ensure that there are proper arrangements in place to administer the Council's financial affairs. He is therefore the principal contact for all Councillors and employees.
- 1.8 Internal scrutiny of the Council's various activities occurs as a result of:-
- the Executive Director - Finance Section 151 responsibilities and Section 114 Local Government Finance Act 1988 responsibilities,
 - the establishment of sound Internal Audit arrangements in accordance with the Accounts and Audit Regulations 2015, and
 - the responsibilities placed on the Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

1.9 External scrutiny of the Council's various activities occurs as a result of involvement by:-

- Local Government Ombudsman,
- External Auditor,
- Central Government Departments and Parliamentary Committees,
- HM Revenues and Customs,
- The Department for Work and Pensions, and
- The general public.

1.10 This Counter Fraud and Corruption Strategy is based on a series of comprehensive and inter-related procedures designed to deter any attempted fraudulent or corrupt act. These cover:-

- Culture,
- Prevention,
- Detection and Investigation,
- Recovery, Sanction and Redress,
- Training and Awareness,
- Sharing Information, and
- Implementing the Strategy.

2.0 Objectives

2.1 The key objectives of this Counter Fraud and Corruption Strategy are to:

Increase awareness of the counter-fraud responsibilities at all levels within and outside the Council;

Further embed and support the effective management of fraud risk within the Council;

Set specific goals for improving the resilience against fraud and corruption through the support of counter-fraud activities across the Council; and

Minimise the likelihood and extent of loss through fraud and corruption.

2.2 All of the above will directly support the achievement of the Council priorities whilst ensuring that statutory responsibilities are met.

3.0 Roles and Responsibilities

3.1 Roles and responsibilities for identifying and mitigating against the risk of fraud must be clearly understood and embraced effectively.

3.2 The risk of fraud and corruption is considered in the Council's corporate risk management arrangements. Chief Officers must therefore ensure that:

Their risk registers accurately reflects the risk of fraud and corruption including any emerging risks;

Controls, including those in the digital environment and for new systems and procedures, are effective and are properly maintained and documented;

There is compliance with the Council's Financial Guidance and any other relevant codes of practice;

Those engaged in countering fraud and corruption, have the appropriate authority, skills and knowledge to undertake this work effectively;

That the necessary framework agreements to counter fraud are in place where the Council is working with other organisations either by way of contract or partnership. The Council will not knowingly enter into any contractual agreement with an organisation that fails to comply with its Code of Practice and/or other related procedures; and

Findings from fraud investigations may lead to relevant system changes.

4.0 Culture

4.1 The Council has determined that the culture and ethics of the Authority is one of honesty and openness in all its dealings, with opposition to fraud and corruption. This strategy forms part of the governance arrangements for the authority.

4.2 The Council's Councillors and employees play an important part in creating and maintaining this culture **by their actions and approaches to corrupt practices**. They are encouraged to raise any matters that concern them relating to the Council's methods of operation in accordance with this Counter Fraud & Corruption Strategy or the Council's Whistleblowing Policy.

4.3 The Council is committed to driving down Benefit Fraud. Both public perception and organisational culture play key roles in achieving this aim. All Councillors and Employees are therefore required to report any known material changes affecting Benefit claims to the Department of Works & Pensions (DWP). This specifically includes your own entitlement and of any tenants or sub-tenants that you may have. Failure to do so will result in the Councillor or Employee being subject to the Benefits (CTR) Prosecution Policy and Conduct and Capability Procedures. In addition, it is also a requirement that the timely transfer of information you receive in your normal business activities relating to

any other customer who has alerted you to a fact that affects Benefit awards is completed.

- 4.4** The Council's Whistleblowing Policy ensures that those raising concerns know they will be treated seriously and properly investigated in a confidential and impartial manner. In raising concerns employees can be assured that they will be protected if the disclosure is made in the public interest and will not affect their employment situation or future prospects with the Council.
- 4.5** Employees can raise their concerns in the first instance with their line manager but where employees feel unable to raise concerns with their immediate line manager/supervisor they can deal direct with any of the following:-
- the Section 151 Officer (Executive Director - Finance),
 - the Audit Manager,
 - the Chief Executive,
 - any member of Executive Leadership Team or Corporate Management Team,
 - the External Auditor, or
 - any Trade Union Representative.
- 4.6** Elected Councillors, suppliers, contractors, and the general public are also encouraged to report concerns through any of the above routes.
- 4.7** Unless there are good reasons to the contrary, any allegations received by way of confidential letters or telephone calls will be taken seriously and investigated in an appropriate manner. All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness, but this will be discussed with you, as to whether and how the matter can be proceeded with.
- 4.8** The Nolan Committee set out the seven guiding principles that apply to people who serve the public. The Council will develop our working behaviour around these principles, which are attached as Appendix 1.

5.0 Prevention

5.1 Employees

- 5.1.1** The Council recognises that a key preventative measure in the fight against fraud and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the previous record of potential employees, in terms of their propriety and integrity. In this regard temporary, agency and contract employees should be treated in the same manner as permanent employees. Chief Officers are

responsible for ensuring agencies engaged for the supply of temporary employees have rigorous vetting processes and that references are sought direct from previous clients with regard to the suitability and integrity of the candidate.

- 5.1.2 Employee recruitment is required to be in accordance with procedures laid down by the Council. Written references covering the known honesty and integrity of potential employees and where required, evidence of a licence to practice must always be obtained. All qualifications will be verified. There will be an open and fair policy of recruitment with no 'canvassing' or 'favouritism'.
- 5.1.3 Employees of the Council are expected to follow any Code of Conduct relating to their personal Professional Body and also abide by the terms and conditions of employment as set out in the Contract of Employment and the National Scheme of Conditions. The Council will report any known impropriety to the relevant Institution for them to consider appropriate disciplinary action.
- 5.1.4 Employees are reminded that they must comply within Section 117 of the Local Government Act 1972 which requires any interests in contracts that have been or are proposed to be entered into by the Council to be declared. The legislation also prohibits the acceptance of fees or rewards other than by means of proper remuneration. Details are described within the Code of Conduct.
- 5.1.5 Managers are required to observe the formal Conduct and Capability Procedures.
- 5.1.6 All employees are required to declare in a public register (held by the Monitoring Officer) any offers of gifts or hospitality (accepted or not) which are in any way related to the performance of their duties in relation to the Authority. Employees should also declare private work (paid or unpaid) etc., which if permitted must be carried out during hours when not employed on Council work, and should not be conducted from Council premises or use any Council equipment/assets.
- 5.1.7 The above matters are brought to the attention of employees via induction training and subsequently by internal procedures, policies and / or communications.
- 5.1.8 Management at all levels are responsible for ensuring that employees are aware of the Authority's Financial Regulations and Standing Orders, and that the requirements of each are being met. They are also responsible for ensuring that appropriate procedures are in place to safeguard the resources for which they are responsible, which include accounting control procedures, working manuals and operating procedures. Management must ensure that all employees have

access to these rules and regulations and that employees receive suitable training.

- 5.1.9 Managers should strive to create an environment in which employees feel able to approach them with concerns they may have about suspected irregularities. If managers and employees are unsure of the appropriate action they should consult with the Internal Audit Section.

5.2 Councillors

- 5.2.1 Councillors are required to operate within: -

- Sections 49 - 52 of the Local Government Act 2000,
- Local Authorities (Members' Interest) Regulations 1992 (S.I. 618)
- The National Code of Local Government Conduct
- Any local code or amendments agreed and
- The Council's Standing Orders and Financial Regulations.

- 5.2.2 These matters are specifically brought to the attention of elected Councillors at their induction and subsequent training. Councillors are required to provide the Monitoring Officer with specific information concerning their disclosable pecuniary interests and to keep that information up to date, as required by sections 29-34 of the Localism Act 2011. The Members Interests Register is held by the Monitoring Officer.

5.3 Systems

- 5.3.1 The Council's Scheme of Delegation, Standing Orders and Financial Regulations place a duty on all Councillors and employees to act in accordance with best practice when dealing with the affairs of the Council.

- 5.3.2 The Executive Director - Finance has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure proper administration of financial affairs. Various Codes of Practice outlining systems, procedures and responsibilities are widely distributed to employees.

- 5.3.3 The Internal Audit Section regularly assesses the level of risk within the Council with a view to preventing fraud and corruption. Such assessments are discussed with Chief Officers and, where appropriate, incorporated into work and/or training plans.

- 5.3.4 Significant emphasis has been placed on thorough documentation of financial systems, and every effort is made to continually review and

develop these systems in line with best practice to ensure efficient and effective internal controls and to include adequate separation of duties. The adequacy and appropriateness of the Council's financial systems are independently monitored by both the Internal Audit Section and External Audit. Any weaknesses identified in internal control will be reported to management whose duty it will be to ensure that corrective and / or preventative action is taken. The Section 151 Officer will use his statutory power to enforce the required changes if necessary.

5.3.5 Chief Officers will ensure that internal controls, including those in a computerised environment, are effectively maintained and documented and will investigate any potential weaknesses.

