

**POLICE
& CRIME**
COMMISSIONER
THAMES VALLEY



**JOINT ANTI-FRAUD, BRIBERY
AND
CORRUPTION POLICY**

POLICY EFFECTIVE DATE: December 2018
POLICY REVIEW DATE: December 2020

ANTI-FRAUD, BRIBERY AND CORRUPTION POLICY

	CONTENTS	Page
1	AIM OF THIS POLICY	3
2	POLICY STATEMENT / INTENTIONS	3
3	INTRODUCTION / LEGAL BASIS	4
4	CULTURE & VALUES	7
5	THE SEVEN [NOLAN] PRINCIPLES OF STANDARDS IN PUBLIC LIFE	7
6	PREVENTION	8
7	DETECTION & INVESTIGATION	10
8	RAISING A CONCERN	11
9	TRAINING	12
10	MONITORING / REVIEW	13

1. AIM OF THIS POLICY

The aim of this policy is to prevent fraud, bribery and corruption within Thames Valley Police and the Office of the PCC. The policy will assist individuals and their line managers in ensuring that their actions can withstand scrutiny. The overall aim is to maintain the reputation and integrity of Thames Valley Police and the PCC.

2. POLICY STATEMENTS / INTENTIONS

The principles and scope of the policy

Fraud, bribery and corruption can have a severe impact on the operation, status and reputation of an organisation, particularly the Office of the Police and Crime Commissioner for Thames Valley (OPCC) and its police service, and should therefore be opposed at every opportunity.

The Police and Crime Commissioner (PCC) for Thames Valley and the Chief Constable of Thames Valley Police (TVP) are committed to a culture of honesty, integrity and propriety in the holding of public office and the use of public funds. The ethics of the organisation are based on Honesty, Professionalism, Respect, Integrity, Dedication and Empathy which further builds on the public's trust and confidence which we currently enjoy.

Fraud, bribery and corruption are an ever-present threat to our organisations. They undermine our ability to police in a professional and cost effective way and may affect the way we utilise our finite resources. Neither the Force nor the PCC will tolerate fraud, bribery or corruption in the administration of our responsibilities, whether they are from inside or outside our organisations. Both will seek to apply all available sanctions, including civil, criminal and disciplinary in the case of fraud or corruption being identified. The current world economic climate is putting pressure on our society and there is an ever-growing need to be robust in deterring and detecting fraud and corruption within the organisations. There is untold damage that can be caused to our reputation by any of our employees being involved in fraud or corrupt practices, or any diversion of public funds for personal gain.

In this document the generic term 'employees' shall refer to police officers, police staff, police community support officers, members of the special constabulary, volunteers and other members of the wider police family.

For the purposes of this policy Fraud, Bribery and Corruption have been defined as follows:

Fraud: The intentional distortion of financial statements or other records and/or the misappropriation of assets or otherwise for gain. This may include: falsifying travel and subsistence claims, falsifying overtime or flexi claims, and obtaining employment through false qualifications.

Bribery: 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. Bribery does not have to involve cash or an actual payment exchanging hands and can take many forms such as a gift, lavish treatment during a business trip or tickets to an event. See also "Legal Basis"

Corruption: The offering, giving, soliciting or acceptance of an inducement or reward which may influence a person to act against the interests of the organisation, and can be simply described as 'the misuse of power for a private gain'. This may include: gifts and hospitality, inappropriate association, drugs misuse, computer misuse, sexual misbehaviour against the public, pecuniary interests of the police and Chief Constable, PCC, Deputy PCC and staff, and disposal of assets.

This policy applies to the PCC, Deputy PCC, OPCC, all TVP employees, volunteers, commercial partners and all external persons with whom the PCC and TVP conduct business.

It should be read in conjunction with the Police Officer Conduct Policy, the joint Corporate Governance Framework, the Public Interest Disclosure Act 1998 and the Employment Rights Act 1996, which supports and encourages all employees to report suspected illegal activity without fear of victimisation or detriment as a result of making a disclosure.

3. INTRODUCTION / LEGAL BASIS

The origins/background information

The integrity of the Force has a massive impact upon public confidence. The introduction of the Bribery Act 2010 reinforces the need to have in place policies that ensure all transactions it undertakes are carried out with integrity. This policy will go some way to address the standards expected and should be read in conjunction with the 'Business Interests of Police Officers and Police Staff' Policy and the 'Gifts, Hospitality, Discounts, Travel Concessions and Other Potential Conflicts of Interest' Policy.

