



# SERVICE PROCEDURE

## Anti-Fraud, Bribery, Corruption & Theft

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### Document History

### Responsible Department

Service Assurance

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## INTRODUCTION

### 1. Introduction

*(name policy that this procedure supports)*

This procedure is in support of our Fraud, Bribery and Corruption Policy along with our Code of Ethics Policy.

### 2. Procedural Background

This procedure sets out both pro-active and reactive components of a good practice response to fraud risk management. It sets out the key responsibilities within the Service with regard to fraud prevention, what to do if fraud is suspected and the action that will be taken by management. As stated above, this procedure works in tandem with , and should be read alongside our Whistleblowing Policy and Procedure Core Code of Ethics, as well as other associated policies and procedures, e.g. and our Gifts and Hospitality Policy and Procedure.

## KEY INFORMATION

### 3. Procedural Overview

*(High level procedural info, detail held in Procedural Steps section)*

#### 3.1 Zero Tolerance

3.1.1 It must be stated that following thorough investigation any proven occurrences of Fraud, Bribery, Corruption or Theft by any of our Combined Fire Authority Members, Officers, Employees, Apprentices, Volunteers, Contractor or Suppliers will be subject to further action under our Zero Tolerance approach to fraud and financial irregularity.

3.1.2 As appropriate, our internal Disciplinary Procedure or Legal action will be utilised and may lead to dismissal and or a criminal prosecution. We may also undertake civil proceedings or other loss recovery strategies in order to recoup any financial losses.

#### 3.2 Pro-active Actions

3.2.1 In order to deter and mitigate the risk of any fraudulent, Bribery, Corruption or Theft taking place, we employ a number of safeguards and Frameworks, eg:

- Our Constitution;
- Our Policies and Procedures:
  - Gifts and Hospitality
  - Code of Conduct for Directors, managers, and employees
  - Whistleblowing
  - ICT Protection of Information
  - Use of ICT Equipment
  - Use of ICT Systems
  - ICT Users Code of Conduct
  - Personal and Non Personal Data

- Risk Assessments
- Procurement
- Internal Audit
- Data matching exercises, e.g. mandatory participation in the Cabinet Office's biennial National Fraud Initiative (NFI)
- External Audits;
- Use of National Procurement Frameworks;
- Project Governance Frameworks;
- Standards Contractual Terms and Conditions;
- Agresso Approvals Hierarchy;
- Pre-employment checks e.g. DBS checks prior to employment; and
- Enhanced Security Checks for Senior Officers

3.2.2 For details on those actions, Policies and Procedures mentioned in section 3.2.1, see the published Policies or Procedures on SharePoint or refer to our Area Manager Business Support, our Human Resources Manager or our Service Assurance Manager.

## 3.2 Reactive Actions

### 3.2.1 Suspicious Activity

In order to identify suspicious activity there needs to be an understanding of what that may look like, ie understanding the definitions of:

- Fraud;
- Bribery;
- Corruption; and
- Theft.

### 3.2.2 Fraud

Fraud is a type of criminal activity, defined by the Serious Fraud Office as:

*"Abuse of position, or false representation, or prejudicing someone's right for personal gain".*

Put simply, fraud is an act of deception intended for personal gain or to cause a loss to another party.

The general criminal offence of fraud can include:

- Deception where someone knowingly makes false representation,
- The failure to disclose information, or,
- The abuse of a position or trust

### 3.2.3 Bribery

The definition is that *"Bribery is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage".*

In general terms a CFA Member, Officer, Employee, Apprentice or Volunteer must:

- Treat any offer of a gift or hospitality if it is made to them personally with extreme caution;
- Not receive any reward or fee other than their salary;
- Never accept monetary gifts of any kind;
- Always refuse offers of gifts or services to them (or their family members) from organisations or persons who do, or might, provide work, goods or services, to us or who require a decision from us;
- Always report any such offer to their line manager, and
- Follow out Gifts and Hospitality Policy and Procedure.

It is a criminal offence under the Bribery Act to both receive or to offer/give a bribe.

