



**CODE OF
OFFICIAL CONDUCT
FOR
DISTRICT COUNCIL EMPLOYEES**

Human Resources, Customer Services & IT
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CONTENTS

1. INTRODUCTION
2. STANDARDS
3. DISCLOSURE OF INFORMATION
4. POLITICAL NEUTRALITY
5. RELATIONSHIPS
6. APPOINTMENTS AND OTHER EMPLOYMENT MATTERS
7. PERSONAL INTERESTS
8. OUTSIDE COMMITMENTS
9. COPYRIGHT
10. EQUALITY
11. SEPARATION OF ROLES DURING TENDERING
12. FRAUD OR CORRUPTION
13. IS/IT SECURITY
14. USE OF RESOURCES
15. GIFTS AND HOSPITALITY
16. SPONSORSHIP
17. CONTACT WITH THE MEDIA
18. PUBLICATIONS
19. LECTURES
20. USE OF COUNCIL FACILITIES
21. PUBLIC OFFICE
22. CONCLUSION

1. **INTRODUCTION**

This Code has been produced in response to an initiative by the Audit Commission to ensure that all employees are fully aware of the matters, rules and instructions in respect of probity and official conduct as it applies to working for the District Council.

The Code is intended to protect the interests and reputation of the Council and you as an employee and applies equally to everyone.

The key factors are that you should:-

- a) be aware of the possible implications of your actions and those of others in official matters;
- b) seek advice from your senior Manager or Head of Service if you have difficulty in understanding the Code or in obeying it;
- c) realise that if you fail to observe the rules and guidance contained in this Code you will be liable to disciplinary action.

Please ensure that your conduct is guided by the contents of this booklet in all your dealings on behalf of the Council.

2. **STANDARDS**

The public is entitled to demand of local government employees, conduct and service of the highest standard and public confidence in the Council's integrity would be undermined were suspicion to arise that you were in any way influenced by improper motives or did not act impartially.

There is a general requirement on Councillors and Officers to comply with Standing Orders and Financial Regulations in all their dealings.

As an employee your duties under your contract of employment with the Council include:-

- (a) a duty of service - to work in accordance with the contract e.g. not to be late or absent without permission;
- (b) a duty to be obedient - to obey reasonable instructions which include disciplinary rules;
- (c) a duty to care - to be competent and capable and not to be negligent at work;
- (d) a duty of good faith - to be honest and not accept a fee or commission or free gifts from those who do business with the Council or to divulge confidential information about the Council.

You must inform Human Resources immediately by telephone and confirm this in writing as soon as possible if you are arrested by the Police in the UK or any other country or if the Police in the UK or any other country impose a sanction against you such as a caution.

You must inform Human Resources immediately by telephone and confirm this in writing as soon as possible if you appear before a magistrate or criminal court in the UK or in any other country, whether or not any penalty or sanction is imposed.

Arrests, court appearances, convictions etc may not necessarily lead to the Council taking any action against you however you must report them immediately so that proper consideration can be given by the Council as to the appropriate response.

Please note that failure to report immediately an arrest, caution, court appearance or conviction in the UK or any other country will be treated as a formal disciplinary matter. In relation to traffic offences, you are required to inform the Council about any penalty or sanction imposed, including any points imposed on your licence if you are a casual or essential user, but excluding parking offences and fixed penalty notices. The Council's lease car agreement already requires the employee to supply the Council with full details of any conviction of the employee or any other driver of the car for motoring offences other than parking offences. Those employees who have a lease car should ensure that they are aware of any requirements for the supply of information contained in the lease car agreement.

The requirement to supply the information above serves to protect both employees and the reputation of the Council.

3. DISCLOSURE OF INFORMATION

The Freedom of Information Act requires that information held by the Council must be available to the public on request or in accordance with the Freedom of Information Publication Scheme. This includes recorded information in any form, which means that requests can be made for access to written records, emails, case files, correspondence, memoranda, statistics, photographs, plans, charts and video recordings. Personal information and some categories of sensitive or confidential information are exempt from the Freedom of Information Act. Requests can be made by customers for copies of their personal data under the Data Protection Act.

Requests under the Freedom of Information Act and the Data Protection Act are logged centrally. Any employee who receives a request must send it to the Freedom of Information Coordinator foi@stalbans.gov.uk

Employees need to be aware that potentially any information held by the Council can be disclosed under the Freedom of Information Act or Data Protection Act and must always use appropriate and professional language when making notes, reports or sending emails. Information cannot be withheld on the grounds that disclosure would cause embarrassment.

Certain types of information must be made available to Councillors, auditors, government departments, service users and the public.

Certain committee reports will be classified for restricted circulation under the Local Government Act because they contain sensitive or confidential information. These reports are printed on blue paper, are referred to as 'Part 2 reports' and are not publicly available. When no longer required, paper copies of these reports must be shredded as confidential waste.

You must not supply information concerning an employee's personal details to any person outside the Council's employ or within the Council unless that person has a right to know and you have their consent to do so.

You must not use any information obtained in the course of your employment for personal gain, benefit or other improper motives, nor can you pass it on to others who might use it in such a way.

Any particular information received from a Councillor that is personal to that Councillor and does not belong to the Council must not be divulged without the prior approval of the Councillor, except where such disclosure is required or sanctioned by the law.

If you are in any doubt as to what to do if approached for confidential information, consult your Manager or Head of Service.

When you leave the Council's employ, you must maintain a proper level of trust and confidence and not use inside contacts to short-cut normal Council procedures.

4. POLITICAL NEUTRALITY

You serve the Council as a whole and it follows that you must serve all Councillors and not just those of a controlling group, and must ensure that the individual rights of all Councillors are respected.

You cannot be called upon to advise privately any political group on the Council, either as to work of that group or that of the Council, nor can you be required to attend any meeting of any political group.

You may be required as part of your job to advise Councillors from political groups. If so you must do so in ways that do not compromise your political neutrality.