Responsibilities

The Force has a strong commitment to preventing fraud, bribery and corruption, with responsibility to minimise the risk shared by all staff. This section briefly outlines the responsibilities of specific roles.

Senior officers and senior managers of the organisation are required to deal swiftly and firmly with those who contravene the principles of the Bribery Act 2010, defraud or who are corrupt.

All members of the OPCC and Force (including commercial partners on business for Thames Valley Police) have a duty to report any suspected improper, fraudulent or corrupt practice affecting the PCC or the Force at the earliest opportunity.

Members of outside bodies and members of the public are also encouraged to report any suspected fraudulent, improper or corrupt behaviour.

Individuals and organisations such as suppliers, contractors, service providers that the PCC and Force conduct business with are expected to act towards the PCC and Force with integrity and a total absence of improper fraudulent or corrupt practices.

The PCC's Chief Finance Officer and the Chief Constable's Director of Finance both have statutory duties and responsibility for financial administration (para. 6 of Schedule 1 and para. 4 of Schedule 2 of the Police Reform and Social Responsibility Act 2011 and the Financial Management Code of Practice issued under section 17 of the Police Reform and Social Responsibility Act 2011) and therefore must be informed of any initial report, giving rise to any suspected fraud or corruption.

In those cases where sufficient evidence is available, criminal and/or disciplinary action will be taken by the organisations. Civil recovery (including civil court action) of funds lost by fraud and corruption will be considered in all established cases.

Senior officers and senior managers of the organisations will ensure that effective procedures, practices and controls are in operation in their areas of responsibility to minimise the opportunities for bribery, fraud and corruption.

The PCC and the Force will demonstrate that it is creating a strong deterrent effect by publicising successful cases of bribery, fraud and corruption and any successful recovery of losses.

Motivators/Driving Forces

The prevention of fraud, bribery and corruption is an essential element in maintaining the reputation of the Force and the PCC. The Force needs to ensure that through its policies and procedures, behaviours that affect the integrity and reputation of the Force are highlighted and addressed appropriately.

The Bribery Act 2010 requires organisations to have in place adequate procedures to prevent bribery occurring.

General Principles of the Policy

The policy aims to address fraud, bribery and corruption within the Force by compliance with the Bribery Act 2010. The policy also sets out a clear pathway for prevention, reporting and investigation of such issues.

Anti-fraud, bribery and corruption strategy

TVP is committed to promoting the six principles of the Bribery Act 2010:

1. **Proportionality** – We will take action to prevent and eliminate bribery, proportionate to the risk and size of our organisation.
2. **Top level commitment** - Those in senior positions are committed to ensuring the organisation conducts business without bribery.
3. **Risk Assessment** – Where risk of bribery is identified, we will risk assess the nature or extent of exposure to bribery.
4. **Due Diligence** – TVP will have a risk based approach to business relationships - with those with whom we deal and those who provide services for us.
5. **Communication** – TVP will communicate our policies and procedures to staff and others who perform services, and will include additional training to help raise awareness, where appropriate.
6. **Monitoring and Review** – As risks to the organisation may change, we are committed to carrying out regular reviews and re-assessments over time.

Specifically, the PCC and Force are committed to an effective anti-fraud, bribery and corruption strategy based around the following strands:

- Honest culture
- Encourage prevention
- Promote detection and timely reporting
- Identify a clear pathway for investigation
- Training
- Provide support and guidance for staff that may be in financial difficulty. These staff members are most at risk of fraudulent or corrupt practices
- Record of TVP employees who have been the subject of any County Court judgements or who have been declared Bankrupt for example. These notices are securely stored in the Professional Standards Department (PSD).
- Promoting adherence to the Nolan Principles (see Section 5)

There is a high level of **external** scrutiny of organisational affairs by a variety of bodies including:

- The External Auditor (the external, independent, auditor appointed by Public Sector Audit Appointments (PSAA) Ltd).
- The Police and Crime Panel, which scrutinises the actions and decisions of the PCC and makes sure information is available for the public, enabling them to hold the PCC to account.
- Her Majesty's Inspectorate of Constabulary, which carries out Force inspections via a phased, thematic inspection programme.
- The Independent Office for Police Conduct. If the complaint is complex or serious it could be that the IOPC will carry out or monitor the investigation to ensure impartiality.
- The public, including council taxpayers, via the annual inspection of accounts and through

enquiries made under the Freedom of Information Act 2000, and questions in response to the information published by the PCC, such as that in the Council Tax leaflets and on our website in accordance with recommended practice concerning data transparency requirements.

