

London Borough of Hammersmith & Fulham ANTI-FRAUD AND CORRUPTION STRATEGY 2020-2023

1. INTRODUCTION

- 1.1 The Council takes its responsibilities to protect the public purse very seriously and is committed to protecting the public funds that it administers. This Strategy and framework set out the Council's commitment to preventing, detecting and deterring fraud and corruption.
- 1.2 Every £1 that the Council loses to fraud is £1 that it cannot spend on supporting the community. Therefore, minimising fraud and corruption is everyone's business. The Council expects the highest standards of probity, propriety and conduct from all Members, employees and contractors. This includes a requirement to act lawfully and to comply at all times with the Council's policies, procedures and regulations.
- 1.3 The Council is committed to promoting a strong ethical and counter fraud culture. This document sets out the Council's Strategy about fraud and corruption, and it is the mechanism for achieving this commitment.
- 1.4 The Strategy is not just concerned with operational activity to detect and investigate fraud and corruption but also sets out objectives for pro-active actions to deter and prevent fraud and corruption through the continual development of an anti-fraud and corruption culture.

2. THE STRATEGY

- 2.1 The Anti-Fraud and Corruption Strategy forms part of the Council's counter fraud framework, a collection of interrelated policies and procedures including the Code of Conduct, Financial Regulations and Whistle Blowing Policy. It also includes policies and procedures that are specifically targeted at countering fraud and corruption.
- 2.2 The purpose of the Strategy is to provide management with a tool to ensure progress and transparency with regards to counter-fraud activities. It is designed to heighten the Council's fraud resilience and demonstrate its protection and stewardship of public funds.
- 2.3 In developing this Strategy, the Council has adopted the guiding principles included in "[Fighting Fraud and Corruption Locally 2020](#)" (FFCL2020) which is the counter fraud and corruption strategy for local government. It provides a blueprint for a coordinated response to fraud and corruption perpetrated against local authorities with the support of those at the top.
- 2.4 The Council played a significant role in the design and development of the national Strategy, and this support is acknowledged by our corporate logo appearing on page two of the strategy publication.

3. FRAUD AND CORRUPTION

- 3.1 The Fraud Act 2006 details the legal definitions of fraud and is used for the criminal prosecution of fraud offences. The Council also deals with fraud in noncriminal disciplinary matters.
- 3.2 For the purposes of this document fraud defined as; the dishonest action designed to facilitate gain (personally or for another) at the expense of the Council, the residents of the Borough or the wider national community.
- 3.3 The definition covers various offences including; deception, forgery, theft, misappropriation, collusion and misrepresentation. Although used in this context it is not intended to limit the full use of the Fraud Act 2006 by the Council.
- 3.4 Corruption is the offering or acceptance of inducements designed to influence official action or decision making. These temptations can take many forms, including cash, holidays, event tickets, meals and other hospitality.

4. STRATEGIC OBJECTIVES

- 4.1 The previous two anti-fraud and corruption strategies focused upon pillars of activity, or strategic objectives, where the Council concentrated its counter-fraud efforts. These were 'acknowledge', 'prevent' and 'pursue'. two areas of activity have emerged that underpin tenets of those pillars; 'govern' and 'protect'.



5. ACHIEVING OUR OBJECTIVES

1. GOVERN

- 5.1 The driving force of the Strategy is that those who are charged with Governance support the activity by ensuring that there are robust arrangements and executive support to ensure anti-fraud, bribery and corruption measures are embedded throughout the organisation.
- 5.2 Beating fraud is everyone's business, and within the Council, internal arrangements are in place that communicates throughout the organisation, and publicly, culture and commitment to preventing fraud.
- 5.3 The Council has a robust framework of procedures and policies, which combine to act as an effective deterrent to fraudulent activity and provide the means for reporting or detecting fraud or corruption.
- 5.4 Additionally, the Corporate Framework provides a whole range of high-level parts, which contribute to the Council having an effective counter-fraud strategy.



GOVERN

Having robust arrangements and executive support to ensure anti-fraud, bribery and corruption measures are embedded throughout the organisation.