If your post is politically restricted you will have been made aware of this formally and the restrictions which are deemed to be incorporated into your contract of employment made clear. You, whether or not politically restricted under the provisions of the Local Government and Housing Act 1989, must follow every lawful expressed policy of the Council and must not allow your own personal or political opinions to interfere with your work.

5. RELATIONSHIPS

Members

You are responsible to the Council through your senior Manager and Head of Service. Your role may be to give advice personally to Members and mutual respect between employees and Members is essential to good local government. Close personal familiarity between employees and individual Members can damage the relationship and prove embarrassing to other employees and Members and should therefore be avoided. You must not approach Members directly about personal matters relating to your employment and conditions of service. If you consider that unreasonable Member pressure is being brought to bear on you to deal with an issue outside established policies and procedures, you must report the matter to your Head of Service to decide whether it needs to be reported to the Chief Executive and the relevant Group Leader. Any issues that arise within this area will be dealt with in line with the Member and Officer Protocol as detailed in the Council's Constitution.

The Local Community and Service Users

You should always remember your responsibilities to the community you serve and ensure courteous, efficient, fair and impartial service delivery to all groups and individuals within that community.

You must ensure that the highest possible standards of customer care are maintained and that you participate in customer care training which will be arranged from time to time, complying with the Council's Customer Care Standards.

Remember that your customers may include other members of council staff as well as persons external to the organisation.

Contractors

Any relationships of a business or private nature with external contractors, or potential contractors, should be made known to your senior Manager or Head of Service. Orders and contracts must be awarded in accordance with the Council's Standing Orders, where tenders are invited the tendering procedure should be applied equally to all invitees.

If you are responsible for engaging or supervising contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with such contractors, you must declare that relationship to your senior Manager or Head of Service, by completing the necessary Declaration of Interest Form.

6. APPOINTMENTS AND OTHER EMPLOYMENT MATTERS

If you are involved in the selection and appointment of persons to jobs with the Council, you must ensure that such decisions are made on the basis of merit. It is unlawful for an employee to make an appointment, which is based on anything other than the ability of the candidate to undertake the duties of the post and best serve the Council. You must not let your personal or political preferences influence your judgement. In order to avoid any possible accusation of bias, you must not be involved in an appointment where you are related to an applicant, or with whom you have a close personal relationship outside of work. If you are related to any Member or Senior Officer you must disclose this in writing when applying for any post with the Council. Similarly, you must not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or with whom you have a close personal relationship.

You must not canvass the support of any Member or Senior Officer when applying for any post with the Council and must resist any attempt by others to canvass you.

7. PERSONAL INTERESTS

If you, your spouse, partner or other family members have previously had or currently have any interest (direct or indirect) in any contract under consideration by the Council, you must declare this in writing to your Head of Service.

Similarly you must also declare in writing any personal (direct or indirect) financial interest in a contract to your Head of Service. A contract means not only formal written agreements but all written or oral transactions in which the Council may incur expenditure, receive income, provide a service etc.

Direct or indirect non-financial interests are private and personal interests, including those of family and friends, as well as those occurring through membership of, or association with, clubs, societies and other trade or voluntary organisations.

In your official capacity, you must not have any involvement with the affairs of any organisation relative to your area of work. Any such connection must be reported to your Senior Manager or Head of Service. Similarly you must declare if you or your spouse/partner has an interest in a voluntary organisation which is being considered for a Council loan or grant.

8. OUTSIDE COMMITMENTS

Your off-duty hours are your personal concern but you must not subordinate your duty to your private interests or put yourself in a position where your duty and your private interests conflict. Within certain limits you may undertake paid or unpaid additional private or secondary employment within or outside the Council as long as it does not overlap with your official duties, cause a conflict of interest, make use of resources to which you have access as a result of your position or in any way weaken public confidence in the conduct of the Council's business. The use of facilities e.g. telephones, photocopying, typing, the issue or receipt of correspondence or incoming telephone calls etc. in connection with private work is forbidden.

You must avoid getting into a position of conflict by undertaking private or secondary employment, whether paid or unpaid, and you must not therefore undertake such work for any person, company or contractor who is connected to the scope of your official duties and has a contractual relationship or is seeking work with the Council which could result in the need for Council approval.

All other officers must advise their senior Manager or Head of Service in writing of any private or secondary employment being undertaken and obtain their approval by completing the Declaration of Interest Form.

9. COPYRIGHT

Any copyright in literary, dramatic, musical or artistic works created in the course of your employment will belong to the Council.

10. EQUALITY

All members of the local community, customers and other employees have a right to be treated with fairness and equity.

You must not discriminate against other employees, clients or members of the public on grounds of ethnic origin, race, colour, gender, disability, age, trade union activity, marital status, religious belief or sexual orientation. You must not sexually or racially harass any person either verbally or physically.

11. SEPARATION OF ROLES DURING TENDERING

The Council's tendering process must be open and above board. If you are involved in the tendering process and deal with contractors you must ensure that you are clear on the separation of the client and contractor role. If you have both a client and contractor responsibility you must be aware of the need for accountability and openness.

You must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

If you are privy to confidential information on tenders or costs for either internal or external contractors you must not disclose such information to any unauthorised party or organisation.

You must not show any special favour to current or recent former employees or their partners, close relatives or associates in awarding contractors to business run by them or employing them in a senior or relevant managerial capacity.

12. FRAUD OR CORRUPTION

The Council's Anti-Fraud and Corruption Policy is to actively discourage fraud and corruption and to promote an anti-fraud culture. Systems and procedures are framed in such a way that the potential for fraud or corruption is minimised. The Council's Internal Audit Section is there, in consultation when appropriate with the external auditors, to ensure that appropriate checks and controls are introduced and maintained.

You need to be aware that it is a serious criminal offence for you corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in your official capacity. If an allegation is made it will be for you to demonstrate that any such rewards have not been corruptly obtained.