When deciding whether or not to accept an offer of a gift, the context is very important. An offer from an organisation seeking to do business with or provide services to us or in the process of applying for permission or some other decision from us is unlikely ever to be acceptable, regardless of the value of the gift. You are referred to our Gifts and Hospitality Policy and Procedure, as published on SharePoint, for more detailed information.

#### 3.2.4 **Corruption**

The definition for corruption is

*“The deliberate misuse of a position for direct or indirect personal gain”.*

In practical terms this means that the following are classed as corruption:

- Offering, giving, requesting or accepting a bribe or reward, which influences your actions or the actions of someone else;
- If you are deemed to have given your consent or approval in giving or receiving a bribe; or
- Failing to prevent bribery on behalf of the Service.

#### 3.2.5 **Theft**

Theft is the *“Physical misappropriation of cash or other tangible assets”.*

A person is guilty of “theft” if they have taken property belonging to another, with the intention of permanently depriving the owner of it.

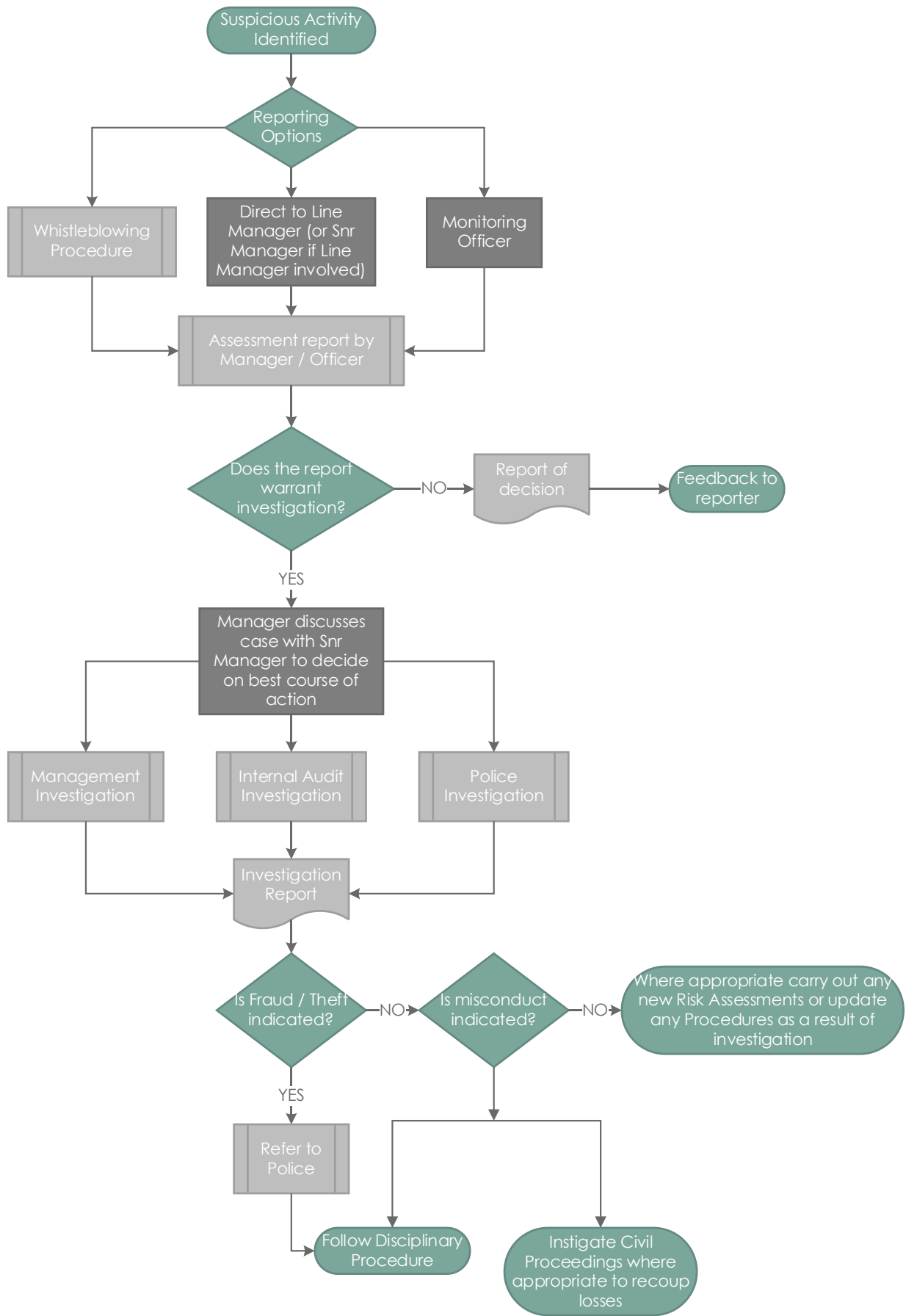
### 3.3 **Reporting of Suspicious Activity**