2. ACKNOWLEDGE

- 5.5 To create a counter-fraud response, an organisation must acknowledge and understand fraud risks and then demonstrate this by committing the right support and appropriate resource for tackling fraud.
- 5.6 In response, the Corporate Anti-Fraud Service will follow three key workstreams that;
- seek to identify fraud risks across the organisation,
 - assess fraud control activities and their effectiveness, and
 - dedicate the right level of resource to investigating and detecting fraud where reported
- 5.7 The **fraud risk register** identifies possible frauds to which the participating authorities are exposed. It estimates both the potential impact of a given fraud and the likelihood of it occurring.



ACKNOWLEDGE

Assessing and understanding fraud risks.

Committing the right support and tackling fraud and corruption.

Demonstrating that it has a robust anti-fraud response.

Communicating the risks to those charged with Governance .

- 5.8 In creating the register, the Council can better understand the fraud-threat environment in which it operates. It is also a tool to assist in focusing resources on the most relevant fraud risks.
- 5.9 The register is frequently reviewed to ensure that the risks are being appropriately managed, and this drives the **pro-active work programme**, which focuses on key risk areas. In addition to detection, this programme includes anti-fraud assurance work intended to deter and prevent fraud.
- 5.10 **Reactive referrals** are often the primary source of work for the fraud specialists and provide good leads, primarily in organisations that have a robust anti-fraud culture, and where staff take responsibility for preventing, detecting and reporting instances of fraud. It is often the alertness of the public or employees that generate these referrals and enables detection to occur.

3. PREVENT

- 5.11 Fraud can be prevented and detected by enhancing fraud controls and processes, making better use of information and technology and developing a more effective anti-fraud culture.
- 5.12 The Council has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure that proper arrangements are made for the Council's financial affairs and aims to have sound financial systems and procedures which incorporate efficient and effective internal controls.
- 5.13 The Council promotes an anti-fraud culture across the community by publicising the impact of fraud on the community. We also strive to assist our partners and stakeholders to understand and reduce the threats of fraud.
- 5.14 The Council participates annually in a national data matching exercise coordinated by the Cabinet Office (National Fraud Initiative) as well as using data analytics and new technology to combat fraud.
- 5.15 The strategic framework encompasses all stages of the anti-fraud cycle: prevention, detection, investigation, recovery and sanction. While prevention should remain one of the most important objectives of the Strategy, it is deemed appropriate to also focus efforts on detection. In particular, by encouraging internal and external reporting of any possible case of fraud as well as proactive random verifications in some areas.

PREVENT

Making the best use of information and technology.

Enhancing fraud controls and processes.

Developing a more effective anti-fraud culture.

Communicating its' activity and successes.



PURSUE

Prioritising fraud recovery and use of civil sanctions.

Developing capability and capacity to punish offenders.

Collaborating across geographical and sectoral boundaries.

Learning lessons and closing the gaps.

4. PURSUE

5.15 Stopping fraud and corruption from happening in the first place must be our primary aim. However, those who keep on trying may still succeed. It is, therefore, essential that a robust enforcement response is available to pursue fraudsters and deter others.

5.16 The Council will always seek the strongest possible sanction against any individual or organisation that defraud or attempt to defraud the Authority. Any decision to take legal action against offenders is made per the Code for Crown Prosecutors.

5.17 A further element of the Council's response to tackling fraud is seeking financial redress. The recovery of defrauded monies is an integral part of the Strategy, and action will be taken to recover losses. Where criminality has been proven then the Proceeds of Crime Act 2002 will, where appropriate, be used to recover funds.

5.18 Other methods of recovery may include, but are not confined to, civil proceedings; unlawful profit orders and compensation orders, bankruptcy if it is believed the individual has a poor history of paying and recovery from future salary payments. In taking the appropriate remedial action, we will follow the Council's Sanctions Policy (Appendix 2).

5. PROTECT

5.19 We are protecting against serious and organised crime, protecting individuals from becoming victims of crime and protecting against the harm that fraud can do to the community.