The Council's Anti-Fraud and Corruption Policy, Employee Fraud Response Plan and Maintenance of Standards and Probity are set out under the Responsible Reporting (Whistleblowing) policy. All these documents together with the Code of Conduct for Fraud Investigations Officers, Visiting and Verification Officers are contained in Appendix 1, and Annexes 1, 2, 3, 4 and 5. These documents set out the policy and procedures for dealing with all suspected fraud, corruption, misappropriation or theft. Cases of alleged fraud or corruption will be dealt with seriously and reported to the police. Any

employee suspected of fraud or corruption will be dealt with through the Council's Disciplinary Procedure.

In addition to the above there is a Special Code of Conduct for Fraud Investigation, Visiting and Verification Officers and all relevant staff who are involved in this area of work within the Finance Services Department.

MECHANISM FOR RAISING CONCERNS

Employees are encouraged to raise serious concerns about fraud or other irregularities at work. The Employee Fraud Response Plan sets out the procedures for raising a concern and outlines how the Council will respond to such a concern.

The Council will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

Advice and guidance on how matters of concern may be pursued can also be obtained from:-

Head of Legal, Democratic and Regulatory Services, telephone number (01727) 819502, OR
Head of Internal Audit, telephone number (01727) 819332.

MONEY LAUNDERING PREVENTATIVE PROCEDURES

Money Laundering has the objective of concealing the origin of money generated through criminal activities. St Albans City and District Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. This might cover two areas:

- Treasury Management (borrowing and investments)
- Miscellaneous Income

It is an offence to assist anyone suspected of laundering money generated by any serious crime. If a person knows or forms a suspicion in the course of their professional activity that a transaction is related to drugs or terrorism, it is an offence not to report it as soon as reasonably practical. Anyone reporting a suspicion of money laundering is protected against being sued by clients for breach of confidentiality. Disclosure to clients or to anyone else that they are the subject of a report, or that they are under investigation, is an offence. All of these are personal obligations.

As a "cash-free" authority, the amount of cash taken by the Council is minimal. However, vigilance needs to be applied. The Council's Preventative Procedures in connection with Money Laundering are as set out in Appendix 3.

MECHANISM FOR RAISING CONCERNS

Staff must report to the Money Laundering Reporting Officer, Head of Internal Audit, Tel: 01727 819332 if they believe the Council may be the subject of an attempt to involve it in a transaction involving the laundering of money.

13. IS/IT SECURITY

Information is one of the Council's key assets. To get the best out of information, we have to look after it and use it in a responsible way.

Everyone working for the Council is responsible for security, and it is our duty to ensure that information is properly protected and that our systems are always available. This means we must protect our systems and information from unauthorised use, disclosure, modification or destruction.

ICT systems are integral to all work and business activities of the Council and for the development and introduction of new systems and services. Equipment and systems must be treated with respect.

It is essential for the successful operation of Council business that the availability, integrity and confidentiality of ICT systems and data are maintained. Any loss of the ability to access systems and information can have a serious effect on the efficient operation of the Council and result in financial loss, loss of service to customers and affect the Council's reputation through bad publicity.

All employees must familiarise themselves with the IT Security Policy and with The Guidelines on Internet & Email Usage which are available on the Intranet (Policies & Procedures/ICT Services). Employees are reminded that Internet & Email usage is monitored and that disciplinary action can be taken in the event of a breach of the policy.

Concerns about any possible breaches of the IT Security Policy or of the Guidelines on Internet & Email Usage should be reported to the appropriate Head of Service or Service Manager to determine escalation. Anyone concerned about a possible breach of security or improper use of equipment or information should report the matter to their supervisor and/or refer to the Council's responsible reporting (whistleblowing) policy.

For access to IT systems all employees are allocated a specific username and password and any computer activity under that login is assumed to be that of the employee. Passwords must never be disclosed to anyone else. To change your password at any time Press <CTRL> >ALT> and <DELETE> together on the keyboard, and click on "Change Password". Employees are encouraged to use strong passwords rather than names and initials which can be easily guessed.

All employees must comply with the requirements of the Data Protection Act. Be aware that abuses of data protection can carry criminal penalties. Personal information held in Council system and files must be treated with the utmost care to prevent unauthorised disclosure, and to maintain integrity and availability of the data. Personal data should not be copied routinely. Always consider if it is really necessary to copy personal data and if copies are made, delete or shred them as soon as possible.

Employees who as part of their job make copies or extracts of personal information from Council systems, files or other records, must ensure appropriate steps are taken to protect the personal data. Any electronic personal data such as information put onto CD's, memory sticks, laptop computers and PDA's which is taken away from Council offices, must be encrypted.

Employees using laptop computers and PDA's must take special care because this equipment is valuable and much more susceptible to theft or loss. Never leave such equipment unattended in a public area.

Written guidance for staff working at home is available on the Intranet.

Employees must not infringe copyright. Downloading, copying and/or distribution of copyright material including literature, text, music, sound, pictures and video files is prohibited.

Installation or downloading of unauthorised software, for example from a CD or DVD or from the internet, can cause damage or compromise Council systems. Only software approved by the IT Department may be installed on Council computer equipment. Unauthorised installation or downloading of software will result in action under the Disciplinary and Capability Policy.

Summary of information security responsibilities:

a) Confidentiality

- Protect sensitive information from unauthorised disclosure;
- apply appropriate protection to all forms of information, including papers, databases, files, view foils, tapes, diskettes, conversations, and any other methods use to convey information and data;
- dispose of paper and documents containing sensitive information via a shredder;
- not leave computer terminals and PCs logged in or loaded while unattended;
- not write down passwords and leave them displayed or enter passwords using a keyboard in public view.

b) Integrity

- Safeguard the accuracy and completeness of information and computer software;
- never install computer software except after notification of, and gaining prior approval from, the IS/IT Service Desk;
- ensure all PC software held on disc or CD or to be downloaded on-line is virus-checked by the IS/IT Service Desk before it is loaded;
- look after the security of data on your PC (if you are a PC user) and carry out regular full backups. (A booklet entitled "Guidance Notes for Personal Computer Users" is available from the IS/IT Service Desk);
- procure and install IT hardware only after prior notification and approval of the IS/IT Service Desk.

c) Availability

- Ensure that information is available to citizens and consumers of Council Services when required.
- make sure that there is at least one other responsible person who knows where and how to access information maintained by you.