5.3.6 Chief Officers must ensure that proportionate counter fraud measures are applied to new systems/procedures.

5.3.7 It is evident across the country that an increasingly wide variety of frauds are being perpetrated. The larger frauds may involve the creation of multiple identities and false addresses, and involve different agencies. Employees are therefore encouraged to liaise with those other agencies, exchanging information, where possible and appropriate to help prevent and detect such fraud. It is important that arrangements exist, and are developed, to encourage the exchange of information with other agencies including:-

- other local and statutory authorities,
- Chief Financial Officer Group,
- local, regional and national Auditor networks,
- government departments,
- police forces,
- the External Auditor,
- the National Anti-Fraud Network, and
- any other Fraud Networks/Forums.

5.3.8 The Council has established formal procedures to respond to complaints received about any aspect of service delivery. Issues relating to fraud and corruption will be passed directly to the Executive Director - Finance. Specific guidance has also been issued to all employees in relation to Proceeds of Crime and Money Laundering. The Monitoring Officer acts as the Council's Money Laundering Reporting Officer.

5.3.9 The Council will involve the police to prosecute offenders where fraudulent or corrupt acts are discovered. This will be a matter for the Executive Director - Finance, Monitoring Officer and the Chief Executive to decide, in consultation with the relevant Chief Officer.

6.0 Detection and Investigation

- 6.1** The Council's preventative systems, particularly internal control systems, provide indicators of fraudulent activity and are designed to deter any fraudulent activity.
- 6.2** It is often the alertness of elected Councillors, council employees, and the general public to the possibility of fraud and corruption, that enables detection to occur and appropriate action to take place.
- 6.3** Many frauds are discovered by chance, 'tip-off' or general audit work and arrangements are in place to enable such information to be properly dealt with.
- 6.4** Chief Officers are required by Financial Regulations to report all suspected instances of fraud and corruption to the Executive Director - Finance. Early reporting is essential to the success of this strategy, and;
- ensures the consistent treatment of information regarding fraud and corruption,
 - facilitates a thorough investigation of any allegation received by an independent unit (Internal Audit), and
 - ensures maximum protection of the Council's interests.

Suspicious that any transaction or dealing may involve the proceeds of crime should be reported to the Monitoring Officer, who will ensure such suspicions are reported to the appropriate authorities as required by the relevant Act.

- 6.5** The investigating officer will be appointed by the Executive Director - Finance. The investigating officer will usually be the Corporate Anti-Fraud Investigations Officer. The investigating officer will;-
- deal promptly and confidentially with the matter,
 - have unhindered access to employees, information and other resources as required for investigation purposes
 - record all evidence received,
 - ensure that evidence is sound and adequately supported,
 - ensure security of all evidence collected,
 - liaise as necessary and appropriate with the relevant Chief Officer,
 - liaise as necessary with external agencies e.g. Police,
 - notify the Council's insurers if appropriate.
- 6.6** The Council can be expected to deal swiftly and thoroughly with any employee who attempts to defraud the Council or who is corrupt. The Council will deal positively with fraud and corruption or suspicions

thereof. Where appropriate, the Council's disciplinary procedures will be implemented.

- 6.7** There is a need to ensure that any investigation process is not misused and, therefore, any abuse such as raising unfounded malicious allegations may be dealt with as a disciplinary matter.
- 6.8** When it is found that fraud or corruption has occurred due to a break down in the Council's systems or procedures, Chief Officers will ensure that appropriate improvements in systems of control are promptly implemented in order to prevent a reoccurrence.
- 6.9** Depending on the nature and anticipated extent of the allegations, the Internal Audit section will normally work closely with management and other agencies such as the police to ensure that all allegations and evidence is properly investigated and reported upon.
- 6.10** The Council's Conduct procedure will be used where the outcome of the audit investigation indicates improper behaviour.
- 6.11** The Council will normally wish the police to independently prosecute offenders where financial impropriety is discovered.
- 6.12** Any Councillor who is the subject of allegations of wrong doing will be referred to the Monitoring Officer to the authority (details on the website), who will determine what action should be taken.
- 6.13** All contractors, consultants and organisations receiving funding from the Council who are accused of wrong doing will be the subject of an investigation and where appropriate an independent decision may be taken to terminate the agreement/grant.
- 6.14** The Council's External Auditor has a responsibility to review the Council's arrangements for the prevention, detection and investigation of fraud and corruption and report accordingly.
- 7.0 Recovery, Sanctions & Redress**
- 7.1** Where the Council identifies fraud then it will:
- Recover, prosecute or apply other sanctions to perpetrators, where appropriate.
- 7.2** Where fraud or corruption by employees is indicated, then action will be taken in accordance with the Council's Conduct and Capability Policy. This may be in addition to any civil recovery action or sanctions.
- 7.3** The Council aims to be effective in recovering any losses incurred to fraud using, as appropriate, criminal and/or civil law. Success rates will be monitored routinely as an indicator and part of the quality process.

7.4 Wherever possible, redress should be applied. This ensures that the Council is seen as recovering money lost to fraud.

8.0 Training & Awareness

8.1 The Council recognises the importance of training in the delivery of high quality services. The Council supports the concept of fraud awareness training for managers and for employees involved in internal control systems to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced. Chief Officers are responsible for training employees and promoting awareness of fraud issues.

8.2 Investigation of fraud and corruption centres around the Council's Internal Audit section. Employees engaged in this section, for the detection and prevention of fraud, are properly and regularly trained in all aspects of it. The training plans of the section will reflect this requirement.

8.3 Employees who ignore such training and guidance may face the possibility of disciplinary action.

8.4 Regular training seminars will be provided for Councillors on a wide range of topics including declarations of interest and the Code of Conduct as detailed in the Constitution.

8.5 The Council will maintain an up to date awareness of the types of fraud that it may be exposed to, especially given the ongoing financial situation and the resourcefulness of potential fraudsters. It will review national developments and strengthen systems and procedures accordingly using the following key sources of information:

National Fraud Reports
National Anti-Fraud Network
Midlands Fraud Forum
Staffordshire Counter Fraud Partnership
Local Networking
Any other sources of fraud awareness/updates etc.

9.0 Sharing Information

9.1 The Council is committed to working with other agencies in the detection and prevention of fraud.

9.2 Information will be shared internally and with other government departments and other agencies e.g. insurance companies for the purposes of fraud prevention and detection. This information will be shared in accordance with the principles of the General Data Protection Regulation 2018 and other appropriate legislation.

9.3 The Council participates in national data sharing exercises, i.e. the National Fraud Initiative to enable the proactive detection of fraud.

10.0 Implementing the Strategy

10.1 Internal Audit will undertake an annual assessment of the effectiveness of existing counter-fraud and corruption arrangements against:

Fighting Fraud Locally Checklist

Other best practice/statutory guidance as required

The roles and responsibilities as set out in Appendix 2 of this strategy.

10.2 Internal Audit will regularly complete a Counter Fraud Work Plan and report this annually to the Audit & Governance Committee.

10.3 Internal Audit will report its findings to the Audit and Governance Committee who will consider the effectiveness of the counter-fraud risk management arrangements.

11.0 Conclusions

11.1 The Council's systems, procedures, instructions and guidelines are designed to limit, as far as is practicable, acts of fraud and corruption. All such measures will be kept under constant review to ensure that they keep pace with developments in prevention and detection techniques regarding fraudulent or corrupt activity.

11.2 The Council will maintain a continuous review of all its systems and procedures through the Executive Director - Finance and Audit Manager.

COUNTER FRAUD AND CORRUPTION GUIDANCE NOTES

1.0 Why Do We Need a Counter Fraud And Corruption Strategy?

1.1 Even though the vast majority of people working for the Council are honest and diligent, the Council cannot be complacent. Fraudulent or corrupt acts may include:

System issues	i.e. where a process/system exists which can be abused by either employees or members of the public (e.g. Housing Allocations)
Financial issues	i.e. where individuals or companies have fraudulently obtained money from the Council (e.g. invalid invoices/work not done)
Equipment issues	i.e. where Council equipment is used for personal use (e.g. personal use of council telephones)
Resource issues	i.e. where there is misuse of resources (e.g. theft of building materials/cash)
Other issues	i.e. activities undertaken by officers of the Council which may be: unlawful; fall below established standards or practices; or amount to improper conduct (e.g. receiving unapproved hospitality)

(This is not an exhaustive list.)

1.2 The prevention of fraud, and the protection of the public purse is **EVERYONES BUSINESS**. It is important that all employees know:

- how to recognise a fraud,
- how to prevent it, and
- what to do if they suspect that they have come upon a fraud.

1.3 This guidance has been drawn up to provide information to employees at all levels. The strategy and guidance attempt to assist employees and others with suspicions of any malpractice. The overriding concern is that it is in the public interest for the malpractice to be corrected and, if appropriate, sanctions and redress applied.

1.4 It is important that employees should be able to use any mechanism without fear of victimisation, and fully know that their concerns will be addressed seriously, quickly and discreetly.

1.5 It is important that the whole Council works together to reduce Benefit Fraud. All employees are therefore required to transfer relevant information gathered in their normal day to day activities about possible Benefit irregularities to the Single Fraud Investigation Service (SFIS) at the DWP. So, for example, if during a routine visit/interview you

become aware that a customer is working and “signing on” which they may be entitled to do so but you must tell the SFIS this information. The SFIS will assess the matter and investigate where appropriate. You are not expected to and must not delve any further.