5.20 This aspect of the Strategy covers counter-fraud activity to protect public funds, protecting the Council from fraud and protecting itself from future scams.

5.21 This theme lies across all the pillars and is the bedrock of the Strategy.



PROTECTING ITSELF AND ITS RESIDENTS

*Recognising the harm that fraud can cause in the community.
Protecting itself and its' residents from fraud.*

6. ACTION AND REVIEW

- 6.1 An essential part of strategic planning is an Action Plan which defines the activities required to achieve the objectives and can be used to measure their progress. The action plan is detailed in **Appendix 1**.
- 6.2 For accountability purposes progress against the priorities and the plan will be reported half-yearly to the Audit Committee and will be subject to continuous review. This will enable us to demonstrate how we are delivering against our strategic and operational objectives. It will also allow us to;
- adapt to emerging threats and issues and address current and future fraud risks across the Council
 - ensure, through evaluation of operational performance, that we remain fit for the purpose of delivering counter fraud functions beyond 2020
 - assess, analyse and report on existing and future fraud risks affecting the Council
 - identify requirements for future counter fraud work

7. DOCUMENT CONTROL LIST

Issue No.	Date	Author	Comments	Approved by	Approval Date
2.3	November 2018	Andrew Hyatt	Reviewed – no material change	David Hughes	November 2018
2.4	January 2020	Andrew Hyatt	Reviewed – no material change	David Hughes	January 2020
3.0	June 2020	Andrew Hyatt	New Strategy	David Hughes	June 2020

Counter-Fraud and Corruption Strategy: Action Plan

APPENDIX 1

STRATEGIC OBJECTIVE	KEY AIMS	TARGET ACTIVITY
GOVERN		
<p>Having robust arrangements and executive support to ensure anti-fraud, bribery and corruption measures are embedded throughout the organisation.</p>	<p>The Council establishes and communicates the framework of procedures and policies, which demonstrate a commitment to integrity and ethical values and combine to act as an effective fraud deterrent.</p> <p>The organisation ensures that fraud control activities are thoroughly documented and implemented through policies and procedures.</p> <p>The authority will perform evaluations periodically to provide objective feedback on the effectiveness of the investigation process and the anti-fraud and corruption Strategy.</p>	<p>Annual review of the following documents presented to the Audit Committee for approval:</p> <ul style="list-style-type: none"> • Anti-Fraud and Corruption Strategy • Anti-Fraud and Corruption Policy • Sanction Policy • Anti-Bribery Policy • Money Laundering Policy • Fraud Response Plan • Whistleblowing Policy <p>All documents are “fit for purpose” and incorporate any legislative or regulatory changes as well as details of new or revised risks of fraud.</p> <p>Details of counter-fraud activity are reported to the Audit Committee twice a year, detailing performance against the Strategy and the effectiveness of the Strategy. The report should include details of assurance work, significant cases and the level of fraud loss.</p> <p>CAFS will continually refresh and promote the Council’s suite of anti-fraud related policies and procedures, using internal publicity and training to enhance understanding and to communicate them across the organisation.</p>

ACKNOWLEDGE

Accessing and understanding fraud risks: identify and assess the Council's fraud risk exposure, the changing patterns in fraud and corruption threats and the potential harmful consequences to the authority.

The Corporate Anti-Fraud Service will maintain a comprehensive fraud risk register that will summarise the current and emerging fraud threats and drive the annual pro-active work programme.

The organisation will maintain a well-informed fraud risk register that enables the Council to formulate effective and appropriate responses to all fraud risks, establishing and implementing preventative and detective control activities.

The authority has a robust methodology for calculating and measuring fraud loss, that enables them to understand the scope of the challenge, assess the response required and measure performance.

CAFS will lead an organisational annual fraud risk assessment to identify fraud risks, assess their likelihood and significance, evaluate fraud control activities, and recommend actions to mitigate residual fraud risks. CAFS will ensure the process considers a wide range of possible fraud schemes and risk exposure.

CAFS will review new and emerging fraud risks which may appear following significant changes to the Council's operating environment, and the high dependency on technology, in the wake of COVID19 restrictions and lockdown.

