

MARY TAVY PARISH COUNCIL

Anti-Fraud and Corruption Strategy

POLICY STATEMENT

1. Introduction

Good governance requires that Mary Tavy Parish Council (MTPC) demonstrates clearly that it is firmly committed to dealing with fraud and corruption and will deal equally with perpetrators from inside (members and officers) and outside MTPC. In addition, there will be no distinction made in investigation and action between cases that generate financial benefits and those that do not. This policy statement, however, will not compromise MTPC's commitment to equal opportunities or the requirements of the Human Rights Act 1998 and other relevant statutory provision.

This policy statement embodies a series of measures designed to frustrate any attempted fraudulent or corrupt act and the steps to be taken if such action occurs. For ease of understanding, it is separated into five areas as below: -

Section 2- Culture
Section 3- Prevention
Section 4- Deterrence
Section 5- Detection and Investigation
Section 6- Training

MTPC is also aware of the high degree of external scrutiny of its affairs by a variety of bodies such as the Information Commissioner's Office and HMRC. These bodies are important in highlighting any areas where improvements can be made.

Fraud and corruption are defined as: -

Fraud – "the intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain." In addition, fraud can also be defined as "the intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to mislead or misrepresent."

Corruption – "the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person." In addition, this policy statement also covers "the failure to disclose an interest in order to gain financial or other pecuniary benefit."



2. Culture

The culture of MTPC has always been one of openness and honesty. The culture therefore supports the opposition to fraud and corruption.

The prevention/detection of fraud/corruption and the protection of the public purse are responsibilities of everyone, both internal and external to the organisation.

MTPC's members and officers play an important role in creating and maintaining this culture. They are positively encouraged to raise concerns regarding fraud and corruption, immaterial of seniority, rank or status, in the knowledge that such concerns will, wherever possible, be treated in confidence. The public also has a role to play in this process and should inform MTPC if they feel that fraud/corruption may have occurred.

Concerns must be raised when members, employees, or the public reasonably believe that one or more of the following has occurred, is in the process of occurring, or is likely to occur:

- A criminal offence
- A failure to comply with a statutory or legal obligation
- Improper or unauthorised use of public or other official funds
- A miscarriage of justice
- Maladministration, misconduct or malpractice
- Endangering an individual's health and/or safety
- Damage to the environment
- Deliberate concealment of any of the above.

MTPC will ensure that any allegations received in any format, including by anonymous letters or telephone calls, will be taken seriously and investigated in an appropriate manner.

MTPC will deal firmly with those who defraud the council or who are corrupt, or where there has been financial malpractice. There is, of course, a need to ensure that any investigation process is not misused and, therefore, fraud and corruption might be dealt with as a disciplinary matter (e.g., disciplinary procedures for employees).

When fraud and corruption has occurred due to a breakdown in systems or procedures, MTPC will ensure that appropriate improvements in systems of control are implemented in order to prevent a reoccurrence.

3. Prevention

Role of Councillors

All members have a duty to the residents of Mary Tavy parish to protect the council as a corporate body and public money from any acts of fraud and corruption.

This is done through existing practice, compliance with the Members' Code of Conduct, Standing Orders, Financial Regulations and relevant legislation.



Members sign to the effect that they have read and understood the Members' Code of Conduct when they take office. Conduct and ethical matters are specifically brought to the attention of members during induction and include the declaration and registration of interests. Officers advise members of new legislative or procedural requirements.

Role of the Proper Officer & Responsible Financial Officer

The Proper Officer & Responsible Financial Officer has been designated the statutory responsibilities as defined by s.151 of the Local Government Act 1972. These responsibilities outline that every local authority in England & Wales should: "make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs."

Their responsibility to undertake proper administration encompasses all aspects of local authority financial management including:

- Compliance with the statutory requirements for accounting and audit
- Ensuring MTPC's responsibility for ensuring proper administration of its financial affairs is met
- The proper exercise of a wide range of delegated powers both formal and informal
- The responsibility for managing the financial affairs of the local authority in all its dealings
- The recognition of the fiduciary responsibility owed to local tax payers.