14. USE OF RESOURCES

You must ensure that you use public funds entrusted to you in a responsible and lawful manner. You should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

The Council's equipment is provided so that we can serve the public. It is not for personal use. You may make personal phone calls in emergencies. For other calls, you must have prior permission from your manager. If you wish to use a fax machine or photocopier for your personal use you must advise your Manager and reimburse the cost involved.

15. GIFTS AND HOSPITALITY

The Council recognises that social contacts can be helpful and in the Council's interest. However, you must ensure that you are not or cannot be improperly influenced by gifts or hospitality in your official capacity. You must not put yourself in a position which could damage your ability to act impartially or the public's confidence in the Council. Apart from the need to maintain high standards of official conduct, it is against the law to solicit or accept any gifts or reward in return for allowing yourself to be influenced in any way in your official capacity.

You must not accept significant personal gifts from contractors, suppliers or any organisation or person seeking to provide work, goods or services to the Council. You must be on guard against inducements by organisations or individuals which could be disguised e.g. a supplier making goods available free of charge or below market prices.

You may accept modest gifts usually of a promotional nature and given to a wide range of persons not uniquely to you. These can include wine, calendars, diaries, pens and other articles for use in the job. Gifts in the conclusion of any courtesy visit to a firm or factory of a sort normally given are also acceptable.

Any other offers should be reported to your senior Manager or Head of Service and if considered unacceptable refused courteously and with tact. If goods or gratuities are delivered to you direct which are outside the above guidance you should return them to the sender. If in any doubt, always consult your senior Manager or Head of Service for advice.

While avoiding any suggestion of improper influence it is considered reasonable to accept some offers of hospitality. In general you must exercise discretion and only accept such an offer if there is a need to import information or it can be in the interests of the Council. Your actions must not undermine the confidence of Councillors, the public or other employees.

Normally it will be acceptable for you to accept modest offers of hospitality for example a working lunch or dinner to allow the parties to discuss business, an invitation to an Institute or Society dinner or function or an invitation to participate in a sporting fixture or event. In all cases, your attendance must be as part of a group at the event and not unique to yourself. All such invitations and acceptances must be reported to and authorised by your senior Manager or Head of Service and recorded in the Council's Register held by the **Head of Legal, Democratic and Regulatory Services**. (See Form attached as Appendix 2).

When accepting authorised hospitality, you must be particularly sensitive as to its timing in relation to decisions currently at issue or being made by the Council.

Offers of a personal nature such as holidays, hotel accommodation, use of company flat etc. are unacceptable. When hospitality has to be refused, you should do so courteously but firmly.

Acceptance by employees of hospitality through attendance at authorised conferences is acceptable where it is clear the hospitality is corporate rather than personal, where consent is given in advance and where any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, you should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

16. SPONSORSHIP

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to your senior Manager or Head of Service of any such interest. Similarly, where the Council, through sponsorship, grant aid, financial or other means, gives support in the community, you must ensure that impartial advice is given and that there is no conflict of interest involved.

17. **CONTACT WITH THE MEDIA**

Relations with the media require specific skills and expertise. All contact with the media should be conducted through or in consultation with the Public Relations Section both to protect individual employees from unwanted media attention and to ensure the corporate promotion of the policies and reputation of the Council.

If you are asked by the media to comment, give an interview or answer questions on a Council matter, you should seek the permission of your senior Manager or Head of Service and discuss it with or refer it to the Public Relations Section.

18. **PUBLICATIONS**

If you wish to write to a newspaper or other journal or publish or authorise the publication of any book or article where you could be identified as a Council employee you must obtain permission from your senior Manager or Head of Service and in the latter case ensure that a statement appears in a prominent position in the book or article that the Council accepts no responsibility for your opinions or conclusions.

Whether acting in a personal capacity or as a spokesman for a private group, you must not bring the Council into disrepute by publicising material which is against the Council's interest or other employees or can cause the Council embarrassment.

19. **LECTURES**

If you are asked to give lectures in your own or the Council's time on matters directly concerning your job with the Council, you must obtain your senior Manager's or Head of Service's approval in advance and ensure that any fees for acting in an official capacity are paid into the Council's funds.

20. **USE OF COUNCIL FACILITIES**

Council buildings and facilities must not be used for unauthorised purposes. As a general rule, no children are allowed into work areas without the approval of your Head of Service and only then in very exceptional circumstances and for short visits.

21. **PUBLIC OFFICE**

If you wish to seek public office either elected (e.g. local authority Councillor) or non-elected (e.g. J.P), you must apply to your Head of Service so that it can be considered in accordance with the Council's policy.

Before pursuing such an application you must:-

- (a) ensure by checking with the **Head of Human Resources, Customer Services and IT** that you are not prevented from being involved in certain political activity because your post is politically restricted under the Local Government and Housing Act 1989;
- (b) be aware of the possible conflicts of loyalty between being a Councillor in one authority and an employee of another;
- (c) keep the two roles distinct and not use confidential information obtained in one position to gain advantage in the other;
- (d) give careful consideration to your involvement in local politics or community matters which affect the Council.

22. CONCLUSION

This Code has been produced to protect both the Council and all employees. You must play your part by co-operating fully with and obeying all the various, rules and procedures. Failure to do so will leave you open to disciplinary action and may bring the Council into disrepute.

If you have any queries with anything in the Code discuss them immediately with your senior Manager, Head of Service or Human Resources Department.