- HM Revenue and Customs, on matters concerning Value Added Tax and the taxation of employee income through payroll.
- The Health and Safety Executive, which investigates serious breaches of Health and Safety legislation.
- The press and other media. The Freedom of Information Act 2000 provides for transparency of the decisions and actions taken by Thames Valley Police

There is also a significant degree of **internal** scrutiny, the key elements of which are provided by:

- The Joint Independent Audit Committee, the Members of which receive and act upon reports from both the internal and external auditors.
- The Professional Standards Department, who investigate complaints and allegations of impropriety against officers (and staff if criminal activity is alleged).
- The Complaints, Integrity and Ethics Panel monitors and challenges the way complaints, integrity, ethics and professional standards issues are handled by the Force and overseen by the PCC, to help ensure that TVP has clear ethical standards and achieves the highest levels of integrity and professional standards of service delivery.
- The Quality of Service Unit (QSU) whose role is to find out if things are going wrong, and to carefully investigate what has happened to find the best way of putting them right. The unit also monitors positive comments about our service to help us learn from things that are working well.
- Regular monitoring of risk assessments relating to bribery, fraud or corruption.
- The Force Security Unit, including staff and contractor vetting and monitoring all aspects of security, including information and IT security.
- The Joint Internal Audit Team, which reviews the effectiveness of the internal control framework, reporting their findings to the Joint Independent Audit Committee.
- The PCC's Monitoring Officer who ensures the legality and propriety of proposed action by the OPCC.
- Performance Group, which holds the LPA Commanders and departments and operational units accountable for the performance of their area on a regular basis.
- The Service Improvement Department includes the provision of management information. HMICFRS Liaison and Force Crime Registrar / Crime Audit functions are incorporated within the Strategic Governance Unit. Performance Group, along with thematic Oversight Board and Thematic Risk Meetings all form part of the Service Improvement internal audit and inspection framework.
- The Force Change Review meeting and the Force Transformation Board have governance oversight of all change programmes.

The External Auditor, in addition to carrying out an annual audit of the accounts of the Chief Constable, PCC and the PCC Group, is also required to assess whether or not the Chief Constable and PCC have adequate arrangements for the prevention and detection of fraud and corruption. These arrangements are reviewed annually as part of the external audit process.

Application of this policy applies to the PCC, Deputy PCC, OPCC and all Force employees under the direction and control of the Chief Constable. Detection, prevention and reporting of fraud, bribery and corruption is the responsibility of the PCC, Deputy PCC, the OPCC and all Force employees. The PCC and Chief Constable offer reassurance that any concerns will be treated in confidence and properly investigated without fear of reprisal or victimisation. All suspected fraud, bribery and corruption will be investigated in accordance with this strategy and policy.

4. CULTURE & VALUES

The TVP values are to:

- Take Pride in delivering a high quality service and keeping our promises
- Ethics (the Code)
- Engage, listen, and respond
- Learn from experience and always seek to improve.

The PCC and Chief Constable are determined that the culture and tone of the organisation is one of honesty and opposition to fraud, bribery and corruption.

There is an expectation and requirement that all individuals and organisations associated in any way with the PCC and/or TVP will act with integrity, and that the PCC and Chief Constable will lead by example in these matters. All employees are positively encouraged to raise any concerns they may have as it is often the alertness of such individuals that enables detection to occur and the appropriate action to be taken against fraud or corruption. Concerns may be about something that:

- Is unlawful
- Is against the organisation's Corporate Governance Framework or policies
- Falls below established standards or practices
- Results in waste or loss to the organisation
- Amounts to improper conduct.

The national Code of Ethics sets and defines the exemplary standards of behaviour for everyone who works in policing placing an absolute duty on staff. The Code applies to everyone in policing: officers, staff, volunteers and contractors. It applies both on and off duty. It guides behaviour within the organisation as much as it informs how to deal with those outside.