Under these statutory responsibilities, the Proper Officer & Responsible Financial Officer contributes to the anti-fraud and corruption framework.

The Proper Officer & Responsible Financial Officer is responsible for the communication and implementation of this strategy. He/she is also responsible for ensuring that council employees are aware of HR policies and procedures, Financial Regulations and Standing Orders and that the requirements of each are being met in their everyday business activities.

During recruitment, the council will obtain written references before appointing staff.

Conflicts of Interest

Both members and officers must ensure that they avoid situations where there is a potential for a conflict of interest. Such situations can arise with externalisation of services, tendering, planning and land issues, etc. Effective role separation will ensure decisions made are seen to be based upon impartial advice and avoid questions about improper disclosure of confidential information.

Official Guidance

In addition to Financial Regulations and Standing Orders, due regard will be had to external and inspectorate recommendations.

Role of Internal Audit

Internal audit plays a vital preventative role in trying to ensure that systems and procedures are in place to prevent and deter fraud and corruption.



Role of External Auditor

Independent external audit is an essential safeguard of the stewardship of public money. This is currently carried out by PKF Littlejohn LLP through specific reviews that are designed to test (amongst other things) the adequacy of financial systems and arrangements for preventing and detecting fraud and corruption. It is not the external auditors' function to prevent fraud and irregularities, but the integrity of public funds is at all times a matter of general concern. External auditors are always alert to the possibility of fraud and irregularity, and will act without undue delay if grounds for suspicion come to their notice. The external auditor has a responsibility to review arrangements for preventing and detecting fraud and irregularities, and arrangements designed to limit the opportunity for corrupt practices.

Role of the public

This policy, although primarily aimed at those within or associated with MTPC, enables concerns raised by the public to be investigated, as appropriate, by the relevant person in a proper manner.

4. Deterrence

Prosecution

In terms of proceedings, MTPC will ensure consistency in its actions to specific cases and to deter others from committing offences against it.

Disciplinary Action

Theft, fraud and corruption are serious offences which may constitute gross misconduct against the council as a corporate body, and officers will face disciplinary action if there is evidence that they have been involved in these activities. Disciplinary action will be taken in addition to, or instead of, criminal proceedings depending on the circumstances of each individual case but in a consistent manner.

Members will face appropriate action under this policy if they are found to have been involved in theft, fraud and corruption against MTPC. Action will be taken in addition to, or instead of criminal proceedings, depending on the circumstances of each individual case but in a consistent manner. If the matter is a breach of the Members' Code of Conduct, this will be dealt with by West Devon Borough Council's Monitoring Officer.

Publicity

MTPC will optimise the publicity opportunities associated with anti-fraud and corruption activity.

In all cases (related to both members and employees) where MTPC has suffered a financial loss, the recovery of the loss will be considered.

All anti-fraud and corruption activities, including the update of this policy, will be publicised.



5. Detection and investigation

In addition to internal audit, there are numerous systems and management controls in place to deter fraud and corruption including those outlined within the council's internal control statement. It is sometimes the vigilance of members of the public that aids detection.

MTPC's disciplinary policy will be used to facilitate a thorough investigation of any allegations of improper behaviour by employees. The process outlined in section 4 of this policy under 'disciplinary action' will cover councillors.

6. Training

MTPC recognises that the continuing success of this strategy and its general credibility will depend in part on the effectiveness of training and awareness for members and officers and accordingly will take appropriate action.

Conclusion

MTPC has always prided itself on setting and maintaining high standards and a culture of openness and honesty. This strategy fully supports MTPC's desire to maintain an honest authority, free from fraud and corruption.

MTPC has in place a network of systems and procedures to assist it in dealing with fraud and corruption when it occurs. It is determined that these arrangements will keep pace with any future developments in both preventative and detection techniques regarding fraudulent or corrupt activity that may affect its operation.

MTPC will maintain a continuous review of all these systems and procedures through internal audit, within resources.

This anti-fraud and corruption policy was adopted by Mary Tavy Parish Council during the full council Meeting held on 13th October 2026.

Next review due: October 2027