- 1.6** The Council has determined that it should have a culture of honesty and openness in all its dealings, with opposition to fraud and corruption. The Council’s Whistleblowing Policy does this by :-
- making it clear that vigilance is part of the job. Knowingly not raising concerns may be a serious disciplinary offence,
 - recognising that early action may well prevent more worry or more serious loss/damage,
 - making it safe and simple to convey critical information ensuring that any concern in this area is seen as a concern and not a grievance,
 - encouraging information exchange, remembering that there are two sides to every story,
 - providing a way in which concerns can be raised in confidence and not necessarily via the nominated line manager or supervisor,
 - recognising the need for discretion,
 - ensuring the anonymity of the individual, where possible, should this be preferred by the employee, and by protecting employers from reprisals.
- 1.7** Under the Enterprise and Regulatory Reform Act 2013, any disclosure made using the Whistleblowing Policy, within reasonable belief of the worker making the disclosure will only be protected if it is made in the public interest. More detail is found in the Whistleblowing Policy.
- 1.8** There is a need to ensure that any investigation process is not misused and, therefore, any abuse such as raising unfounded malicious allegations may be dealt with as a disciplinary matter.
- 2.0 Why Do We Need This Advice?**
- 2.1** It is important that you follow the advice given and do not try to handle the problem yourself, without expert advice and assistance. A badly managed investigation may do more harm than good. There are a number of internal and external processes which have to be followed to yield a satisfactory conclusion.
- 3.0 How To Recognise A Fraud**
- 3.1** Each employee must be aware of fraud and the areas within their responsibility where fraud may occur.

3.2 Fraud can happen wherever employees or independent contractors complete official documentation and can take financial advantage of the Council. The risk of fraud is enhanced where employees or contractors are in positions of trust or responsibility and are not checked or subjected to effective monitoring or validation. Consequently the following areas are susceptible to fraud:-

- claims for work done by independent contractors,
- travel and expense claims,
- cash receipts/ petty cash,
- payroll,
- ordering, and
- stocks and assets.

3.3 Fraud involves the falsification of records, failing to disclose information or abuse of position. Managers need to be aware of the possibility of fraud when presented with claims/forms/documentation etc. Issues which may give rise to suspicions are:-

- documents that have been altered, “Tippex” used thereon, or different pens and different hand writing,
- claims that cannot be checked, particularly if prior authorisation was not given,
- strange trends (use comparisons and reasonableness),
- confused, illegible text and missing details,
- delays in documentation, completion or submission, and
- no vouchers or receipts to support claims.

3.4 There are a number of indications of an employee being in a situation whereby they could be acting fraudulently. Common indicators could be:-

- living beyond their means,
- under financial pressure ,
- not taking annual leave, and
- solely responsible for a “risk” area and/or possibly refusing to allow another officer to be involved in their duties and/or have minimal supervision.

4.0 How To Prevent It

4.1 By establishing an adverse culture to fraud and corruption the Council can help to prevent its occurrence.

4.2 Managers need to :-

- Minimise the opportunity for fraud – this can be achieved by putting in place robust systems of internal controls and checks.

- Reduce the “Pay – Off” – this is achieved by increasing the chances of detection and increasing the penalty for the perpetrator so risks outweigh the benefits of getting “away with it”

4.3 There are 8 basic control types which management should concern themselves with: -

Supervision

Supervisory checks should be completed and recorded by the line manager on the work completed by his/ her team.

Organisation

Within each system, there should be policies/ procedures setting out how functions should be carried out. There should be clear structures/ rules which employees should work within.

Authorisation

Within a system there should be authorisation controls e.g. controls to authorise a payment (electronic/ physical signature), and the correct level of authority is used in decision making.

Employees

There should be clear roles and responsibilities and appropriate level of delegation. The right person should be doing the right job.

Segregation of Duties

Seek to avoid the sole ownership for the processing and control functions of any activity, by one employee.

Physical

This relates to physical controls e.g. access to monies, documents, security of premises etc should be appropriate and restricted where necessary. Where restricted access is necessary, access to keys/door numbers etc should be retained by the person granted access rights. They should not be left on the premises. Inventory checks ensure that assets are controlled.

Arithmetical Accuracy

Checks completed by another person to confirm the accuracy of data input/ independent reconciliations of cash floats etc.

Management Functions

Within the system there should be controls for monitoring and reporting upon activity e.g. the production of audit trail reports from systems etc. Monitoring to highlight irregularity/ non-compliance with rules and procedures and reporting – being accountable for actions.

- 4.4. Employees need to be aware of the possibility of fraud when presented with claims/ forms/ documentation, etc. They should also have an awareness of internal rules and procedures; i.e. financial regulations, standing orders, declarations of outside work, hospitality etc.
- 4.5 Deterrence and prevention is the primary aim and if managers implement and control areas as mentioned in 4.3, any deviation from the set procedure should be highlighted in a timely manner.

5.0 What To Do On Suspecting A Fraud

5.1 Action By Employees

- 5.1.1 The Council is committed to the highest possible standards of openness, probity and accountability. Any employee who believes such standards are being breached should report their suspicions. This can be done via the Council's Whistleblowing Policy or you can contact the Executive Director - Finance, Audit Manager or a Chief Officer.
- 5.1.2 You should report the matter immediately, make a note of your suspicions and provide as much factual information to support your concerns. Concerns are better raised in writing.
- 5.1.3 The background and the history of the concern, giving names, dates and places where possible, should be set out and the reason why the individual is particularly concerned about the situation. Those who do not feel able to put their concern in writing can telephone or meet the appropriate officer. The earlier the concern is expressed, the easier it is to take action. Individuals may invite their trade union or professional association to raise a matter on their behalf.
- 5.1.4 Do not try to carry out an investigation yourself. This may damage any investigation carried out by the Internal Audit section or an appointed investigator. Help the official investigators by providing information as and when requested and by giving a written statement when required.

5.2 Action By Managers

- 5.2.1 If managers become suspicious of any action by an employee or supplier or such suspicions are reported to them they should follow these simple rules.

- If possible establish if the irregularity (potential fraud, corruption or error) is a genuine error or possible fraud.
- Contact their Chief Officer or any other officer as identified in the Counter Fraud and Corruption Strategy, who will contact the Executive Director - Finance or the Audit Manager.
- Contact the Executive Director - Organisation, where there may be implications under the disciplinary procedures for officers.
- Do nothing else, except remain vigilant and await further instructions from the investigating team.

5.2.2 The Council is required to report any cases in which it is suspected that transactions involve the proceeds of crime. If employees or managers have any such suspicion, this should be reported immediately to the Monitoring Officer, who shall advise on the necessary action and ensure the matter is reported to the appropriate authorities.

5.2.3 Details of the relevant contacts can be found in Appendix 4.

6.0 What Happens To The Allegation

6.1 The Executive Director - Finance or his investigating officer, will normally carry out a full enquiry even where there is clear evidence of an offence following the Fraud Response Plan (Appendix 3). A full report will be copied and sent to:-

- the relevant Chief Officer, and
- the Chief Executive to consider if there needs to be any police involvement.

6.2 It is essential that the Executive Director - Finance investigation should be a complete one and the investigating officer to whom it is delegated is entitled to expect the fullest co-operation from all employees.

6.3 A full detailed report on any system control failures and recommended actions to address the failures will be issued to the relevant manager in the format of an internal audit report.

The Seven Principles of Public Life (Nolan Committee)

Selflessness

Holders of public office take decisions in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

Statement of Expected Responsibilities

Stakeholder	Expected Responsibilities
Chief Executive	Ultimately accountable as Chief Executive for the effectiveness of the Council's arrangements for countering fraud and corruption as well as corporate governance.
Executive Director - Finance (Section 151 Officer)	The Executive Director - Finance has a statutory duty, under Section 151 of the Local Government Act 1972, Sections 114 and 116 of the Local Government Finance Act 1988 and Accounts and Audit Regulations 2011 to ensure the proper administration of the Council's financial affairs. This includes Internal Audit and Benefit (Council Tax Reduction) Fraud.
Audit Manager	Responsible for developing and implementing the Counter Fraud and Corruption Policy Statement, Strategy and Guidance Notes and investigating any issues reported under this policy. Reporting on the effectiveness of controls to the Audit and Governance Committee. To ensure that all suspected or reported irregularities are dealt with promptly and in accordance with this Strategy and that action is identified to improve controls and reduce the risk of recurrence.
Monitoring Officer	<p>To advise Councillors and officers on ethical issues, standards and powers to ensure that the Council operates within the Law and Statutory Codes of Practice. The operation of the Council's Money Laundering Policy.</p> <p>Maintain a Register of Disclosable Pecuniary Interests Maintain a Register of Interests, Gifts & Hospitality.</p>
Executive Director - Organisation	To put in place a corporate recruitment and selection policy and monitor compliance against it.
Chief Officers	To ensure that fraud and corruption risks are considered as part of the Council's corporate risk management arrangements. To ensure that actions to mitigate risks in this area are effective. To notify the