5. STANDARDS IN PUBLIC LIFE - THE 'NOLAN PRINCIPLES'

The Committee on Standards in Public Life is an independent public body which advises government on ethical standards across the whole of public life in the UK (also known as the Nolan Committee). The Committee believes that 'Seven Principles of Public Life' should apply to all in the public service. The PCC and Chief Constable will seek to develop their working behaviours around these principles (see below). All such declarations will be recorded in a public Register maintained by the Chief Executive and made available to the public on request.

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other 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 their performance of the 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.

The PCC, Deputy PCC and all OPCC and TVP employees are required to declare in a public Register any offers of gifts or hospitality which are in any way related to the performance of their duties in relation to the organisation. The PCC Register will be held by the PCC's Chief Executive and the TVP register will be held by the Force's Head of Professional Standards.

Significant emphasis has been placed on the 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. The adequacy and appropriateness of the organisation's financial systems is independently monitored by both Internal and External Audit. Senior management places great weight on the timely implementation of audit report actions.

Arrangements are in place to continue to develop and encourage the exchange of information between the PCC, police force and other agencies on national and local fraud and corruption activity in relation to PCCs and police forces.

6. PREVENTION

The PCC and Force recognise 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 staff, in terms of their propriety, integrity and honesty. In this regard temporary and contract staff should be treated in the same manner as permanent staff. Vetting and security clearance are therefore a prerequisite to appointment.

The PCC and Force are committed to working and co-operating with other organisations to prevent organised fraud, bribery and corruption. Wherever possible, the PCC and Force will be prepared to help and exchange information with other PCCs, forces and organisations to deal with fraud.

The PCC and Force will assess the possibility of fraud within their risk management processes. This will include consideration of the following:

- Three key fraud risk factors (opportunity, motive and rationalisation)
- Likelihood, significance and pervasiveness of fraud risks
- The risk of management over-ride of control
- Mitigating programmes and controls to each identified fraud risk.

The organisations are committed to raising the awareness of the key fraud risks with appropriate staff.

All PCC and Force employees are expected to follow any Code of Conduct related to their personal professional qualifications and also abide by any Rules of Conduct as published.

Any personal information will be handled in accordance with approved TVP policies and standards, including all data protection legislation

Internal Control Systems

It is the PCC and Chief Constable's joint objective that all its systems shall operate in such a manner as to minimise the risk of fraud, bribery and corruption. To this end the PCC and Chief Constable have agreed Financial Regulations that place a requirement on staff, when dealing with PCC and Force affairs, to act in accordance with best practice. The Financial Regulations include sections on Contract Regulations (E) and External Arrangements (F), covering

partnerships, external funding and work for third parties. Financial Regulations are accessible on PCC website <https://www.thamesvalley-pcc.gov.uk/information-hub/opcc-policies/> and the Force Intranet site by following the link: <http://knowzone/kz-depts-homepage/kz-depts-fin.htm> and clicking on 'Financial Regulations'. Section C4 'Preventing Fraud and Corruption' should be read in conjunction with this policy document.

The two Chief Finance Officers both have a statutory responsibility under the Police Reform and Social Responsibility Act 2011 to ensure the proper arrangements of the PCC and Chief Constable's financial affairs. The Chief Constable's Financial Instructions underpin Financial Regulations and outline the systems, procedures and responsibilities of staff in relation to the Chief Constable's financial activity. Financial Instructions may be viewed on the Force Intranet by following the link: <http://knowzone/kz-depts-homepage/kz-depts-fin.htm> and clicking on 'Chief Constable's Financial Instructions'.

The PCC and Chief Constable have developed, and are committed to continuing with, systems and procedures which incorporate efficient and effective internal controls. These include adequate separation of duties to ensure that the risk of error and impropriety is minimised. Under Financial Regulations chief officers are required to ensure that such controls, including those in a computerised environment, are properly maintained, effective and adequately documented. The existence, appropriateness and effectiveness of these internal controls are independently reviewed by the Joint Internal Audit Team and by the External Auditor.