- 3.3.1 Depending on the type of wrongdoing suspected, reporting it, provided it is not false or malicious, is everyone’s responsibility.

Suspected wrongdoing can be reported in a number of ways (see Fraud Response Plan flowchart (below)).

- 3.3.2 In terms of suspected Fraud, Bribery, or Corruption, then those making the initial report can follow our Whistleblowing procedure as published on SharePoint on the Policies and Procedures site.
- 3.3.3 If the Whistleblowing procedure is not followed, then the suspicious activity should be reported to:
- Individuals Line Manager (or Snr Manager if Line Manager is directly involved or potentially implicated);
  - Monitoring Officer;
  - Member of the Senior Management Team.

### **3.4 Typical Fraud Response Plan**



**4. Scope**

#### **4.1 All associated with the Service**

- 4.1.1 We will not tolerate fraud, bribery or corruption (or other forms of financial irregularity) by anyone. Consequently, this procedure applies to a wide range of individuals and organisations including:
- All Combined Fire Authority Members;
  - All Service employees, apprentices and volunteers;
  - Service partner agencies;
  - Service suppliers, contractors and consultants (whether engaged directly or indirectly through partnership working); and
  - Members of the general public.

#### **4.2 All Managers**

- 4.2.1 It is the responsibility of managers to ensure that fraud risk is considered within their individual service areas and in support of achieving strategic priorities, business plans, projects and programs, objectives and outcomes.

Where fraud or error is detected, it is a manager's responsibility to review lessons learned, and make process changes where relevant, to reduce the risk of recurrence.

#### **4.3 All CFA Members and Officers**

- 4.2.1 CFA Members and Senior Management are ideally positioned to influence the ethical tone of the organisation and play a crucial role in fostering a culture of high ethical standards and integrity.

### **5. Procedural Steps**

*(details based on Procedural Overview)*

#### **5.1 Reporting of Suspicious Activity**

- 5.1.1 For details on how to report any concerns or suspicious activity you are referred to our Whistleblowing Procedure as published on SharePoint.

#### **5.2 Actions Subsequent to a Report**

- 5.2.1 Those who have received a report of possible Fraud, Bribery, Corruption or Theft, should follow the instructions as per our Whistleblowing Procedure as published on SharePoint.

## 6 Systems / Equipment / Access Requirements

### 6.1

6.1.1 Access to Policies and Procedures on SharePoint

## FURTHER INFORMATION

## 7 Service Area(s) Impacted by Procedure(s)

### 7.1

7.1.1 All areas of the Service are impacted by this procedure

7.1.2 Monitoring Officer

7.1.3 CFA Members

## 8 Associated Procedure(s)

<i>Document Name</i>	<i>Version</i>	<i>Date Published</i>	<i>Department</i>
Whistleblowing	6	03/03/2022	Service Assurance
Gifts and Hospitality	6	03/03/2022	Service Assurance
Disciplinary and Grievance for CFO		13/2/2010	POD
Disciplinary and Grievance for Directors and Statutory Officers		1/9/2010	POD
Disciplinary		1/1/2013	POD

## 9 Associated Document(s)

<i>Document Name</i>	<i>Version</i>	<i>Date Published</i>
Leicester, Leicestershire and Rutland Combined Fire Authority Constitution	15th	01/02/2023

## APPENDICES

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(if more lines are required contact Policy Officer)

**Document History** *(Admin only)*

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Any Procedure Template enquires should be sent to the Policy Officer

Template Version 10

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