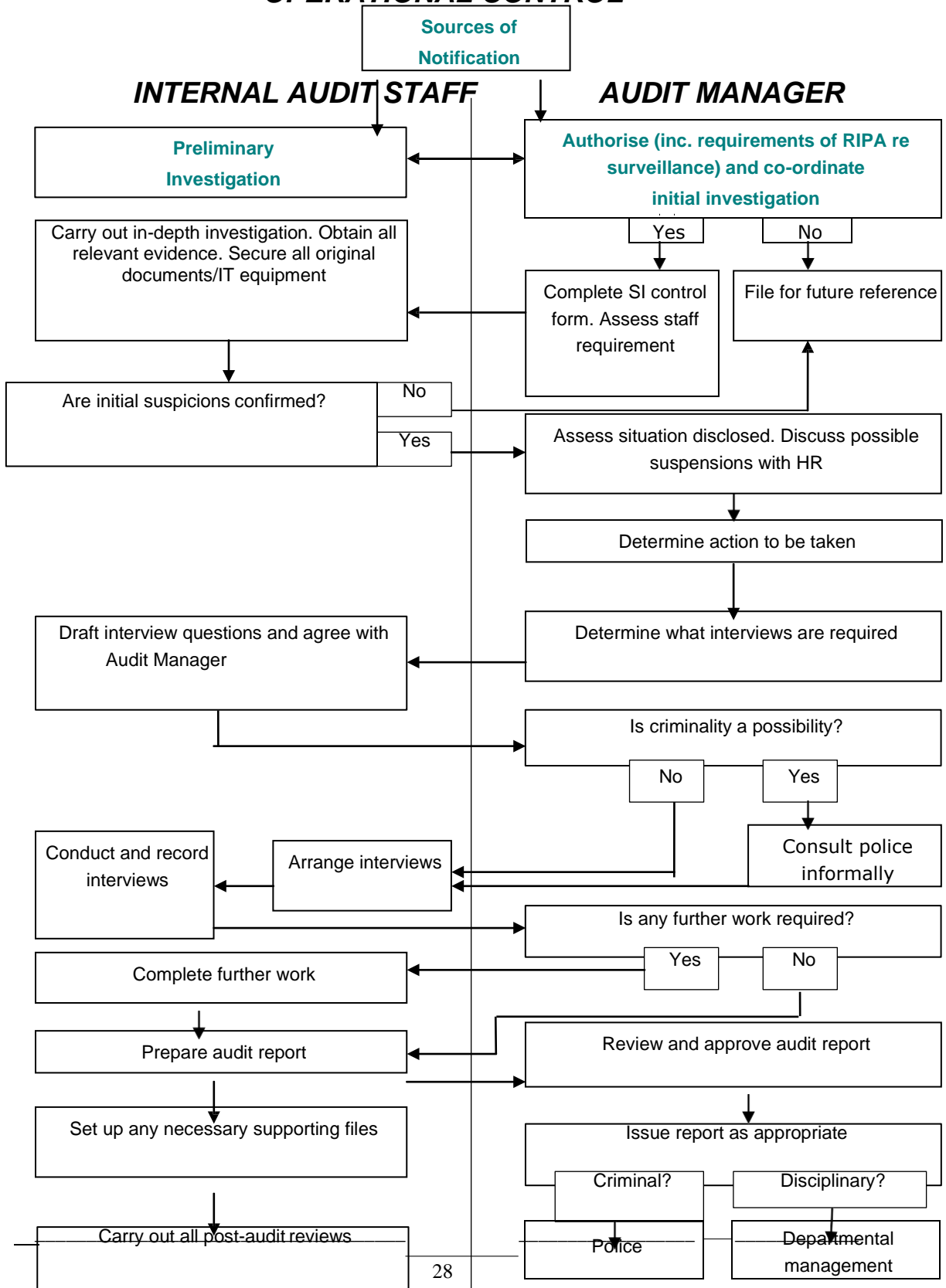
	<p>Executive Director - Finance of any fraud arising in a timely manner.</p> <p>To ensure all training is provided and fully attended that supports this policy</p>
Assistant Director - Partnerships	The operation of the Council's Regulation of Investigatory Powers Act (RIPA) 2000 Policies and Procedures
Executive Management Team	Challenge new policies and strategies to ensure that fraud and corruption risks have been taken into account. Review the corporate framework designed to promote an over-riding counter-fraud culture on a regular basis. This will include monitoring and evaluating arrangements to ensure effectiveness and compliance with best practice.
Audit and Governance Committee	<p>To monitor the Council's policies and consider the effectiveness of the arrangements for Counter Fraud and Whistleblowing.</p> <p>To exercise all the functions of the Council relating to Codes of Conduct as provided in the Localism Act 2011 except for those functions which under Chapter 7 of the Localism Act 2011 may only be exercised by the full Council.</p>
Deputy leader & Portfolio holder – Assets & Finance	To champion the Council's Counter Fraud & Corruption arrangements and promote them at every opportunity.
Elected Councillors	To support and promote the development of a strong counter fraud culture.
External Audit	Statutory duty to ensure that the Council has in place adequate arrangements for the prevention and detection of fraud, corruption and theft.
Senior Managers	To promote employee awareness and ensure that all suspected or reported irregularities are immediately referred to Executive Director Corporate Services. To ensure that there are mechanisms in place within their service areas to assess the risk of fraud, corruption and theft and to reduce these risks by implementing robust internal controls.

Employees	To comply with Council policies and procedures, to be aware of the possibility of fraud, corruption and theft, and to report any genuine concerns to the appropriate management, the Chief Executive, the Executive Director - Finance or Internal Audit.
Public, Partners, Suppliers, Contractors and Consultants	To be aware of the possibility of fraud and corruption against the Council and report any genuine concerns or suspicions. To ensure that effective controls are in place to mitigate risks to the Council.

Tamworth Borough Council

Fraud Response Plan

OPERATIONAL CONTROL



**HOW TO REPORT ANY SUSPECTED FRAUDS, CORRUPTION, OTHER
IRREGULARITIES OR CONCERNS**

To contact Internal Audit Services

Contact: Andrew Wood, Audit Manager

Tel: 01827 709234 email: andrew-wood@tamworth.gov.uk

Write to Audit Manager (Confidential)
 Tamworth Borough Council
 Marmion House,
 Lichfield Street
 Tamworth
 B79 7BZ

Or: Andrea Isaac, Corporate Anti-Fraud Investigations Officer

Tel: 01827 709541 email: andrea-isaac@tamworth.gov.uk

Alternatively you can contact:

Stefan Garner, Executive Director - Finance

Tel: 01827 709242 email: stefan-garner@tamworth.gov.uk

Andrew Barratt, Chief Executive

Tel: 01827 709453, email: andrew-barratt@tamworth.gov.uk

Anica Goodwin, Executive Director - Organisation

Tel: 01827 709225 email: anica-goodwin@tamworth.gov.uk

Rob Barnes, Executive Director – Communities

Tel: 01827 709447 email: rob-barnes@tamworth.gov.uk

To contact the Council's external auditor

Write to:

Grant Thornton UK LLP
Colmore Plaza
20 Colmore Circus
Birmingham
West Midlands
B4 6AT

Tel: 0121 212 4000

To report Housing Benefit Fraud contact;

National Benefit Fraud Hotline 0800 854 440 or

text phone number 0800 320 0512 or

Write to NBFH, PO Box No. 224, Preston, PR1 1GP

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Counter Fraud & Corruption Policy Statement, Strategy & Guidance Notes	
Date Conducted	08/09/2022	
Name of Lead Officer and Service Area	Andrew Wood Audit Manager	
Commissioning Team (if applicable)	N/A	
Director Responsible for project/service area	Andrew Barratt	
Who are the main stakeholders	Employees, Citizens	
Describe what consultation has been undertaken. Who was involved and what was the outcome	CMT – review of existing policy	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	
	A Strategy/Policy/Procedure	X
	A function, service or project	
What kind of assessment is it? Indicate with an 'x' which applies	New	
	Existing	X

	Being reviewed	
	Being reviewed as a result of budget constraints / End of Contract	

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

Review of existing policy in line with good practice

Who will be affected and how?

Employees, citizens – updated policy

Are there any other functions, policies or services linked to this impact assessment?

Yes X No

If you answered 'Yes', please indicate what they are?

Whistleblowing Policy

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age		X	
Disability		X	
Gender Reassignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	
Race		X	

Religion or belief		X	
Sexual orientation		X	
Sex		X	
Gypsy/Travelling Community		X	
Those with Caring/Dependent responsibilities		X	
Those having an offending past		X	
Children		X	
Vulnerable Adults		X	
Families		X	
Those who are homeless		X	
Those on low income		X	
Those with Drug or Alcohol problems		X	
Those with Mental Health issues		X	
Those with Physical Health issues		X	
Other (Please Detail)		X	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome

Date of Review (If applicable)

WHISTLEBLOWING POLICY

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Updated: A Wood

Owner: Audit Manager

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Date:05.10.22

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This document is held by Tamworth Borough Council, and the document owner is Andrew Wood, Audit Manager.

Printed documents may be obsolete. An electronic copy will be available on Tamworth Borough Councils Intranet. Please check for current version before using.

Revision History

Revision Date	Version Control	Summary of changes
01/03/12	1.01.01	Scheduled review
29/07/13	1.01.02	Changes under the Enterprise and Regulatory Reform Act 2013
03/08/15	1.01.03	Scheduled review plus changes under The Public Interest Disclosure (Prescribed Persons) Order 2014 .
23/08/17	1.01.04	Scheduled review
04/07/18	1.01.05	Minor Changes (job titles)
26/09/2018	1.01.06	Scheduled review
14/10/19	1.01.07	Scheduled review
05/10/21	1.01.08	Minor changes (job titles)
08/09/22	1.01.09	Scheduled review

Approvals

Name	Title	Approved
Audit & Governance Committee	Committee Approval	
CMT	Group Approval	
Andrew Wood	Audit Manager	Yes

Document Review Plans

This document is subject to a scheduled 3 yearly review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet.