APPENDIX '1'

St. Albans City and District Council

Responsible Reporting (Whistleblowing) Policy

1. Introduction

- 1.1 Members of staff, casual and agency workers and self employed workers at SADC may be the first to notice something which is wrong in connection with St. Albans City and District Council (SADC) and its activities. They might not say anything however, because they:
- i. may be concerned that their suspicions might not be justified or
 - ii. may be concerned that they or someone else might be victimised.
- 1.2 The purpose of this responsible reporting (whistleblowing) policy therefore is to help the Authority's staff to raise their concerns. SADC is committed to being open, honest and accountable and therefore wishes to be alerted to any problems at the earliest opportunity. This will enable SADC to take appropriate action such as:
- i. Pre-empt a crime or other wrong doings where possible;
 - ii. Where a crime or something suspicious has taken place to instigate an appropriate investigation;
 - iii. Bring to account the perpetrators;
 - iv. Minimise any losses or to recover any actual ones;
 - v. Take corrective action to eliminate or significantly reduce the scope for repeat occurrences;

2. Types of Action Covered by the Policy

- 2.1 Concerns about the following types of wrongdoings are covered by this responsible reporting (whistleblowing) policy:
- i. Corruption;
 - ii. Fraud;
 - iii. Theft;
 - iv. An unlawful act;
 - v. Any danger to health and safety;
 - vi. A person abusing their position in connection with unauthorised activity for personal gain;
 - vii. Damage being caused to the environment (by pollution for example);
 - viii. Misuse of SADC property.

3. Confidential Reporting Procedure

- 3.1 Any suspicion of fraud or other wrongdoing will be treated seriously and will be reviewed and analysed in accordance with the Public Interest Disclosure Act, the Human Rights Act and SADC's Fraud Investigation Plan.
- 3.2 SADC staff, casual and agency workers and self employed workers should be aware that they have statutory protection against victimisation and dismissal under the Public Interest Disclosure Act 1999, if they speak out genuinely against corruption and malpractice at work.

- 3.3 It is essential for all concerned that disclosures of wrongdoing or irregularity are dealt with properly, quickly and discreetly. This is in the interests of SADC, its employees, workers, any persons who are the subject of such allegations, as well as the person making the disclosure.
- 3.4 Confidential reporting is the disclosure or communication of information about possible wrong doing by individuals or organisations, either internally or externally, to an organisation, in this case, SADC.
- 3.5 SADC is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect all organisations that deal with us who have serious concerns about any aspect of SADC's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 3.6 This policy makes it clear that concerns can be raised without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable serious concerns to be raised with SADC rather than ignoring a problem or 'blowing the whistle' to external sources such as the media.
- 3.7 The procedure applies to all staff, agency and casual workers and self employed workers at SADC.

4. Aims

- 4.1 This policy aims to:
- i. Encourage a person considering making a report to feel confident in raising serious concerns;
 - ii. Provide avenues to raise those concerns and receive feedback on any action taken:
 - iii. Ensure that a response to any concerns and how to pursue them to the person making a report is made;
 - iv. Reassure the person making the report that they will be protected from possible disadvantage if they have a reasonable belief and made any disclosure in good faith.
- 4.2 For SADC staff there are existing procedures in place to enable them to lodge a grievance relating to their own employment. For both staff and members of the public there is also a Complaints Policy which can be used to raise a complaint. The responsible reporting (whistleblowing) policy is intended to cover concerns that fall outside the scope of the Grievance and Complaints Policies. Any serious concern that a member of staff or worker has about any aspect of service provision or the conduct of officers or Members of the Council or others acting on behalf of the Council can and should be reported under this policy.
- 4.3 The concern may be about something that is:
- An offence or breach of law
 - A disclosure related to miscarriages of justice
 - A health and safety risk, including risk to the public as well as other employees
 - Damage to the environment
 - An unauthorised use of public funds
 - Possible fraud and corruption
 - Sexual or physical abuse of clients and/or colleagues
 - Against the Council's Standing Orders and policies

- Against established standards of practice
- Other improper or unethical conduct; or

4.4 The concern may be something that makes staff or workers at SADC feel uncomfortable in terms of known standards, their experience or the standards to which they believe the Council subscribes.

5. Anonymous Allegations

5.1 Where an individual chooses to report their concerns anonymously this will be respected. All concerns raised will be treated in confidence. However, it should be noted that concerns expressed anonymously are much less powerful and will only be considered at the discretion of the SADC. In exercising this discretion, the factors to be taken into account would include:

- i. the seriousness of the issues raised;
- ii. the credibility of the concern; and
- iii. the likelihood of confirming the allegation.

5.2 Therefore anyone reporting an allegation will be encouraged to put their name to it as this will greatly assist with any subsequent investigation. Furthermore anyone making an allegation in good faith will not have their identity revealed by Internal Audit or SADC unless required to do so by a court of law or the police.

5.3 It should be noted that if an allegation suggests criminal activity and the case is to be pursued by police, the identity of the person reporting the details may be important at a later date if criminal proceedings are to be pursued effectively.

5.4 It should be noted that in some instances, the Council may not be able to proceed with internal disciplinary action without being able to disclose the name of the complainant. Should the need arise, the individual will be asked if they wish to remain anonymous.

6. False or Malicious Allegations

6.1 If an allegation is made in good faith and the person making the report has a reasonable belief in the truth of the allegation, but this is not confirmed by the investigation, there will be no action taken against them.

6.2 If, however, an allegation is made frivolously, in bad faith, maliciously or for personal gain, disciplinary action may be taken against the person if they are a member of SADC staff.

7. How to Raise a Concern

7.1 Members of staff, casual and agency workers and self employed workers should initially consider raising concerns with the relevant Head of Service, the Chief Finance Officer or Monitoring Officer. They may also consider raising concerns with the Chief Executive, prior to escalating to the use of this policy.

7.2 Members of staff, casual and agency workers and self employed workers may raise their concerns verbally, in writing or by email directly to the Head of Internal Audit or via Public Concern at Work, details below:

- i. The Head of Internal Audit:
 - a. In person at his office in the Council building;

- b. Telephone – 01727 819332;
- c. Email – piyush.fatania@stalbans.gov.uk
- d. Letter – The Head of Internal Audit,
St. Albans City and District Council,
District Council Offices, St. Peter's Street,
St. Albans, Herts AL1 3JE

- ii. Public Concern at Work – this is an independent charity which operates a confidential helpline service. The charity has practical experience of whistle blowing and can explain protections under the Public Interest Disclosure Act. Its work has been endorsed by the Audit Commission and the Nolan Committee (which has looked into standards in Public Life). Its helpline is staffed by qualified lawyers who can give advice, in strict confidence about whether and how to raise concerns about suspected malpractice within the organisation. Public Concern at Work can be contact on 020 7404 6609.

