

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

**STRATEGY ON THE PREVENTION AND DETECTION OF
FRAUD AND CORRUPTION**

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DEFINITIONS

In this Strategy:

"Chief Fire Officer" is the person duly appointed by the Authority as the executive, operational and administrative head of the Devon and Somerset Fire and Rescue Service ("the Service") and will include such officers of the Service as the Chief Fire Officer specifically authorises for the purposes of these Standing Orders.

"The Clerk" is that person so appointed by the Authority for the purpose of constitutional and administrative tasks related to the business of the Authority and will include such officers of the Authority as the Clerk authorises for the purposes of these Standing Orders.

"Constituent authorities" means Devon County Council, Somerset County Council, Plymouth City Council and Torbay Borough Council.

"Devon and Somerset Fire and Rescue Authority" ("the Authority") is the body corporate constituted in accordance with the "Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006" ("the Order"), as amended by the Combined Fire and Rescue Authorities (Membership and Allowances) (Amendment) Regulations 2020.

"Member" is any councillor from the constituent authorities duly appointed to serve on the Authority or a Police and Crime Commissioner appointed by the Authority.

"Monitoring Officer" is that person duly appointed by the Authority to discharge those functions specified in Section 5 of the Local Government and Housing Act and who will have responsibility for providing or procuring appropriate legal advice and assistance to the Authority and its Officers to ensure compliance with all legal, statutory and judicial processes.

"Municipal Year" is the period between any two Annual Meetings of the Authority.

"Non-uniformed" means a member of staff whose employment terms are conditioned under the National Joint Council for Local Government Services (the "Green Book").

"Officer" will mean all employees of the Authority including uniformed and non-uniformed staff of the Devon & Somerset Fire & Rescue Service ("the Service").

"Relevant Police and Crime Commissioner" is a police and crime commissioner for an area within that of the Authority.

"Treasurer" is that person duly appointed by the Authority with responsibility for the administration of the Authority's financial affairs and will include such officers of the Service as the Treasurer authorises for the purposes of these Standing Orders.

"Uniformed" means a member of staff whose employment terms are conditioned under the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the "Grey Book") OR the National Joint Council for Brigade Managers of Fire and Rescue Services Constitution and Scheme and Conditions of Service (the "Gold Book") as appropriate.

1. INTRODUCTION

- 1.1 The Authority is a large public authority which expects the highest standards of conduct and integrity from its Members, employees and from all who have dealings with it. The Authority is mindful of the high expectations of the public and the degree of scrutiny to which its affairs are subject. The Authority is determined that the culture and tone of the organisation embodies honesty and opposition to corruption and dishonesty. Members and employees are expected to lead by example.
- 1.2 The Authority has a separate [“Whistleblowing Code” \(Confidential Reporting Policy\)](#) which sets out a procedure on how to raise concerns of a general nature. The Fraud and Corruption Policy set out below focuses specifically on procedures for dealing with allegations of financial irregularities and is intended to:-
- encourage prevention of dishonesty;
 - promote its detection; and
 - identify a clear pathway for investigation
- 1.3 Acts of dishonesty within the Authority are extremely rare. This reflects the skills, dedication and decency of members, employees and others with whom the Authority has dealings. Constant vigilance is necessary to ensure that this record continues. The Authority will be robust in dealing with malpractice.

2. REPORTING MALPRACTICE

- 2.1 Employees are an important element in the Authority's stance on dishonesty. They have a duty to protect public assets and a responsibility to report any concerns they may have. Provided that the concern is legitimate – that is, not motivated by malice or for personal gain/benefit – any employee or Member of the Authority can report this without fear of recrimination and in the knowledge that such concerns will be treated in confidence and properly investigated.
- 2.2 It should be noted, however, that any concerns raised which are subsequently found to have been either malicious or personally motivated may result in disciplinary action being taken in the case of staff or investigation as a potential breach of the Code of Conduct in the case of Members of the Authority.
- 2.3 Similarly, employees and Members need to be aware that any action they have taken which, following investigation, is found to be either fraudulent or corrupt within the spirit of this Strategy may result in disciplinary proceedings (Code of Conduct proceedings for Members) and/or, where appropriate, criminal proceedings.