WHISTLEBLOWING POLICY

1. Policy Statement

- 1.1 Tamworth Borough Council believes it is important to encourage a climate of openness and dialogue within the Council, where the free expression by staff of their concerns is welcomed by managers as a contribution towards improving services.
- 1.2 Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.3 The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment it expects employees, and others that it deals with, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.4 This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. *This Whistleblowing Policy is intended to encourage and enable anyone to raise concerns in the public interest, in good faith within the Council rather than overlooking a problem or 'blowing the whistle' outside.*



Chief Executive



Leader of the Council

2. Introduction

2.1 The Public Interest Disclosure Act 1998 became law in July, 1999. This Act, introduced the protection of whistle-blowers and removes the limits of financial liability to which an organisation is exposed should a whistle-blower receive unfair treatment. This policy document sets out the Council's response to the requirements of the Act.

2.2 Under the Enterprise and Regulatory Reform Act 2013, any disclosure made using the Whistleblowing Policy, within reasonable belief of the worker making the disclosure will only be protected if it is made in the public interest. It must also show one or more of the following:

(a) that a criminal offence has been committed, is being committed or is likely to be committed,

(b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject,

(c) that a miscarriage of justice has occurred, is occurring or is likely to occur,

(d) that the health or safety of any individual has been, is being or is likely to be endangered,

(e) that the environment has been, is being or is likely to be damaged, or

(f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

2.3 This policy is designed for workers. Workers include:

employees;
agency workers;
people that are training with an employer but not employed; and
self-employed workers, if supervised or working off-site.

2.4 Local Government employees have an individual and collective responsibility regarding their conduct and practices, which are always subject to scrutiny. As individuals, employees are required to work within the Code of Conduct for Tamworth Borough Council Employees and the

relevant codes of conduct including the standards appropriate to their professional organisations or associations. The Council's regulatory framework also includes Financial Guidance that must be met.

- 2.5 All employees have a duty to bring to the attention of management any deficiency in the provision of service and any impropriety or breach of procedure, in accordance with Financial Guidance.
- 2.6 These procedures are in addition to the Council's complaints procedures including the Grievance Procedure and the Dignity and Respect at Work Policy, and other statutory reporting procedures applying to some Services.
- 2.7 This policy has been discussed with the relevant trade unions and professional organisations and has their support.

3 Aims and Scope of this Policy

- 3.1 This policy aims to:
 - encourage you to feel confident in raising concerns that are in the public interest
 - provide avenues for you to raise those concerns and receive feedback on any action taken
 - ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
 - reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.
- 3.2 There are existing procedures in place to enable you to disclose particular concerns. These are:
 - The Authority's Grievance Procedure which enables you to lodge a grievance relating to your own employment;
 - The Authority's Counter Fraud and Corruption Policy Statement, Strategy & Guidance Notes, which outlines how you can disclose potential fraud, bribery, corruption and theft;
 - The Authority's Dignity and Respect at Work Policy, which enables you to disclose cases of potential harassment and bullying;
 - The Authority's Children & Adults at Risk of Abuse and Neglect Policy (which has its own Whistleblowing Policy in place), for disclosures regarding suspected mistreatment of children and adults at risk of abuse and neglect.

- 3.3 This policy does **not** replace the corporate complaints procedure or other existing policies for raising issues regarding your employment.

4 Safeguards

- 4.1 The Council is committed to good practice and high standards and shall be supportive of employees.
- 4.2 The Council recognises that the decision to report a concern can be a difficult one to make. If what you are saying is within reasonable belief, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.
- 4.3 The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith. It is a disciplinary matter to victimise a bone fide whistle-blower.

5 Confidentiality

- 5.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness, but this will be discussed with you, as to whether and how the matter can be proceeded with .

6 Anonymous Allegations

- 6.1 This policy encourages you to put your name to your allegation whenever possible.
- 6.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council.
- 6.3 In exercising this discretion the factors to be taken into account would include:
- the seriousness of the issues raised
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from attributable sources.

7 Untrue Allegations

- 7.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make

an allegation frivolously, maliciously or for personal gain, disciplinary action will be taken against you.

8 How to Raise a Concern

- 8.1 As a first step, you should normally raise concerns with your immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved, you should approach the Chief Executive, Executive Director – Organisation, Executive Director -Finance, or Audit Manager. Where you feel unable to raise the concerns internally due to the nature of the disclosure you should contact the External Auditor who will then ensure that the disclosure is properly investigated.
- 8.2 To raise a concern in respect of Benefits Fraud, you can contact the National Benefit Fraud Hotline - telephone number 0800 854 440 or text phone number 0800 320 0512 or online www.gov.uk/report-benefit-fraud or write to them at NBFH, PO Box No. 224, Preston, PR1 1GP.

9 External contacts

- 9.1 While it is hoped that this policy gives you the reassurance you need to raise such matters internally, it is recognised that there may be circumstances where you can properly report matters to outside bodies, such as prescribed regulators, some of which are outlined at 9.7. If a worker chooses to go to the media, they can expect in most cases to lose their whistleblowing law rights. It is only in exceptional circumstances that a worker can go to the media without losing their rights. The Public Interest Disclosure Act 1998 gives more detail on this.
- 9.2 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:
- the background and history of the concern (giving relevant dates);
 - the reason why you are particularly concerned about the situation.
- 9.3 The earlier you express the concern the easier it is to take action and you will need to be able to demonstrate to the person contacted that there are reasonable grounds for your concern.
- 9.4 Contact points for advice/guidance on how to pursue matters of concern can be obtained from:
- Chief Executive – 709453

- Executive Director – Organisation 709225
- Executive Director - Finance – 709242
- Executive Director – Communities 709447
- Audit Manager – 709234

9.5 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

9.6 You may invite your trade union or professional association representative or a member of staff to be present during any meetings or interviews in connection with the concerns you have raised.

9.7 Examples of relevant Prescribed Regulators are as follows:

Proper conduct of public business, value for money fraud and corruption relating to provision of public services	Comptroller and Auditor General
Serious or complex fraud	Director of the Serious Fraud Office
Environmental issues	Environment Agency
Accounting, auditing and actuarial issues	Financial Reporting Council Limited
Health & Safety issues	Health & Safety Executive
Social Housing	Homes & Communities Agency
Data Protection & Freedom of Information	Information Commissioner
Corruption & Bribery	National Crime Agency
Child Welfare & Protection	Children's Commissioner NSPCC

The full list of prescribed regulators can be found in [The Public Interest Disclosure \(Prescribed Persons\) Order 2014](#).

10 How the Council Will Respond

- 10.1 The Council will always respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 10.2 Where appropriate, the matters raised may:
- be investigated by management, internal audit, or through the disciplinary process
 - be referred to the police
 - be referred to the external auditor
 - form the subject of an independent inquiry.
- 10.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Council will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 10.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 10.5 Within ten working days of a concern being raised, the Audit Manager will write to you:
- acknowledging that the concern has been received
 - indicating how the Council propose to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - telling you whether any initial enquiries have been made
 - supplying you with information on how the Council will support you if you think this is necessary, whilst the matter is under consideration, and
 - telling you whether further investigations will take place and if not, why not.
- 10.6 The amount of contact between the officers considering the issues and you will depend on the nature of the matter raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Council will seek further information from you.
- 10.7 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a trade union officer or professional association representative or a member of staff.

10.8 The Council accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

11 The Responsible Officer

11.1 The Audit Manager has overall responsibility for the maintenance and operation of this policy. That officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Council.

12 How the Matter can be Taken Further

12.1 If you feel that the Council has not responded correctly at any stage, remember you can go to the other levels and bodies mentioned at paragraph 9.7. While it cannot be guaranteed that all matters will be addressed in the way that you might wish, it will always be the Council's intention to handle the matter fairly and properly. By using this policy, you will help achieve this

12.2 If you do take the matter outside the Council, you should ensure that you do not disclose confidential information. Check with the contact point about that.



Tamworth
Borough Council

Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Whistleblowing Policy	
Date Conducted	08/09/2022	
Name of Lead Officer and Service Area	Andrew Wood Audit Manager	
Commissioning Team (if applicable)	N/A	
Director Responsible for project/service area	Andrew Barratt	
Who are the main stakeholders	Employees, Citizens	
Describe what consultation has been undertaken. Who was involved and what was the outcome	CMT – review of existing policy	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	
	A Strategy/Policy/Procedure	X
	A function, service or project	
What kind of assessment is it?	New	

Indicate with an 'x' which applies	Existing	X
	Being reviewed	
	Being reviewed as a result of budget constraints / End of Contract	

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

Review of existing policy in line with good practice

Who will be affected and how?

Employees, citizens – updated policy

Are there any other functions, policies or services linked to this impact assessment?

Yes X No

If you answered 'Yes', please indicate what they are?