7.3 Those making an allegation should try and provide the following information:

- i. The background and history of the concern (giving relevant facts where possible);
- ii. The reason why they are particularly concerned about the situation.

7.4 The sooner a concern is raised the easier it is to take definitive action. Although anyone making an allegation are not expected to prove beyond reasonable doubt the truth of it, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

7.5 Where any officer becomes aware of an incidence of fraud or corruption they should not:

- i. Do nothing;
- ii. Be afraid of raising concerns;
- iii. Approach or accuse individuals directly;
- iv. Try to investigate the matter;
- v. Convey suspicions to anyone other than those charged with the proper authority.

8. How SADC Will Respond

8.1 In order to protect individuals and those accused of possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Any potential investigation may be:

- i. Conducted by Internal Audit or through the disciplinary process;
- ii. Referred to the police;
- iii. Referred to the external auditor;

8.2 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

8.3 Within ten working days of a concern being raised, the responsible person from Internal Audit will write to the person making the allegation to:

- i. Acknowledge that the concern has been received;
- ii. Indicate how it is proposed to deal with the matter;
- iii. Explain if further investigations will take place and if not, why not.

EMPLOYEE FRAUD RESPONSE PLAN

PROCEDURE FOR DEALING WITH SUSPECTED FRAUD CORRUPTION, MISAPPROPRIATION OR THEFT

1. FRAMEWORK

- 1.1 All existing and new employees need to be aware of the Council's policy towards fraud and corruption.
- 1.2 The Council's policy is to pursue vigorously all those found to have committed fraud, misappropriation, theft or to have acted corruptly and to report the matter to the police with a view to prosecution.
- 1.3 The procedures set out in the Disciplinary and Capability Policy will be used in all cases of suspected fraud, corruption, misappropriation or theft.
- 1.4 Employees should also be aware of and refer to the Council's Responsible Reporting (Whistleblowing) Policy which covers the raising of concerns of a wider nature but links in with the Anti Fraud and Corruption Policy.

2. PROCEDURE

- 2.1 Under the Responsible Reporting (Whistleblowing) Policy, where an employee has a concern he/she should raise this with an appropriate level of line management although the most appropriate person to contact will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.
- 2.2 In instances where fraud or corruption is suspected this should be reported promptly.
- 2.3 Where a Head of Service suspects that a case of fraud, corruption, misappropriation or theft has arisen he/she will notify the Head of Internal Audit who will commence an appropriate investigation immediately. The **Head of Human Resources, Customer Services and IT** will also be advised. The prime objective of the Head of Internal Audit will be to obtain sufficient evidence to allow the relevant Head of Service to take initial action in respect of the employee(s) concerned if appropriate.
- 2.4 The Head of Internal Audit will carry out an initial investigation and, where possible, within forty-eight hours of notification of such a case, determine whether there is reason to believe that one or more employees are guilty of perpetration or collusion.
- 2.5 Where appropriate, the Head of Internal Audit will, with the formal consent of one of the Heads of Service in consultation with the Monitoring Officer, refer the matter to the police as soon as he/she is satisfied that there are reasonable grounds for prosecution.
- 2.6 If perpetration or collusion is suspected the relevant employee(s) will be informed by the Head of Service in the presence of the **Head of Human Resources, Customer Services and IT** or his/her representative and the Head of Internal Audit that an investigation is to take place.
- 2.7 The employee(s) will be reminded of the Council's policy towards these matters.

- 2.8 The employee(s) may be suspended on full pay for the course of the investigation in accordance with the Disciplinary and Capability Policy. Any suspension will be confirmed immediately in writing to the employee(s) by the relevant Head of Service.
- 2.9 Where relevant the Head of Service will, in conjunction with the **Head of Human Resources, Customer Services and IT**, ensure that all relevant passwords are immediately altered to avoid further access to computer systems by the employee(s) concerned.
- 2.10 The contents of the employee's desk, locker and/or computer files will be secured. Originals or copies of all personal documents found in the employee's workspace, desk or locker will be retained.
- 2.11 If at any stage of the investigation it becomes clear that the allegations/suspicions are unfounded the employee(s) will be immediately reinstated/returned to his/her post.
- 2.12 On completion of the investigation, a decision will be taken by the relevant Head of Service in consultation with the **Head of Human Resources, Customer Services and IT** or his/her representative, in accordance with the Council's Disciplinary and Capability Policy, as to whether formal action should be deferred pending the outcome of any police investigation and subsequent prosecution, or whether internal proceedings should be conducted at the same time as the police investigation. Providing there has been a full investigation and a hearing conducted, a decision can be taken without awaiting the outcome of any criminal proceedings.
- 2.13 The Head of Internal Audit and the relevant Head of Service will take all measures necessary to secure the recovery of cash or other assets.
- 2.14 The relevant Head of Service will notify the Chief Finance Officer of the incident and the latter will ensure that, where appropriate, an insurance claim is forwarded to the Council's Insurers.
- 2.15 Following every such investigation a review will be carried out by the Head of Internal Audit and the relevant Head of Service to ensure that any weaknesses in systems and procedures are identified and corrected.
- 2.16 In such instances the Head of Internal Audit will review systems within a period of one year from conclusion of the investigation in order to ensure compliance with any agreed recommendations.

ANNEX '2'

ANTI-FRAUD AND CORRUPTION POLICY

1. The Authority will actively discourage fraud and corruption, whether internal or external, and promote an anti-fraud culture.
2. Systems and procedures will, upon introduction or review, be framed in such a way that the potential for fraud or corruption is minimised.
3. The Council will maintain a strong Internal Audit Section, which will liaise with the external auditors where appropriate and ensure appropriate checks and controls are introduced/maintained.
4. Perpetrators of fraud or corruption will be prosecuted wherever feasible. Employees suspected of fraud or corruption will be dealt with through the procedures in the Council's Disciplinary and Capability Policy.
5. All employees shall be made aware of the Council's Anti-Fraud and Corruption Policy, the associated statement on Maintenance of Standards and Probity, and their stated intention to deal seriously with any perpetration that may be identified.
6. All employees shall also be made aware of the Council's Whistle-blowing Policy that addresses wider concerns that employees may have.
7. All employees shall be made aware of the Council's Employee Fraud Response Plan that is included in the Code of Official Conduct for District Council Employees. This sets out the procedures to be followed where fraud or corruption is suspected.
8. Management will endeavour to minimise and detect fraud. Employees will be encouraged to report potential fraud where they suspect it is occurring.