CAFS will use the information and fraud risk scores to plan their annual pro-active work programme, which will include proactive operations, aimed at detecting fraud, service reviews and risk assessments. These will enable the evaluation of the fraud control environment, inviting recommendations for improvement where appropriate.

CAFS will establish appropriate measurement criteria to calculate the value of preventative measures and the benefits of action and activities designed to deter potential fraud. Additionally, they will create a set of notional values that can suggest the financial savings made by detecting and stopping fraud, especially where the full extent of the economic loss is unclear, i.e. the financial savings of recovering a misused council tenancy.

<p>Committing the right support and tackling fraud and corruption.</p>	<p>Maintain a dedicated resource with responsibility and unambiguous directive to tackle fraud across the organisation.</p> <p>Ensure counter-fraud specialists have the right skills commensurate with the full range of counter fraud and corruption activity. Possessing capability in counter fraud will make the Council more effective in protecting funds and fighting economic crime.</p> <p>Develop a skilled and competent workforce, focusing on the skills needed to manage an effective counter-fraud response that heightens the Council's fraud resilience.</p>	<p>To ensure the Council is one of the first local authorities to become a full member of the Government's Counter Fraud Profession, bringing together individual and organisational counter-fraud learning from across the public sector.</p> <p>Promote the Council's suite of anti-fraud related policies and procedures, using internal publicity and training to enhance understanding and to communicate them to all employees across the organisation.</p> <p>Maintain and refine a corporate anti-fraud training cycle, including regular refresher courses and e-learning modules, which should be mandatory for relevant groups of staff</p>
<p>Demonstrating that it has a robust anti-fraud response</p>	<p>The Corporate Anti-Fraud Service will investigate allegations of fraud thoroughly and to the highest professional standards, where appropriate seek the full range of civil, criminal and disciplinary sanctions and seek redress where possible.</p>	<p>Details of counter fraud activity are reported to the audit committee twice a year, detailing performance against the anti-fraud and corruption Strategy and the effectiveness of the Strategy. The report should include details of assurance work, significant cases and the level of fraud loss.</p>
<p>Communicating the risks to those charged with Governance</p>	<p>The fraud risk register to be integrated into the existing risk management framework.</p>	<p>The authority will perform evaluations periodically to provide objective feedback on the effectiveness of the investigation process and the anti-fraud and corruption Strategy.</p> <p>CAFS will provide members with a bespoke fraud awareness eLearning modules to enhance understanding of fraud risks.</p>

PREVENT

<p>Making the best use of information and technology</p>	<p>Continue to use and participate in existing technological methods of fraud prevention/detection.</p> <p>Identify, and where appropriate, adopt, new technological methods of fraud prevention and detection.</p> <p>Develop analytics that allows the Council to detect potentially fraudulent activity or transactions quickly, as well as identifying and tracking perpetrators.</p> <p>Use security and fraud analytics to protect all physical, financial and intellectual assets from misuse by internal and external threats.</p> <p>To be an active participant in the biennial National Fraud Initiative (NFI) exercise and to robustly investigate suspected cases of fraud identified through NFI.</p>	<p>Identify technology, existing information, or new information that can be used to detect or prevent fraud. Once identified, evaluate their value in detecting fraud and implement where appropriate.</p> <p>Use data analytic techniques to try and isolate suspicious transactions or trends that represent potential fraud, and to improve the results of the fraud risk assessment that inform the fraud risk register.</p> <p>Continue to participate in the National Fraud Initiative data matching exercise. Where possible identifying improvements either in respect of data supplied to the exercise or in processing the resulting data matches. Explore the use of other or new facilities provided by the National Fraud Initiative.</p>
<p>Enhancing fraud controls and processes</p>	<p>Examine and assess fraud prevention controls in process across the Council and recommending improvements where necessary.</p> <p>Assess new and emerging fraud risks which may appear following significant changes to the Council's operating environment, and the high dependency on technology, in the wake of COVID19 restrictions and lockdown. Identify revised fraud control activities linked to these changes and assesses their effectiveness.</p>	<p>Completion of an annual pro-active work programme will be developed in line with priorities identified from national research and the Council's fraud risk register. This will include internal quality assurance, ensuring services across the organisation deploy suitable counter-fraud controls, as well as compliance with legislation and professional standards.</p> <p>Review of existing controls and process connected with individual fraud investigations. Where weak controls processes are identified, take action to improve them and reduce the risk of further fraud.</p>