Counter Fraud & Corruption Policy Statement, Strategy & Guidance Notes

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age		X	
Disability		X	
Gender Reassignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	
Race		X	

Religion or belief		X	
Sexual orientation		X	
Sex		X	
Gypsy/Travelling Community		X	
Those with Caring/Dependent responsibilities		X	
Those having an offending past		X	
Children		X	
Vulnerable Adults		X	
Families		X	
Those who are homeless		X	
Those on low income		X	
Those with Drug or Alcohol problems		X	
Those with Mental Health issues		X	
Those with Physical Health issues		X	
Other (Please Detail)		X	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome

Date of Review (If applicable)

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ANTI-MONEY LAUNDERING POLICY

Document Status: **Draft**

Originator: J M Hackett

Updated: A Wood

Owner: Audit Manager

Version: **01.01.08**

Date: **08/09/2022**

Approved by Audit & Governance Committee

Document Location

This document is held by Tamworth Borough Council, and the document owner is Andrew Wood, Audit Manager.

Printed documents may be obsolete. An electronic copy is available on Tamworth Borough Council's Intranet. Please check for current version before using.

Revision History

Revision Date	Version Control	Summary of changes
	1.01.01	Scheduled review
30/07/13	1.01.02	Scheduled review
28/09/16	1.01.03	Scheduled review
08/02/18	1.01.04	Scheduled review
04/07/18	1.01.05	Minor Changes to job titles
30/09/19	1.01.06	Minor changes to job titles and addition on MLRO response at Appendix 2.
05/10/21	1.01.07	Minor changes to job titles
08/09/21	1.01.08	Scheduled review

Approvals

Name	Title	Approved
Audit & Governance Committee	Committee Approval	
CMT	Group Approval	
Andrew Wood	Audit Manager	

Document Review Plans

This document is subject to a scheduled review every 3 years. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet and the website.

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TAMWORTH BOROUGH COUNCIL**ANTI-MONEY LAUNDERING POLICY STATEMENT**

- 1.0 Tamworth Borough Council fully recognises its responsibility in relation to the spending of public money (Protecting the Public Purse) and is committed to the fullest support for Councillors and Employees in upholding the reputation of the Council and maintaining public confidence in its integrity. It also recognises its responsibilities under the Proceeds of Crime Act 2002 (as amended by the serious organised Crime and Police Act 2005), Money Laundering Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR) and the Bribery Act 2010.
- 2.0 The Council acknowledges the threat of money laundering and the harm that it can cause. The Council is committed to maintaining an ethical culture which does not and will not tolerate any form of fraud and corruption. Any such issues will be thoroughly investigated and, if confirmed, dealt with rapidly in the strongest possible way. We will seek the strongest possible sanctions against those who seek to defraud the Council. This includes taking appropriate action against employees, Councillors, contractors, external individuals and organisations.
- 3.0 To deliver the Council's corporate priorities, aims and strategic objectives we need to maximise the financial resources available to us. In order to do this we must reduce the risk of fraud to an absolute minimum.
- 4.0 This document is intended to provide advice and information to Employees and Councillors but suppliers, contractors and the general public are also encouraged to use this advice and guidance.



Chief Executive



Leader of the Council

TAMWORTH BOROUGH COUNCIL ANTI-MONEY LAUNDERING POLICY

1. Introduction

Although local authorities are not directly covered by the requirements of the Money Laundering Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR), guidance from CIPFA indicates that they should comply with the underlying spirit of the legislation and regulations.

Tamworth Borough Council is committed to the highest possible standards of conduct and governance, therefore, it has put in place appropriate and proportionate anti-money laundering safeguards and reporting arrangements.

The Council must apply customer due diligence measures if the person carries out an occasional transaction that amounts to a transfer of funds exceeding €1,000. **To address and prevent money laundering and terrorist financing the Council has set a cash payment limit of £1,000.**

This is not designed to prevent customers making payments for Council services but to minimise the risk to the Council of high value cash transactions. Best practice is to be encouraged – seek payment electronically from a UK clearing bank.

2. Scope of the Policy

This policy applies to all employees, whether permanent or temporary, and Members of the Council.

Its aim is to enable employees and Members to respond to a concern they have in the course of their dealings for the Council. Individuals who have a concern relating to a matter outside work should contact the Police.

3. Definition of Money Laundering

Money laundering is a general term for any method of disguising the origin of “dirty” or criminal money. This money may be the proceeds of any criminal activity including terrorism, drugs trafficking, corruption, tax evasion and theft. The purpose of money laundering is to hide the origin of the dirty money so that it appears to have come from a legitimate source. Unfortunately, no organisation is safe from the threat of money laundering, particularly where it is receiving funds from sources where the identity of the payer is unknown. It is, therefore, possible that Council may be targeted by criminals wishing to launder the proceeds of crime.

In addition, it is possible that the proceeds of crime may be received from individuals or organisations who do not realise that they are committing an offence. It is no defence for the payer or the recipient to claim that they did not know that they were committing an offence if they should have been aware of the origin of the funds. All staff therefore dealing with the receipt of funds or having contact with third parties from whom funds may be received need to be aware of the possibility of money laundering taking place.

Money laundering describes offences involving the integration of the proceeds of crime or terrorist funds into the mainstream economy. Such offences are defined under the Proceeds of Crime Act 2002 (“the Act”); the following are ‘prohibited acts’:

- Concealing, disguising, converting, transferring or removing criminal property from the UK
- Becoming involved in an arrangement which an individual knows or suspects facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person
- Acquiring, using or possessing criminal property
- Failure to disclose one of the offences listed above, where there are reasonable grounds for knowledge or suspicion
- Doing something that might prejudice an investigation e.g. falsifying a document
- Tipping off a person(s) who is or is suspected of being involved in money laundering in such a way as to reduce the likelihood of or prejudice an investigation

Provided the Council does not undertake activities regulated under the Financial Services and Markets Act 2000, the offences of failure to disclose and tipping off do not apply. However, the Council and its employees and Members remain subject to the remainder of the offences and the full provisions of the Terrorism Act 2000.

The Terrorism Act 2000 made it an offence of money laundering to become concerned in an arrangement relating to the retention or control of property likely to be used for the purposes of terrorism, or resulting from acts of terrorism.

Although the term ‘money laundering’ is generally used to describe the activities of organised crime, for most people it will involve a suspicion that someone they know, or know of, is benefiting financially from dishonest activities.

Potentially very heavy penalties (unlimited fines and imprisonment up to fourteen years) can be handed down to those who are convicted of one of the offences above.

It is important therefore that staff are aware of the rules and procedures that the Council has in place to ensure that they comply with the relevant legislation and approach taken by the Council as set out in this policy.

4. Requirements of the Money Laundering Legislation

The main requirements of the legislation are:

- To appoint a money laundering reporting officer.
- Maintain client identification procedures in certain circumstances.
- Implement a procedure to enable the reporting of suspicions of money laundering.
- Maintain record keeping procedures.

5. The Money Laundering Reporting Officer (MLRO)

The Council has designated the Monitoring Officer as the Money Laundering Reporting Officer (MLRO). She can be contacted on 01827 709266 or by email nicola-hesketh@tamworth.gov.uk.

In the absence of the MLRO or in instances where it is suspected that the MLRO could be involved in suspicious transactions, concerns should be raised with the Section 151 Officer – Executive Director (Finance). He can be contacted on 01827 709242 or by email stefan-garner@tamworth.gov.uk.

6. Possible Signs of Money Laundering

It is not possible to give a definitive list of ways in which to spot money laundering but facts which tend to suggest that something “odd” is happening may be sufficient for a reasonable suspicion of money laundering to arise.

The following are the types of risk factors which *may*, either alone or cumulatively with other factors, suggest the possibility of money laundering activity:

- A new customer with no previous history with the Council.
- A secretive customer: for example one who refuses to provide requested information without a reasonable explanation.
- Concerns about the honesty, integrity or identity of a customer.
- Illogical third party transactions: for example unnecessary routing or receipt of funds from third parties or through third party accounts.
- Involvement of an unconnected third party without logical reason or explanation.
- Payment of substantial sum in cash.
- Overpayments by a customer.
- Absence of an obvious legitimate source of the funds.
- Movement of funds to and from overseas, particularly to and from a higher risk country.
- Where, without reasonable explanation, the size, nature and frequency of transactions or instructions is out of line with normal expectations.
- Cancellation or reversal of an earlier transaction.

7. Due Diligence Procedures

The Money Laundering Regulations require us to carry out “Customer Due Diligence”. Staff should therefore be alert to where Tamworth Borough Council (TBC) may be targeted by individuals trying to launder the proceeds of crime and/or finance terrorist activity.

Avoid alerting anyone dealing with TBC that they have a suspicion that they may be attempting to launder, or have laundered, the proceeds of crime; and to report any suspicions of money laundering. Any suspicions must be reported to the Money Laundering Reporting Officer.

Training will be provided to all relevant staff regarding money laundering to assist them in their awareness of how money laundering could take place and the appropriate method of dealing with this. In effect, any areas where money changes hands could therefore be at risk of money laundering attempts, i.e. Application fees for taxi licences, planning applications, payment of housing benefits etc.

The Council already has procedures in place to limit the amount of cash that it receives, with other payment methods being made available. To ensure however that the system is manageable, if a cash payment of less than £1,000 is received; no identification checks will be needed.

Where the £1,000 limit is exceeded, officers dealing with the matter will need to (1) establish the identity of the individual/company involved (2) seek advice from the MLRO (01827 709234) to ensure that the risk of receiving the proceeds of crime can be minimised.

For individuals, their passport or photo driving licence should be obtained, together with one of the following:

- Utility bills i.e. electricity, water etc. however mobile phone bills are not acceptable
- Mortgage/building society/bank statements
- Credit card statements
- Pension or benefit books

If passport or photo driving licence is not available, then two of the other items listed above will need to be produced.