- 2.4 Immediately any dishonesty, or a loophole or a systems weakness which could result in theft, or fraud, is detected it must be reported in accordance with the process as set below. Managers must make their staff aware of these expectations.
- 2.5 Any concern identified should be reported as follows:
- Staff should, in the first instance, report any concern to their line manager who should then refer this to the attention of the Treasurer and the Monitoring Officer;
 - If the concern is about your line manager, this should be raised with a Member of the Service Leadership Team who should then refer this to the attention of the Treasurer and the Monitoring Officer;
 - If your concern is about a Member of the Service Leadership Team, the matter should be raised with a member of the Executive Board who should then refer this to the attention of the Treasurer and the Monitoring Officer;
 - If the concern is about a member of the Executive Board (other than the Treasurer or Monitoring Officer), this should be drawn directly to the attention of the Treasurer and Monitoring Officer;
 - If the concern is about the Treasurer or the Monitoring Officer this should be drawn immediately to the attention of Internal Audit on 07870 990398;
 - Authority Members may wish to speak directly to the Treasurer or the Monitoring Officer or Internal Audit, depending on the circumstances.
- 2.6 Employees and Members are encouraged to use the above process in relation to any concerns they may have and – as indicated earlier – can do so without fear of recrimination. If, however, employees or Members of the Authority feel unable to raise their concerns through internal routes they may wish to contact Protect (formerly Public Concern at Work), a registered charity whose services are free and confidential, tel. no 020 3117 2520. The UK office of Protect is open from 9.00am to 6.00pm Monday to Friday. The telephone number is staffed Mon, Tue, Thurs 09:30 to 13.00 and 14:00 to 17:30hours; Wed and Fri 09:30 to 13:00. For any other times, the online Advice Line can be accessed here.

3. ACTION FOLLOWING REPORTING

- 3.1 The Treasurer and Monitoring Officer are jointly responsible for following up any allegation of malpractice, fraud or corruption received and in doing so will ensure that:
- the matter is dealt with promptly;
 - all evidence received is recorded;

- any such evidence is sound and adequately supported;
 - any evidence of criminal offences is reported to the police;
 - Internal Audit is involved as appropriate;
 - findings of any investigation are reported back promptly to the Executive Board and/or Authority as appropriate.
- 3.2 All staff, of whatever level, must co-operate fully with the Treasurer and Monitoring Officer, and/or any persons assisting them in investigating any allegation of malpractice, fraud or corruption. Similarly, all staff are required to co-operate fully with Internal Audit should they become involved with any investigation.
- 3.3 Pending the outcome of any investigation, the Treasurer and Monitoring Officer will be responsible:
- for notifying, as required, the Authority's insurers of any possible insured losses;
 - for ensuring, where necessary, that the Authority's disciplinary procedure is implemented; and
 - otherwise dealing swiftly, fairly and firmly with proven impropriety.

4. CORRUPTION

- 4.1 It is a criminal offence for any employee or Member of the Authority to receive or give any gift, loan, fee, reward or advantage corruptly, that is in exchange for doing or not doing anything, or showing favour or disfavour to any person, in their official capacity. If an allegation is made, it is for the Member or employee to co-operate fully to help demonstrate that any such rewards have not been corruptly obtained.
- 4.2 In addition employees and Members must ensure that they use public funds entrusted to them in a responsible and lawful manner. They must strive to ensure value for money to the local community and avoid legal challenge to the Authority. Due regard must be had to the Authority's Constitutional Framework Documents and in particular [Standing Orders](#), [Financial Regulations](#), and the [Policy on Gifts and Hospitality](#) (see Section 6 below) and, in the case of Members of the Authority, [the Members' Code of Conduct](#) particularly in relation to the registration of pecuniary interests.