	<p>Ensure the fraud control assessment considers a wide range of possible fraud schemes and risk exposure.</p> <p>Create a process to review the potential for management override of internal controls, primarily controls established to prevent or detect fraud.</p> <p>Use data analytics techniques to test controls.</p>	<p>Review systems identified through the Fraud Risk Register has potentially having controls and processes that are susceptible to fraud.</p> <p>Engage with staff across the Council regarding fraud prevention through the use of improved controls and processes, imparting knowledge and understanding to help them identify such weaknesses in their area of work.</p>
Developing a more effective anti-fraud culture	<p>Build a culture that promotes and supports open communication, where any reasonably suspected or known breach of the code of conduct, fraud, or corruption is raised by employees internally and dealt with in a timely and effective manner.</p> <p>Ensuring staff and management are aware of their responsibilities concerning preventing fraud and corruption.</p> <p>Raise awareness of fraud against the Council, working with staff, stakeholders and the public to highlight those risks and the consequences of fraud against the Council and the wider community.</p>	<p>CAFS will continually refresh and promote the Council's suite of anti-fraud related policies and procedures, using internal publicity and training to enhance understanding and to communicate them across the organisation.</p> <p>CAFS will maintain and refine a corporate anti-fraud training cycle, including regular refresher courses and e-learning modules, which should be mandatory for relevant groups of staff</p> <p>Design and deliver classroom-based training courses on fraud and fraud recognition that complement existing eLearning courses.</p>
Communicating its' activity and successes	<p>Raise awareness of fraud and corruption both within the authority and in the community through running awareness campaigns and the publication of fraud successes in local and national media, including the use of all forms of social media.</p>	<p>To develop and produce a wide range of communications and marketing strategies to increase the profile of the Council's counter-fraud activities and to enhance the anti-fraud culture.</p>

		<p>Map and review channels for exchanging fraud-related information between services, to raise awareness and improve prevention.</p> <p>Produce fraud investigation outcome reports for management which highlight the action is taken to investigate the fraud risks, the outcome of the investigations, e.g. sanction and recommendations to minimise future risk of fraud</p>
PURSUE		
Prioritising fraud recovery and use of civil sanctions	Demonstrate a commitment to pursuing the full range of available sanctions (criminal, civil, disciplinary and regulatory) against those found to have committed fraud and seeks to recover funds that have been lost or diverted through fraud.	<p>CAFS will ensure the use of a wide range of possible corrective actions, including;</p> <ul style="list-style-type: none"> • Internal Control remediation • Business process remediation • Disciplinary action, including liaison with, and referrals to, professional bodies • Training and education • Civil action used to recover lost assets and investigation expenses • Criminal action, including the prosecution of offenders and the recover of lost assets using the Proceeds of Crime Act.
Developing capability and capacity to punish offenders	The Council will continue to be tough on fraudsters by punishing them more efficiently and effectively.	<p>Through personal development, ensure counter-fraud specialists have the right skills commensurate with the full range of counter fraud and corruption activity. Possessing capability in counter fraud will make the Council more effective in protecting funds and fighting economic crime.</p>