For companies, a Companies House search should be undertaken to confirm the existence of the company and identify who the directors are. Personal identification should then be obtained for the representatives of the company together with proof of their authority to act on behalf of the company. Care should be taken if it becomes clear that the individual has only recently become a director of the company or if there has been a recent change in the registered office.

For any other type of organisation, for example a sole trader or partnership, personal identification should be obtained for the individuals together with documents indicating their relationship to the organisation.

Copies of any evidence provided in support of the identification of an individual or organisation should be kept on a central file so that it can be referred to later if necessary. Records should be kept for 6 years after the end of the transaction.

8. Land/Property Transactions

The Council has in place procedures to identify customers when Council land or property is being sold without the involvement of independent legal advice. The procedures will require the Council to:

- Identify customers and verify their identity on the basis of documents from a reliable and approved source;
- Identify where applicable the beneficial owner (see below) and take adequate measures on a risk sensitive basis to verify their identity;
- Maintain records of all checks.

“Beneficial owners” are the individuals who ultimately own or control have a legal interest in the asset or the person on whose behalf a transaction or activity is being conducted.

If satisfactory evidence of a customer’s identity at the outset cannot be obtained, then the business transaction CANNOT proceed any further.

All personal data collected will be kept in accordance with the General Data Protection Regulations.

9. Procedure for Reporting Suspicious Transactions

Any suspicious transactions which staff may become aware of in the course of their work must be reported to the MLRO immediately using the Council’s Internal Disclosure Form (see Appendix 2). Failure to make the appropriate report immediately will be regarded as gross misconduct and may result in dismissal without notice or pay in lieu of notice.

The report must include as much detail as possible including:

- Full details of the people involved.
- Full details of the nature of their/your involvement.
- The types of money laundering activity involved.
- The date(s) of such activity/ies.
- Whether the transactions have happened, are ongoing or are imminent.
- Where they took place (if applicable).
- How they were undertaken (if applicable).
- The (likely) amount of money/assets involved.
- Why, exactly, you are suspicious.

Along with any other available information to enable the MLRO to make a sound judgement as to whether there are reasonable grounds for knowledge or suspicion of money laundering and to enable her to prepare a report to the National Crime Agency (NCA), where appropriate. You should also enclose copies of any relevant supporting documentation.

It is imperative, if staff have a suspicion concerning an individual or organisation with which they are dealing, that they do not alert them to that suspicion i.e. that no “tipping off” is done. Staff must, therefore, **not** make them aware that an internal disclosure report may be made. Once the report is made, the cash/cheques/other form of payment from this source should not be banked until clearance has been received from the MLRO. Such clearance may take up to seven days from the time when the initial report to the MLRO is made.

If the funds are banked in this period without getting clearance from the MLRO that staff members runs the risk of a fine and/ or imprisonment for up to 14 years.

10. Additional Guidance

If you require any additional information or guidance in relation to the contents of this policy and your responsibilities please contact the MLRO. An Aide Memoir has been prepared – Appendix 3, which can be used as a brief reminder to staff of their responsibilities.

11. Consideration of the disclosure by the Money Laundering Reporting Officer

Upon receipt of a report, the MLRO must note the date thereof and acknowledge receipt. She should also advise you of the timescale within which she expects to respond to you.

The MLRO will consider the report and any other available internal information she thinks relevant e.g.

- reviewing other transaction patterns and volumes;
- the length of any business relationship involved;
- the number of any one-off transactions and linked one-off transactions;
- any identification evidence held;

She will also undertake such other reasonable inquiries that are appropriate in order to ensure that all available information is taken into account in deciding whether a report to the NCA is required (such enquiries being made in such a way as to avoid any appearance of tipping off those involved). The MLRO may also need to discuss the report with you.

Once the MLRO has evaluated the report and any other relevant information, she must make a timely determination as to whether:

- there is actual or suspected money laundering taking place; or
- there are reasonable grounds to know or suspect that is the case; and
- there is a requirement to seek consent from the NCA for a particular transaction to proceed.

Where the MLRO does so conclude, then she must disclose the matter as soon as practicable to the NCA on their standard report form and in the prescribed manner, unless she has a reasonable excuse for non-disclosure to the NCA (for example, if you are a lawyer and you wish to claim legal professional privilege for not disclosing the information).

Where the MLRO suspects money laundering but has a reasonable excuse for non-disclosure, then she must note this accordingly; she can then immediately give her consent for any ongoing or imminent transactions to proceed.

In cases where legal professional privilege may apply, the MLRO must liaise with the Section 151 Officer to decide whether there is a reasonable excuse for not reporting the matter to the NCA.

Where consent is required from the NCA for a transaction to proceed, then the transaction(s) in question must not be undertaken or completed until the NCA has specifically given consent, or there is deemed consent through the expiration of the relevant time limits without objection from the NCA.

Where the MLRO concludes that there are no reasonable grounds to suspect money laundering then she shall note this accordingly and give consent for any ongoing or imminent transaction(s) to proceed.

All reports referred to the MLRO and reports made by her to the NCA must be retained by the MLRO in a confidential file kept for that purpose, for a minimum of six years.

The MLRO commits a criminal offence if she knows or suspects, or has reasonable grounds to do so, through a disclosure being made to her, that another person is engaged in money laundering and she does not disclose this as soon as practicable to the NCA.

12. Training

Officers considered likely to be exposed to suspicious situations, will be made aware of these by their senior officer and provided with appropriate training. In effect, any areas where money changes hands could therefore be at risk of money laundering attempts ie. application fees for taxi licences, planning applications, payment of housing benefits etc.

Additionally, all employees and Members will be familiarised with the legal and regulatory requirements relating to money laundering and how they affect both the Council and themselves.

Notwithstanding the paragraphs above, it is the duty of officers and Members to report all suspicious transactions whether they have received their training or not.

13. Conclusions

The Council has put into place a number of arrangements to protect itself from the risk of money laundering. However in the current climate of change there are issues that will increase this risk. Changes in structure, changes in systems and the turnover of staff all contribute to our exposure to the risk of money laundering. To mitigate against this risk the Council will regularly review arrangements.

The Money Laundering Policy provides a framework for preventing and tackling money laundering acts against the Authority. The approval of the Policy by the Audit and Governance Committee and the Council demonstrates the Council's commitment to protecting public funds. Having made this commitment, it is imperative that the MLRO puts in place

arrangements for disseminating the Policy and promoting money laundering awareness, throughout the Council. The Council believes that this policy represents a proportionate response to the level of risk it faces from money laundering offences.

14. Review

This policy and associated procedure will be subject to a review every 3 years unless any changes or updates to any of the relevant legislation require that it is undertaken sooner.

Role of the Money Laundering Report Officer – “MLRO”

The duties of the Money Laundering Reporting Officer are:

- To ensure that the Council complies with the requirements of the Money Laundering Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and the Proceeds of Crime Act 2002.
- To ensure that all relevant staff are aware of and comply with the Council's Anti-Money Laundering Policy.
- To ensure that the Council properly identifies all third parties dealing with the Council where there is a higher risk of the Council receiving the proceeds of crime and to ensure that copies of any documents taken as proof of evidence are kept on a central file by the Council.
- To ensure that all relevant staff receive training on how to identify, deal with and prevent money laundering.
- To ensure that all necessary disclosures to the National Crime Agency (NCA) are made and that they are made as soon as practically possible after the suspicion has been raised.
- To decide whether a suspicious transaction report requires a disclosure to be made to NCA.
- To liaise with NCA regarding the outcome of the disclosure and update staff accordingly.



MONEY LAUNDERING – INTERNAL REPORTING FORM

Money laundering legislation requires all individuals within the Council to report any knowledge or suspicions that they might have of money laundering (as defined in the Proceeds of Crime Act 2002) to the Council’s Money Laundering Reporting Officer. To assist individuals the following pro forma has been developed. Particular circumstances may require different information to be disclosed and this should be fully explained, if applicable.

Instructions for Completion

It is your legal duty and a requirement of your employment with Tamworth Borough Council that you report any suspicion concerning proceeds of crime to:

**Money Laundering Reporting Officer
 Tamworth Borough Council
 Marmion House
 Lichfield Street
 Tamworth
 Staffordshire
 B79 7BZ**

This should be marked **URGENT – **RESTRICTED** TO THE ADDRESSEE ONLY.**

You are also reminded that **“Tipping-Off”** is a criminal offence. You should therefore avoid discussing the content of this report with anyone other than the Money Laundering Reporting Officer.