5. REGISTERS OF INTERESTS

- 5.1 The Local Government Act 1972 requires **all** employees to declare any pecuniary interests they may have in contracts with the Authority. Additionally, holders of politically restricted posts (as defined by the Local Government and Housing Act 1989) must notify the Monitoring Officer of any matters where they may face a conflict with their Authority duties.

5.2 Each interest so declared is recorded in a register kept for that purpose by the Monitoring Officer. These registers may be inspected on appointment by the public during normal office hours. Employees are encouraged to seek further advice from either the Monitoring Officer or Treasurer if they have any doubt or uncertainty as to the application of the above matters to them.

6. GIFTS AND HOSPITALITY

6.1 The Authority has an approved [Policy on Gifts and Hospitality](#) which applies to both Members and employees. In essence, this prohibits acceptance of gifts (with defined exceptions) and affords guidance on what is acceptable and unacceptable hospitality.

6.2 In accordance with the approved Code of Conduct, Members are required to register with the Monitoring Officer:

- any gift or hospitality with an estimated value of at £50 or more. This must be registered within 28 days of its receipt; and
- any significant gift or hospitality offered but refused.

6.3 The Monitoring Officer maintains a register of any gifts/hospitality accepted by Members and employees in accordance with this Policy. This register is published on the Authority's website and may be accessed here.

6.4 A copy of the approved Policy on Gifts and Hospitality, which has been drawn to the attention of all Authority Members and Officers, is available on the Service website. Alternatively, a hard-copy may be obtained by submitting a request to the Monitoring Officer.

7. RELATIONSHIPS WITH CONTRACTORS

7.1 Employees who engage or supervise contractors or have an official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity, should declare that relationship to the Monitoring Officer and their manager and have no further involvement in the contract. Orders and contracts must be awarded on merit by fair competition against other tenders and no favour should be shown to businesses run by, for example, friends, partners or relatives. It is better to be "safe than sorry" – if you feel there may be a conflict of interest you should immediately notify your line manager and/or Monitoring Officer of this.

8. PREVENTION OF MALPRACTICE

8.1 The Authority operates within a framework of regulations, codes of conduct, statements of best practice, minimum standards, systems and procedures which are designed to ensure the integrity of all its activities and transactions. These must be observed at all times.

- 8.2 Arrangements are in place and are continually developed to encourage the exchange of information between the Authority and other agencies on national and local fraud and corruption activity in relation to Local Authorities.
- 8.3 The Authority recognises that the continuing success of its anti-fraud and corruption strategy and its general credibility will depend largely on the effectiveness of programmed training and responsiveness of employees throughout the organisation. The Treasurer is required to ensure with the Chief Fire Officer that appropriate education and training is provided for all those involved in financial procedures which have a bearing on the financial standing of the Authority. This will ensure that the highest standards of financial management are achieved and minimise the Authority's risks.

9. CONCLUSION

- 9.1 The Authority has in place a clear network of systems and procedures to assist in the fight against fraud and corruption and has determined that the highest standards of probity will apply to all its activities.

WHAT SHOULD YOU DO IF YOU SUSPECT A FRAUD?

Employee's checklist

DO

Make an immediate note of your concerns

Tell someone, with proper authority and experience, about your suspicions

Deal with the matter promptly, if you feel your concerns are warranted.

DON'T

Do nothing

Be afraid of raising your concerns

Approach or accuse anyone directly

Try to investigate the matter yourself

Tell anyone, other than those with proper authority about your suspicions

Manager's checklist

DO

Be responsive to staff concerns

Note details

Evaluate the allegation objectively

Advise the appropriate person

Deal with the matter promptly.

DON'T

Ridicule suspicions raised by staff

Approach or accuse anyone directly

Try to investigate the matter yourself

Tell anyone, other than those with the proper authority, about your suspicions.