<p>Collaborating across departmental, geographical and sectoral boundaries</p>	<p>Ensure collaboration across internal and external boundaries with colleagues and other local authorities and agencies. Sharing resources, skills and learning, good practice and innovation, and information.</p>	<p>Protocols are put in place to facilitate joint working to enhance the counter-fraud activity, and to liaises proactively with other organisations and agencies to assist in countering fraud, sharing resources, skills and learning, good practice and innovation, and information.</p> <p>To actively maintain the authorities' membership of the National Anti-Fraud Network (NAFN), the London Borough of Fraud Investigators Group (LBFIG), The Chartered Institute of Public Finance and Accountancy (CIPFA), the London Fraud Hub and all other enforcement partners including the Police, The Border Force and HMRC. Also, to be open to new and innovative anti-fraud projects.</p>
<p>PROTECT</p>		
<p>Recognising the harm that fraud can cause in the community.</p>	<p>CAFS to work with stakeholders to help them prevent and detect fraud at the earliest opportunity.</p>	<p>CAFS to work with stakeholders to help them prevent and detect fraud at the earliest opportunity.</p>
<p>Protecting the Authority and its' residents from fraud.</p>	<p>To provide support and guidance across the community to help residents and stakeholders protect themselves against fraud and advice on how to refer their concerns to appropriate bodies when fraud occurs.</p>	<p>To provide support and guidance across the community to help residents and stakeholders protect themselves against fraud and advice on how to refer their concerns to appropriate bodies when fraud occurs.</p>

**London Borough of Hammersmith & Fulham
SANCTION POLICY: 2020-2023**

1. INTRODUCTION

- 1.1 The Council's anti-fraud and corruption Strategy set out our aims and objectives concerning tackling fraud and corruption. It states that we will seek the strongest possible sanction against any individual or organisation that defraud or attempt to defraud the Authority.
- 1.2 The following policy will govern the use of sanctions, and the principles shall apply equally to any fraud against the Authority or against funds for which the Authority has responsibility.
- 1.3 The objectives of this policy are:
 - To ensure sanctions are imposed in a just and consistent manner.
 - To ensure that the sanction decision-making process is stringent, robust and transparent.
 - To ensure that sanctions are applied cost-effectively and with efficiency.
- 1.4 The sanction decision will have regard at all times to the Council's anti-fraud objectives, the individual circumstances of each person concerned and the overall impact of the punishment to both the individual and the community.
- 1.5 A range of sanctions is available to the Council. These include disciplinary action, civil proceedings, criminal proceedings, official cautions and penalties. In some cases, we will take more than one form of action. For example, where staff have defrauded the Council, we may take disciplinary, prosecution, and criminal or civil recovery action.
- 1.6 One option available to the Council is a criminal prosecution. We recognise that this is a serious step to take, and the decision to refer cases for prosecution will not be taken lightly.
- 1.7 The ultimate decision on prosecution will be made by the prosecuting body. In some cases, this will be the Council or the Crown Prosecution Service. We will utilise the Financial Investigators and/or the Police in situations where their additional powers are required to secure evidence or recovery of funds or where the matter cannot be adequately pursued in-house.
- 1.8 We will utilise the Council's Legal Service to undertake a criminal prosecution.
- 1.9 The Shared Services Head of Fraud will be responsible for ensuring investigations into suspected fraud are conducted professionally in accordance with the Police and Criminal Evidence Act 1984 (PACE), Criminal Procedures in Investigations Act 1996

(CPIA), Human Rights Act and Regulatory Investigators Power Act 2000 (RIPA). All evidence gathering will comply with the Data Protection Act 2018.

- 1.10 Each case is unique and must be considered on its facts and merits. Investigators must be fair, independent and objective. They must not let any political views or personal views about the ethnic or national origin, sex, religious beliefs, or the sexual orientation of the suspect, victim or witness influence their decisions. They must not be affected by improper or undue pressure from any source.
- 1.11 It is the duty of the Council to make sure that the right person is prosecuted for the right offence. In doing so, the Council must always act in the interests of justice and not solely to obtain a conviction.
- 1.12 Where necessary, the Council will work in co-operation with other organisations such as the Police, Department for Work and Pensions, Home Office, Her Majesty's Revenue and Customs, other Local Authorities and departments within the Council.

2. CODES FOR CROWN PROSECUTORS

- 2.1 When considering a case for prosecution, it is accepted that there are two "tests" to be applied – the evidential test and the public interest test. These are set out in **The Code for Crown Prosecutors**.
- 2.2 The Code for Crown Prosecutors is a public document, issued by the Director of Public Prosecutions that sets out the general principles Crown Prosecutors should follow when they make decisions on cases.