Each year an Annual Governance Statement (AGS) must be published with the separate statutory accounts of the PCC and Chief Constable. The preparation of the AGS requires evidence to be gathered, to demonstrate that effective governance, risk and internal controls are operating. Sources of evidence, including the assurance statement in the annual report of the Chief Internal Auditor, are gathered throughout the year. The two AGS will be audited by the External Auditor as part of the annual audit cycle.

LPA and OCU Commanders and Heads of Department must ensure that appropriate levels of internal control are incorporated into working procedures, particularly those pertaining to finance. It is important that duties are organised in such a way that no one person has complete control over a financial transaction. Whenever possible the key actions in a financial system should be carried out by different people i.e. there should be effective separation of duties. Where this is not possible some form of checking process should be built into the system.

The Force ensures

Before both temporary and permanent staff are appointed, approved vetting procedures must be followed. This applies also to staff employed by contractors engaged by Thames Valley Police. A formal vetting policy is in place for this.

Combining with others

The PCC and Chief Constable are committed to working and co-operating with other organisations to prevent organised fraud and corruption. Wherever possible, the PCC and Chief Constable will be prepared to help and exchange information with other PCCs, forces and organisations to deal with fraud.

Arrangements are in place, and continue to be developed, to encourage the exchange of information between the PCC, Chief Constable and other agencies on national and local fraud and corruption activity. The PCC is required by statute to participate in the biennial national data matching exercises, known as the 'National Fraud Initiative' (NFI), run under the auspices of the Cabinet Office.

Whilst the majority of public sector frauds are not committed against police organisations, it is essential to maintain vigilance in the light of the rapid increase in recent years of frauds perpetrated against a variety of local authorities, which usually involve fraudulent persons having multiple identities and addresses. The necessity to liaise between organisations has become paramount and some of these include:

Other police organisations:

- Association of Police & Crime Chief Executives (APAC²E)

- Police Treasurers (PACCTS)
- Police Audit Group.
- National Police Chiefs Council (NPCC)
- College of Policing.
- Public Sector Audit Appointments (PSAA) Ltd

7. DETECTION & INVESTIGATION

The array of preventative systems, particularly internal control systems within the organisation, has been designed to provide early indicators of any fraudulent activity, although generally they should be sufficient in themselves to deter fraud.

It is the responsibility of management to prevent and detect fraud, bribery and corruption. However, it is often the alertness of staff and the public that enables detection to occur and the appropriate action to take place when there is evidence that fraud or corruption may have been committed or is in progress.

Despite the best efforts of managers, supervisors and auditors, many frauds are often discovered by chance or 'tip-off', and the PCC and Chief Constable have arrangements in place to enable such information to be properly dealt with.

The staff of TVP and the PCC are required by the Chief Constable's Financial Instructions to report all suspected instances of loss or fraud relating to any asset in the custody of the Force to the Director of Finance. If the loss or fraud involves a Member of the Force, an employee of the PCC, a relative of one of these, or a contractor, the Professional Standards Department should be notified before any action is taken. Early reporting is essential to the anti-fraud strategy and ensures:

- consistent treatment of information about fraud and corruption;
- proper investigation by experienced and professional investigators;
- the optimum protection of the organisations interests: and
- any corrective action to minimise the risk of recurrence is taken at the earliest opportunity.

A working relationship exists between the Director of Finance, the Head of Professional Standards and the Chief Internal Auditor to ensure that loss and potential fraud is fully investigated and dealt with correctly. The relationship requires the Professional Standards Department to liaise with the Chief Internal Auditor after the matter has been investigated, so that the Chief Internal Auditor may identify any weaknesses in internal control that allowed the irregularity to occur and to ensure that corrective action is taken to minimise the risk of recurrence of the irregularity within the Force or the OPCC.

Disciplinary procedures will be invoked where the outcome of the investigation indicates misconduct. Proven cases of gross misconduct may result in the dismissal of the employee. Misconduct includes fraud committed by a member of staff against another organisation.

Where financial impropriety is discovered, the presumption is that arrangements will be made, where appropriate, for the prosecution of offenders by the Crown Prosecution Service.

The External Auditor also has powers to investigate fraud and corruption independently and the PCC and/or the Chief Constable will make use of these services in appropriate cases.