Date of Report:		Date suspicion first aroused:	
Prepared by: Name & Dept:			
Disclosure Type:	(ie. Connections to crime/drugs/terrorism)		

Main Subject (Person)

Surname:		Forename(s):		Title:	
Date of Birth:		Gender:			
Occupation:		Employer:			
Address: (in full)		Postcode:	Home/Business /Registered	Current/Previous	

Or

Main Subject (Company)

Company Name:		Company No:	
Type of Business:		VAT No:	
Country of Reg:			
Address: (in full)		Postcode:	Home/Business /Registered

Bank Account Details

Account Name:		Sort Code:	
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Opened:		Account No:	
Closed:		Balance:	

Other Information

Any information/evidence held to confirm identification and/or address, ie. Passport/driving licence etc:

Connected Subject Person (if any)

Surname:		Forename(s):		Title:	
Date of Birth:		Gender:			
Occupation:		Employer:			
Address: (in full)		Postcode:	Home/Business /Registered	Current/Previous	

**Or
Connected Subject Company (if any)**

Company		Company No:	
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Name:			
Type of Business:		VAT No:	
Country of Reg:			
Address: (in full)	Postcode:	Home/Business/ Registered	Current/Previous

Bank Account Details

Account Name:		Sort Code:	
Opened:		Account No:	
Closed:		Balance:	

Other Information

Any information/evidence held to confirm identification and/or address, ie. Passport/driving licence etc:

Reason for the Suspicion

Please tick any or all of the following which might apply		
Drugs	Personal Tax Fraud	Vat Fraud
Crime	Company Tax Fraud	

Immigration	Tobacco/Alcohol Excise Fraud
<p>Following on from above, please set out the reason for the suspicion:</p> <p>Please continue on separate sheet if required</p>	
<p>Names of all other colleagues (principals and staff) who have been involved in the case</p> 	

Declaration

The above is an accurate account of the facts that are available to me at the time of making the report. If I become aware of additional and/or changes in the information provided I will disclose these to the Money Laundering Reporting Officer in a timely manner. I am aware of the risks and penalties regarding “tipping-off” or frustrating in any way an investigation of the above or related matters by the authorities.

Signed: _____ Date: _____

Name in Full: _____ Position: _____

For Completion by the MLRO

Date received	
Date acknowledged	
Unique case ref	
Are there reasonable grounds for suspecting money laundering activity?	
If yes, confirm date reported to NCA	
Is consent is required from the NCA	

to any on-going or imminent transactions which would otherwise be prohibited by the act? If yes, please confirm full details	
Date consent received from NCA	
Date consent given to employee for transaction to proceed	
If there are reasonable grounds to suspect money laundering, but you do not intend to report the matter to the NCA, please set out the reasons for non disclosure	
Date consent given by you to the employee for transaction to proceed. Signed and dated	
This report to be retained for at least 6 years	

APPENDIX 3

MONEY LAUNDERING AVOIDANCE AIDE MEMOIR

1. No member of staff must accept cash of more than £1,000 from any member of the public.
2. If you are offered cash of more than £1,000 you should advise the person offering it to you that it is not Council policy to accept large amounts of cash of more than £1,000 and that you need to obtain guidance from a senior member of staff. You should then contact the Money Laundering Reporting Officer to obtain authorisation to take cash, if appropriate.
3. Any large cash sums should not be banked in the first instance. The Money Laundering Reporting Officer should be contacted to seek guidance as to how to deal with the funds. Forms to report the matter are included in the policy document at Appendix 2.
4. Whilst it is not acceptable to be suspicious of all cash based businesses, anyone whom you know to be associated with such a business should be dealt with using a higher degree of scepticism. If you have any reason to suspect the source of their funds then you should contact the Money Laundering Reporting Officer to discuss your concerns, even if the payment is not received in cash.
5. If you receive a complaint from a member of the public in relation to possible criminal activity being carried out by someone who may be a customer of the Council (i.e. a Council Tax or Business Rates payer, rent payer, licensee etc) you must pass this on to the Money Laundering Reporting Officer.

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Anti Money Laundering Policy	
Date Conducted	08/09/2022	
Name of Lead Officer and Service Area	Andrew Wood Internal Audit	
Commissioning Team (if applicable)	N/A	
Director Responsible for project/service area	Andrew Barratt	
Who are the main stakeholders	Employees, Citizens	
Describe what consultation has been undertaken. Who was involved and what was the outcome	CMT – review of existing policy	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	
	A Strategy/Policy/Procedure	X
	A function, service or project	
What kind of assessment is it? Indicate with an 'x' which applies	New	
	Existing	X

	Being reviewed	
	Being reviewed as a result of budget constraints / End of Contract	

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

Review of existing policy in line with good practice

Who will be affected and how?

Employees, citizens – updated policy

Are there any other functions, policies or services linked to this impact assessment?

Yes X No

If you answered 'Yes', please indicate what they are?

Whistleblowing Policy

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age		X	
Disability		X	
Gender Reassignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	
Race		X	
Religion or belief		X	

Sexual orientation		X	
Sex		X	
Gypsy/Travelling Community		X	
Those with Caring/Dependent responsibilities		X	
Those having an offending past		X	
Children		X	
Vulnerable Adults		X	
Families		X	
Those who are homeless		X	
Those on low income		X	
Those with Drug or Alcohol problems		X	
Those with Mental Health issues		X	
Those with Physical Health issues		X	
Other (Please Detail)		X	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
	None arising			

Date of Review (If applicable)

ROLLING AUDIT & GOVERNANCE TIMETABLE OF PLANNED REPORTS TO AUDIT AND GOVERNANCE COMMITTEE

	Report	Committee Date	Report Of	Comments
1	Audit & Governance Committee update	27 October 2022	Grant Thornton	
2	Internal Audit Quarterly Update	27 October 2022	Audit Manager	
3	Counter Fraud Update	27 October 2022	Audit Manager	
4	Risk Management Quarterly Update	27 October 2022	Assistant Director – Finance	
5	Local Government Ombudsman’s Annual Review and Report 2021/22	27 October 2022	Assistant Director – People	
6	Modern Slavery and Human Trafficking Statement	27 October 2022	Assistant Director – Partnerships	
1	Audit & Governance Committee update	15 November 2022	Grant Thornton	
2	Audit Findings	15 November 2022	Grant Thornton	
3	Management Representation Letter	15 November	Grant Thornton	

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	Report	Committee Date	Report Of	Comments
		2022		
4	Annual Statement of Accounts	15 November 2022	Executive Director Finance	
5	Councillor Code of Conduct – following finalisation of LGA new Model Code	15 November 2022	Monitoring Officer	
6	Review of the Constitution and Scheme of Delegation for Officers	15 November 2022	Monitoring Officer	
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1	Audit & Governance Committee update	9 February 2023	Grant Thornton	
2	Auditor's Annual Report	9 February 2023	Grant Thornton	
3	Internal Audit Quarterly Update	9 February 2023	Audit Manager	
4	Risk Management Quarterly Update	9 February 2023	Assistant Director – Finance	
5	Audit Committee Effectiveness	9 February 2023	Audit Manager	
6	Review of Financial Guidance	9 February 2023	Assistant Director Finance	

	Report	Committee Date	Report Of	Comments
1	Audit and Governance Committee update	22 March 2023	Grant Thornton	
2	Internal Audit Charter and Audit Plan	22 March 2023	Audit Manager	
3	Review of the Constitution and Scheme of Delegation for Officers	22 March 2023	Monitoring Officer	Annual review in March from 2023 onwards
4	Informing the Audit Risk Assessment	22 March 2023	Grant Thornton	<i>March or April (ideally March)</i>
5	Review of the Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Statement and the Treasury Management Strategy Statement and Annual Investment Strategy Mid-Year Review Report	22 March 2023	Executive Director Finance	<i>March or April (ideally March)</i>
6	Final Accounts – Accounting Policies and Action Plan	22 March 2023	Assistant Director of Finance	<i>March or April (ideally March)</i>
	Private meeting of Internal and External Auditors and Committee members	March		
1	Audit & Governance Committee update	20 April 2023	Grant Thornton	
2.	Public Sector Internal Audit Standards/Quality Assurance and	20 April 2023		

	Report	Committee Date	Report Of	Comments
	Improvement Programme			
3.	Annual Report of the Chair of Audit & Governance Committee	20 April 2023	Audit Manager / Chair	
4	Review of Financial Guidance	20 April 2023	Assistant Director Finance	From 2023 onwards to be considered in April each year.
5	Councillor Code of Conduct	20 April 2023	Monitoring Officer	Annual refresh

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2023/24 Year

1	Audit & Governance Committee update	[late] June 2023	Grant Thornton	
2	External Audit Plan	[late] June 2023	Grant Thornton	
3	Internal Audit Annual Report and Quarterly Update	[late] June 2023	Audit Manager	
4	Annual Governance Statement and Code of Corporate Governance	[late] June 2023	Chief Executive	
5	Risk Management Quarterly Update	[late] June 2023	Assistant Director, Finance	

6	Public Sector Internal Audit Standards/Quality Assurance and Improvement Programme	[late] June 2023	Audit Manager	Could be moved to August 2023
1	Audit & Governance Committee update	xx August 2023	Grant Thornton	
2	Risk Management Quarterly Update	xx August 2023	Assistant Director – Finance	
3	Internal Audit Quarterly Update	xx August 2023	Audit Manager	
	Private meeting of Internal and External Auditors and Committee members	xx August 2023		
1	Audit Findings	Xx September 2023	Grant Thornton	
2	Management Representation Letter	XX September 2023	Grant Thornton	
3	Annual Statement of Accounts	Xx September	Executive Director	

		2023	Finance	
4	Annual Treasury Outturn	xx September 2023	Executive Director Finance	<i>Could be moved to October if required</i>
5	Regulation of Investigatory Powers Act (RIPA) Annual Report & Review of the RIPA Policy	Xx September 2023	Assistant Directors, Partnerships	Agreed that this be moved to September 2023.

Note: It is proposed that training on the role of the Audit Committee from the external auditors and training on the role of internal audit to take place in early June outside of the Committee meeting as part of the annual Member Training programme.

The Portfolio Holder for Finance, Risk and Customer Services