Evidential Stage Test

- 2.3 Prosecutors must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each suspect on each charge. They must consider what the defence case may be and how it is likely to affect the chances of conviction. A case which does not pass the evidential stage must not proceed, no matter how serious or sensitive it may be.
- 2.4 When deciding whether there is sufficient evidence to prosecute, prosecutors must consider whether the evidence can be used and whether it is reliable. There will be many cases in which the evidence does not give any cause for concern. But there will also be cases in which the evidence may not be as strong as it first appears.

- 2.5 The evidence gathered will be examined in the first instance by the investigating officer and their manager. When both are satisfied that sufficient evidence exists to prosecute successfully and that the Public Interest Stage is also satisfied the case file will be passed on to either the Council's legal team or the Crown Prosecution Service via the police. All prosecutors will then apply their inspection of the evidence to ensure that both tests are met.
-
- Prosecutors should ask themselves:
- Can the evidence be used in court?*
Is the evidence reliable?
Is the evidence credible?
-

Public interest test

- 2.6 Where there is sufficient evidence to justify a prosecution or to offer out-of-court disposal, prosecutors must go on to consider whether a prosecution is required in the public interest.
- 2.7 A prosecution will usually take place unless the prosecutor is sure that public interest factors are tending against prosecution, which outweighs those tending in favour, or unless the prosecutor is satisfied that the public interest may be served appropriately, in the first instance, by offering the offender the opportunity to have the matter dealt with by out-of-court disposal.
- 2.8 The more serious the offence or the offender's record of criminal behaviour, the more likely it is that a prosecution will be required in the public interest.
- 2.9 Aggravating and mitigating factors will be taken into consideration when deciding on the appropriate sanction.

3. EMPLOYEE FRAUD AND CORRUPTION

- 3.1 In all cases of fraud, theft, financial misconduct, serious and intentional breach of financial regulations and corruption committed by officers, we will seek disciplinary action. The usual recommendation would be "gross misconduct".
- 3.2 Where a financial loss has been identified, we will always seek to recover this loss either through the civil or criminal process.
- 3.3 Where appropriate under this policy, we will refer cases to the relevant prosecuting authority for criminal prosecution.

4. TENANCY FRAUD

- 4.1 The Council's Corporate Anti-Fraud Service support the work of the Council's Housing Department and will investigate suspicions of Tenancy Fraud.

4.2 This includes;

- Unauthorised sub-letting
- Abandonment
- False succession applications
- Right to buy
- General tenancy breaches

4.3 In all cases of tenancy fraud, the Council will seek repossession of the property and recovery of any financial losses. The Council's view is that one property lost to fraud is one less property available to use for genuine applicants.

4.4 Tenancy Fraud will also be considered for criminal prosecution. The factors that will affect our decision to prosecute will be based on the evidential and the public interest test.

5. OTHER FRAUD

5.1 In the event of "other frauds" against the Council, not explicitly mentioned above, the Council will also consider criminal prosecution. The factors that will affect our decision to prosecute will be based on the evidential and the public interest test. This will also include cases of attempted fraud, i.e. false applications for services.

5.2 In cases where the Council suffers a financial loss, we will always seek recovery.

5.3 Where an organisation is involved in the fraud, the Council will also make referrals to the relevant governing body, i.e. Charities Commission, Registrar of Companies, Law Society.

5.4 For this policy "Other fraud" includes, but is not limited to; Council Tax Reduction Scheme (CTRS), Disabled Parking Badge, Residents Parking, Direct Care Payments (Personal Budgets), Renovation Grants, Regeneration Funding and other applications for support services or financial assistance.

6. FURTHER INFORMATION

Shared Services Director of Audit, Fraud, Risk and Insurance

David Hughes

Tel: 020 7361 2389

Email: David.HughesAudit@lbhf.gov.uk

Shared Services Head of Fraud

Andrew Hyatt

Tel: 020 7361 2777

Email: andy.hyatt@lbhf.gov.uk