In addition to a proactive approach to the prevention of fraud and corruption, the PCC and/or Chief Constable will ensure that they learn from any mistakes made which permitted fraud or corruption to occur and to go unnoticed. Procedures therefore need to be in place to ensure that system weaknesses and other factors which contributed to cases of fraud and corruption are identified and addressed. The production of an audit report following every investigation by the Joint Internal Audit Team into financial irregularities will ensure that system weaknesses are identified. Every report will include appropriate management actions to ensure that the risk of recurrence elsewhere in the organisation is minimised. For their part managers must ensure that the actions agreed in these reports are acted upon within the agreed timescale.

8. RAISING A CONCERN

The PCC and Chief Constable's employees (officers, police community support officers and staff) are a key element in their stance on fraud and corruption and they are positively encouraged to raise any concerns that they may have on these issues, where they are associated with TVP activities. They can do this in the knowledge that such concerns will be treated in confidence and be properly investigated. If necessary, a route other than a line manager, where they are believed to be implicated, may be used to raise such concerns. Examples of possible routes are:

- Force Staff
 - Deputy Chief Constable (01865 541898)
 - Director of Finance (01865 541479)
 - Head of Professional Standards (01865 846010)
- PCC Staff:
 - Chief Finance Officer (01865 541959)
 - Chief Executive (01865 541960)
 - Chief Internal Auditor (01865 541947)

Concerns that employees have may also be brought directly to the attention of the Professional Standards Department, which has its own policy entitled 'Professional Standards Reporting', which may be viewed by following this link: <http://knowzone/kz-psd-homepage-policies-owned-reporting> and is a key part of the National Police Chiefs Council Corruption Prevention Strategy. Alternatively employees may report their concerns through Integrityline (I-line), a confidential reporting line for use by employees who have witnessed, or are aware of, any wrongdoing or breaches of professional standards. This is an internal service run by Crimestoppers that protects the anonymity of the caller and may be contacted on 0800 555 111. For more information on I-line please follow this link <http://knowzone/kz-psd-homepage.htm>

In addition to the above routes employees may invite their trade union or the Police Federation to raise the matter on their behalf.

If employees feel unable to raise their concerns through any of the internal routes, they may wish to raise them through Public Concern at Work (telephone 020 7404 6609), a registered charity and an independent authority on public interest confidential reporting, whose services are free and strictly confidential. Visit www.pcaw.org.uk/ for further information.

All members of the Police Service can also raise concerns with the Independent Office of Police Conduct (IOPC). This is an independent body whose purpose is to see that whenever a complaint is made about a police officer's conduct by a member of the public, it is dealt with thoroughly and, above all, fairly. Complaints to the IOPC may be made in several ways:

Phone: 0300 020 0096

By e-mail: enquiries@policeconduct.gov.uk

On-line: www.policeconduct.gov.uk. Following this link enables an online complaint form to be downloaded. Other ways of making a complaint are also listed on the website.

The Public Interest Disclosures Act 1998 protects employees from reprisals as long as:

- the disclosure is made in good faith;
- the employee believes the disclosure to be substantially true;
- the employee is not acting maliciously or making false allegations; and
- the employee is not seeking personal gain.

Whilst every effort will be made to protect employees who raise legitimate concerns, those making unfounded malicious allegations are liable to disciplinary action and may also leave themselves open to an action for defamation. Although staff are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for concern. The earlier a concern is expressed, the easier it is to take action.

Members of the public and contractors are also encouraged to raise concerns via the PCC, Chief Constable, and officers and staff listed above, Public Concern at Work, or the Independent Office for Police Conduct.

Concerns are better raised openly, as anonymous allegations are much more difficult to pursue. Those who do not feel able to put their concern in writing may telephone or meet the appropriate person (see above). Ideally the background and history of the concern should be conveyed as well as the reason(s) why the individual is particularly concerned about the situation.

Senior managers are responsible for following up any allegation of fraud, bribery or corruption received and will do so through agreed procedures. They will

- deal promptly with the matter;
- record all evidence received;
- ensure that evidence is sound and adequately supported;
- ensure the security of all evidence collected;
- immediately notify the Chief Finance Officer, the Head of Professional Standards or the Director of Finance.

The Professional Standards Department will normally carry out the investigation into the allegation, but may determine to refer the matter to local CID.

