

**DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY**  
**STRATEGY ON THE PREVENTION AND DETECTION OF**  
**FRAUD AND CORRUPTION**

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## **DEFINITIONS**

In this Strategy:-

"Devon and Somerset Fire and Rescue Authority" (DSFRA), hereinafter referred to as "the Authority", is the body corporate constituted in accordance with the "Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006"

"Member" is any councillor from the constituent authorities duly appointed to serve on the Authority.

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

"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 and shall include such officers of the Service as the Chief Fire Officer specifically authorises for the purposes of this Strategy.

"Treasurer" shall mean the person duly appointed by the Authority with responsibility for the administration of the Authority's financial affairs.

"Legal Adviser" shall mean the person duly appointed by the Authority with responsibility for affording appropriate legal advice and assistance to the Authority and its Officers to ensure compliance with all legal, statutory and judicial processes.

"Officer" shall mean all employees of the Authority including uniformed and non-uniformed staff.

"Uniformed" means a member of staff whose employment terms are conditioned under the National Joint Council for Local Authorities Fire Brigades Scheme of Conditions of Service (the "Grey Book") OR the National Joint Council for Principal Fire Officers of Local Authorities' Fire Brigades (the "Gold Book") as appropriate.

"Non-uniformed" means a member of staff whose employment terms are conditioned under the National Joint Council for Local Authorities Administrative, Professional, Technical and Clerical Services Scheme of Conditions of Service, Joint Negotiating Committee for Local Authorities Services (Building and Civil Engineering) (Engineering Craftsmen), Standing Conference for Electricians Conditions of Service and South Western Council for Local Authorities (Manual Workers) Conditions of Service.

"The Clerk" shall be that person so appointed by the Authority for the purpose of constitutional and administrative tasks related to the business of the Authority.

"Executive Board" comprises the Chief Fire Officer and the Deputy Chief Fire Officers.

“Service Management Team” comprises the Heads of the seven functional departments for Operations, Community Safety, Service Planning and Review, Human Resources Management and Development, Physical Assets, Corporate Support (and Clerk to the Authority) and Financial Management (and Treasurer to the Authority).

## **1. INTRODUCTION**

- 1.1 The Devon and Somerset Fire and Rescue 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 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 Devon and Somerset Fire and Rescue Service 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 Members of staff and the general public are encouraged to report any concerns which they may have about financial irregularities. They may ring at any time Internal Audit on (insert appropriate telephone number). Authority Members may wish to speak directly to the Treasurer or the Clerk.
- 2.2 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. They can do this without fear of recrimination and in the knowledge that such concerns will be treated in confidence and properly investigated. Immediately any dishonesty, or a loophole or a systems weakness which could result in theft, or fraud, is detected it must be reported to Internal Audit (telephone ?????). Managers must make their staff aware of these expectations. *(See also paragraph 1.2 above).*

If employees feel unable to raise their concerns through internal routes they may wish to contact Public Concern at Work (telephone 020 7404 6609 or e-mail: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)), a registered charity whose services are free and confidential.

### **3. ACTION FOLLOWING REPORTING**

- 3.1 With the exceptions as identified in paragraphs 3.4 to 3.6 below, the Service Management Team is responsible for following up any allegation of malpractice, fraud or corruption received. It will do so by immediately reporting any such allegation directly to the Treasurer and the Clerk (as Monitoring Officer). The Treasurer, in consultation with the Clerk as appropriate, will then 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.
- 3.2 Service Management Team Officers must co-operate fully with Internal Audit, personnel and other staff during an investigation of any allegation of malpractice, fraud or corruption.
- 3.3 Pending the outcome of any investigation, the Executive Board will be responsible for notifying, as required, the Authority's insurers of any possible insured losses and for ensuring, where necessary, that the Authority's disciplinary procedure is implemented; and otherwise dealing swiftly, fairly and firmly with proven impropriety.
- 3.4 Allegations of malpractice, fraud or corruption against any Service Management Team officer other than the Treasurer and/or Clerk should be drawn directly to the attention of both the Treasurer and Clerk (as Monitoring Officer) in the first instance. They will then report this to the Executive Board and – as appropriate - Internal Audit for investigation and report to the Authority.
- 3.5 Allegations of malpractice, fraud or corruption against the Treasurer or Clerk should be drawn directly to the attention of both the Executive Board and Internal Audit for investigation and report to the Authority.
- 3.6 Allegations of fraud, malpractice or corruption against any officer on the Executive Board should be drawn directly to the attention of the Clerk (as Monitoring Officer), the Treasurer and Internal Audit for investigation and report to the Authority.
- 3.7 Allegations of fraud, malpractice or corruption against a Member of the Authority – made either directly to the Clerk to the Authority or as referred to the Clerk by the Standards Board for England – will be referred to the Authority's Standards Committee for investigation/determination as appropriate in accordance with approved procedures.

- 3.8 The reporting and investigation process must not be misused. If, as a result of an investigation, it is subsequently established that an allegation was malicious in nature then this may be dealt with as a disciplinary matter.
- 3.9 Equally, however, employees 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 and/or, where appropriate, criminal proceedings.

#### **4. CORRUPTION**

- 4.1 Members and employees must be aware that it is a criminal offence for them to receive or give any gift, loan, fee, reward or advantage 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 members and employees 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 Standing Orders and Financial Regulations.

#### **5. REGISTERS OF INTERESTS AND GIFTS**

- 5.1 Members of the Authority are required by law to declare any financial or non-financial interests (whether personal or prejudicial) which could bring about a conflict with Authority interests. Similarly, all employees of the Authority are required to declare any such personal or prejudicial financial interests and employees in politically restricted posts (as defined by the Local Government and Housing Act, 1989) are asked to notify the Clerk of any matters where there 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 Clerk. These registers may be inspected on appointment by the public during normal office hours.

#### **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 The Clerk maintains a register of any gifts/hospitality accepted by Members and employees in accordance with this Policy. Again, this register may be inspected by the public on appointment during normal office hours.

- 6.3 A copy of the approved Policy on Gifts and Hospitality is given to all Members of the Authority and has been made available and drawn to the attention of ALL Devon and Somerset Fire and Rescue Service employees via the Service intranet. Members of the public may obtain a copy on request to the Clerk.

## **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 Clerk 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 or Clerk to the Authority 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. It is determined that the highest standards of probity will apply to all its activities.

***April 2007***

**WHAT SHOULD YOU DO IF YOU SUSPECT A FRAUD?**

**Employee's checklist**

<b>DO</b>	<b>DON'T</b>
Make an immediate note of your concerns	Do nothing
Tell someone, with proper authority and experience, about your suspicions	Be afraid of raising your concerns
Deal with the matter promptly, if you feel your concerns are warranted.	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**

<b>DO</b>	<b>DON'T</b>
Be responsive to staff concerns	Ridicule suspicions raised by staff
Note details	Approach or accuse anyone directly
Evaluate the allegation objectively	Try to investigate the matter yourself
Advise the appropriate person	Tell anyone, other than those with the proper authority, about your suspicions.
Deal with the matter promptly.	