In those instances where the person raising a concern has provided contact details, the Monitoring Officer or designated officer will write to him/her to acknowledge receipt of the concern within ten working days of the receipt of the concern.

The PCC and Chief Constable accept that people who make an allegation of fraud or corruption need to be assured that the matter has been properly addressed. Subject to legal constraints they will therefore be informed of the outcome of any investigation in due course.

9. TRAINING

The PCC and Chief Constable both recognise that the continuing success of their joint Anti-Fraud, Bribery and Corruption Policy and its general credibility will depend largely on the effectiveness of programmed training and the responsiveness of the PCC, Chief Constable and their respective employees throughout the organisation.

To facilitate this, the PCC and Chief Constable support the concept of induction and training and appraisal and development for employees, particularly those involved in internal control systems, to ensure that a thorough understanding of their responsibilities and duties in this respect are regularly highlighted and reinforced.

There is a Force-wide commitment to induction and ongoing training, which includes sections covering ethics and integrity.

LPA and OCU Commanders, Heads of Department and other line managers should ensure that employees have access to the relevant rules and regulations and that they receive suitable training.

Employees must make sure that they read and understand the rules and regulations that apply to them and act in accordance with them. Employees who do not comply with these rules and regulations risk disciplinary action being taken against them.

Legislative Compliance

This document has been drafted to comply with the principles of the Human Rights Act 1998.

Public disclosure is approved unless otherwise indicated or justified.

Adherence to this policy will ensure compliance with all relevant legislation and internal policies.

Legal Basis

The precise definitions of fraud are set out in the Fraud Act 2006 and cover fraud by false representation, fraud by failing to disclose information and fraud by abuse of position.

The Bribery Act 2010 creates offences of:

- (a) Bribing another person to induce a person to perform improperly a relevant function or activity or to reward a person for the improper performance of such a function or activity.

and

- (b) Requesting, agreeing to receive, or accepting a financial or other advantage intending that a function or activity should be performed improperly whether by that person or another.

This is a common sense approach for individuals and line managers. However responsibilities under the Bribery Act 2010 should be in line with the 'Business Interests of Police Officers and Police Staff' Policy and the 'Gifts, Hospitality, Discounts, Travel Concessions and Other Potential Conflicts of Interest' Policy.

Human Rights Considerations/Articles Engaged

Application of this policy has the potential to engage Articles 3 and 8 of the European Convention of Human Rights (ECHR), i.e. prohibition of degrading treatment and right to respect for private and family life. Such an interference must have a legitimate aim which in this case is:-

- a) The prevention of crime and disorder.
- b) The protection of the rights and freedom of others.

Where there is a potential interference with an individual's rights there must always be sufficient reason and the interference must be justified, proportionate and least intrusive.

Proportionate means that the action taken in pursuit of the policy must be proportionate to its aims. In this case the policy seeks to ensure that the force complies with the disclosure requirements of the legislation and the described revelation methods are proportionate to achieving that aim. It is also relevant that revelation to CPS does not automatically mean disclosure to the defence and use in court. Proportionality will also be addressed in the decision as to whether material revealed in accordance with the policy is actually disclosed.

The courts have demonstrated time and again that ensuring defendants have the right to a fair trial, Article 6 ECHR is of paramount importance and this policy reflects that.

10. MONITORING ARRANGEMENTS

The PCC and Chief Constable have in place a clear framework of systems and procedures to assist in the fight against fraud, bribery and corruption. It is determined that these arrangements will keep pace with any future developments, in both prevention and detection techniques regarding fraudulent or corrupt activity, that may affect its operation or related responsibilities.

To this end the PCC and Chief Constable maintain a continuous overview of such arrangements and, in particular, through the Governance Advisory Group, their joint Corporate Governance Framework, the Chief Constable's Financial Instructions, various codes of practice, Police Regulations and audit arrangements. All chief officers, police officers and staff are required to have regard to this policy.

The Chief Internal Auditor will monitor the operation of this policy statement and will report any identified cases of fraud and/or corruption to the Joint Independent Audit Committee. The PCC's Chief

Finance Officer will report to the Committee any proposed changes to this Policy Statement.

Date policy effective from: December 2018

Date policy last updated: December 2018

Review date: December 2020

Responsibility for maintaining this policy rests with: PCC's Chief Finance Officer: Ian Thompson (01865 541959)