ANNEX '3'

MAINTENANCE OF STANDARDS AND PROBITY

1. The authority aims to provide community leadership and quality services.
2. In carrying out its functions and responsibilities, the authority has always adopted a culture of openness and fairness and has expected that elected members and employees at all levels will adopt the highest standards of propriety and accountability. This has been achieved by leading by example and by an understanding of and adherence to rules, procedures and agreed practices. These standards have also been expected from organisations that have dealings with the authority (e.g. suppliers/contractors). To date, the authority has not had cause to raise any concerns with the external auditor.
3. The Council is currently in a strong position due to the controls that have already been put in place, i.e. standing orders, financial regulations, employees' and members' codes of conduct, but it must not be complacent. It has, for many years, operated an Anti-Fraud and Corruption Policy and an Employee Fraud Response Plan. This document is designed to build on that firm foundation. The Council has also adopted a Responsible Reporting (Whistleblowing) Policy. These various policies and plans should be seen as a package.
4. The authority wishes to demonstrate clearly that it is firmly committed to dealing with fraud and corruption and will deal equally with perpetrators from inside (members and employees) and outside the authority. In addition, there will be no distinction made in investigation and action between cases that generate financial benefits and those that do not. This will not, however, compromise the authority's Equal Opportunities Policy or any obligations as an employer under the Code of Conduct for Local Government Employees.
5. The authority is also aware of the high degree of external scrutiny of its affairs by a variety of bodies such as the Audit Commission, Inspection bodies, the Local Government Ombudsman, HM Customs & Excise and the Inland Revenue. These bodies are important in highlighting any areas where improvements can be made.
6. Fraud and corruption are defined by the Audit Commission as:

Fraud – *“the intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain”*.

In addition, fraud can also be defined as *“the intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to mislead or misrepresent”*.

Corruption – *“the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person”*. In addition, this strategy covers *“the failure to disclose an interest in order to gain financial or other pecuniary gain”*.

In addition, this strategy covers *“the failure to disclose an interest in order to gain financial or other pecuniary gain”*.

7. The culture of the authority has always been one of openness and the core values of fairness, trust and value support this. The authority's culture therefore supports the opposition to fraud and corruption. The prevention/detection of fraud/corruption and the protection of the public purse are everyone's responsibility.

8. The authority's elected members and employees play an important role in creating and maintaining this culture. They are positively encouraged to raise concerns regarding fraud and corruption, immaterial of seniority, rank or status, in the knowledge that such concerns will, wherever possible, be treated in confidence.
9. As elected representatives, all members of the authority have a duty to citizens to protect the authority from all forms of abuse.
10. The Standards Committee's roles include promoting and maintaining high standards of conduct by Councillors and assisting Councillors in observing the Members' Code of Conduct. The Committee also monitors operation of the Code.
11. Elected members sign to the effect that they have read and understood the national code of conduct when they take office. These conduct and ethical matters are specifically brought to the attention of members during induction and include the declaration and registration of interests. **The Head of Legal, Democratic and Regulatory Services** advises members of new legislative or procedural requirements.
12. The Audit Committee receives copies of all Internal Audit reports. It also receives performance reports from the Head of Internal Audit and the External Auditor's annual management letter.
13. The attention of all members and officers is drawn to the Council's Responsible Reporting (Whistleblowing) Policy, its Anti-Fraud and Corruption Policy and the Employee Fraud Response Plan. The guidance set out in these documents should be followed in any instance where a relevant concern occurs.

ANNEX '4'**TELEPHONE NUMBERS**

	<u>Internal</u>	<u>External</u>
Chief Executive (Daniel Goodwin – daniel.goodwin@stalbans.gov.uk)	2303	01727 819303
Chief Policy and Partnerships Officer (James Blake – james.blake@stalbans.gov.uk)	2552	01727 819552
Monitoring Officer (Michael Lovelady – michael.lovelady@stalbans.gov.uk)	2502	01727 819502
Chief Finance Officer (Colm O'Callaghan – colm.o'callaghan@stalbans.gov.uk)	2200	01727 819200
Head of Internal Audit (Piyush Fatania – piyush.fatania@stalbans.gov.uk)	2332	01727 819332
Head of Human Resources, Customer Services and IT (Amanda Foley – Amanda.foley@stalbans.gov.uk)	2308	01727 819308

ANNEX '5'**CODE OF CONDUCT FOR FRAUD INVESTIGATION OFFICERS, VISITING AND VERIFICATION OFFICERS**

The City and District Council of St Albans expects its Investigation and Visiting Officers (hereafter called "Officers") and all other officers working in connection with fraud investigation work and the verification of benefit claims to comply with the Council's agreed Codes of Conduct applying to staff generally and to Benefit evaders specifically. In addition to the general rules of conduct, the officers will observe the following rules:

1. Officers will declare all cases of alleged fraud where an officer has an interest. An 'interest' is defined as a legal interest (i.e. freehold or leasehold) in property involved in the alleged fraud, or a personal relationship with any persons involved in the claim for benefit.
2. Officers will conduct all work applying proper standards of fairness, courtesy and without discrimination on the basis of race, colour, creed, ethnic or national origin, disabilities, age, sex, sexual orientation or marital status.
3. Officers should ensure that in the course of their work any evidence or information is acquired and assessed in an entirely objective manner and then recorded as soon as possible. Consideration should be given to all interpretations that may be placed on such evidence or information.
4. Officers must not carry out their work in a way which could prejudice any prosecution which may ensue. If any officer is found to have tampered with or destroyed evidence in connection with a case under investigation this will be treated as gross misconduct, and dealt with accordingly under the Council's Disciplinary and Capability Policy.
5. Officers will follow at all times the Home Office Codes of Conduct under the Police and Criminal Evidence Act (PACE).
6. Officers will not disclose information held by the Council unless obliged to in accordance with Data Protection Legislation and any other legislative process.
7. Officers have a duty to ensure that the highest standards of propriety and probity are met in all professional, personal and financial areas so that the integrity of counter-fraud and verification work and those undertaking such work cannot be undermined. Officers will declare membership of any secretive organisation or organisation that is considered secretive. For avoidance of doubt this includes membership of any Masonic Lodges.
8. Officers should maintain the highest standards of professionalism, specifically covering areas of personal conduct, knowledge, operational activity, reporting and any criminal or civil action.
9. Officers should ensure that the impact of work undertaken is understood in the context of all action taken to counter-fraud and corruption and must also ensure that there is full and proper liaison with all appropriate Governmental agencies.
10. Officers must take active steps to avoid personal risk and must ensure that before undertaking visits, lists of calls and potential calls are left in the office (*ideally with estimated duration*) with a fellow officer and phone into the office at pre-arranged times at least once per half day.
11. Officers should carry evidence of identity and authorisation at all times during the course of their work.

12. Officers will at all times be aware of the possibility of compromising their integrity and/or that of the Council, when carrying out unaccompanied visits. Officers must seek advice from/notify a senior officer prior to carrying out unaccompanied visits in the following circumstances:
- Visits to women living alone;
 - Visits after dark;
 - Visits to hostels or accommodation providing care in the community;
 - Visits to young persons under 18.

Officers should aim to have their office mobile phone available, switched on and in working order at all times when out of the office on official duties.

13. Officers must be aware of the potential for violence from persons under investigation and should not place themselves in a situation where there is risk of attack. In particular, officers should check available records to see if a person is registered as potentially violent or mentally ill prior to an interview. The officer should not carry out unaccompanied interviews either in or outside the office environment or unaccompanied visits to known potentially violent persons or the mentally ill.
14. When evidence is prepared for consideration as to whether prosecution proceedings are appropriate, all relevant evidence must be disclosed in an unbiased manner, whether or not this is judged to be potentially harmful to any prosecution.
15. Any officer breaching the above rules will be subject to the provisions of the Council's Disciplinary and Capability Policy.
16. Officers have a duty to maintain the highest levels of knowledge and skills and to ensure that they are applied thoroughly and comprehensively in every aspect of counter-fraud work that is undertaken.
17. During the course of their work, officers may encounter cases of genuine need where available benefits have not been taken up. Officers are expected to refer/encourage potential cases of entitlement to the relevant section or agency.

APPENDIX ‘2’

REGISTER OF OFFERS OF HOSPITALITY

DATE OF OFFER

FORM OF OFFER
.....
.....
.....

APPROXIMATE VALUE	WHETHER OFFER ACCEPTED
£.....	YES/NO

NAME AND ADDRESS OF OTHER PARTY
.....
.....
.....
.....

NAME(S) OF OFFICER(S) INVOLVED
.....
.....
.....

SIGNATURE(S) OF OFFICER(S) INVOLVED
.....
.....
.....

OTHER RELEVANT DETAILS
.....
.....
.....

DATE.....

APPENDIX '3'

MONEY LAUNDERING - PREVENTATIVE PROCEDURES

1. Background

- 1.1 Money laundering has the objective of concealing the origin of money generated through criminal activity. Legislation has given a higher profile of the need to report suspicions of money laundering. The substantive criminal law (the Criminal Justice Act 1993, the Drug Trafficking Act 1994, the Proceeds of Crime Act 2002, the Money Laundering Regulations 2003, etc) applies to all individuals.
- 1.2 It is an offence to assist anyone suspected of laundering money generated by any serious crime. It is a defence for an individual if they have reported knowing or suspecting at the first available opportunity. If a person knows or forms a suspicion in the course of their professional activity that a transaction is related to drugs or terrorism, it is an offence not to report it as soon as reasonably practical. Anyone reporting a suspicion of money laundering is protected against being sued by clients for breach of confidentiality. Disclosure to clients or to anyone else that they are the subject of a report, or that they are under investigation, is an offence. All of these are personal obligations.
- 1.3 In addition, organisations that undertake business under the Financial Services Act, or engage in certain specified activities, are required to set up procedures to comply with the Money Laundering Regulations 1993. These regulations require organisations:
- to set up procedures for verifying the identity of clients
 - to set up record-keeping procedures for suspicions, including the appointment of a money laundering reporting officer
 - to train relevant employees in their legal obligations
 - to train those employees in the procedures for recognising and reporting suspicions of money laundering.
- 1.4 St Albans City and District Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. This might cover two areas:
- Treasury Management (borrowing and investments)
 - Miscellaneous Income

As a "cash-free" authority, the amount of cash taken by the Council is minimal. However, vigilance needs to be applied.

- 1.5 The Council will maintain procedures for verifying and recording the identities of counterparties making payment by cash, reporting suspicions by staff to the Money Laundering Reporting Officer (MLRO).

2. Treasury Management

- 2.1 Borrowing and repayment of investments (Treasury Management) shall not be taken in cash. All loans will be obtained through the Public Works Loan Board (PWLb) or from authorised institutions under the Banking Act 1987. All borrowings will be through money brokers who are regulated by the Financial Services Authority to ensure that money laundering is prevented.

3. **Miscellaneous Cash Income**

3.1 Where miscellaneous income (e.g. Council Tax, Housing Rents) is concerned, the following procedures should apply where cash payments exceed £250 (also applies where an individual seeks to make more than one payment in a week and the total of these payments aggregate to more than £250).

3.1.1 Check name and address to a robust source (e.g. Council Tax records, electoral register).

3.1.2 If the person making the payment has been in occupation of the premises for less than twelve months seek proof of identification (e.g. driving licence, utility bill) and take a copy.

3.1.3 Ascertain why the payment is being made in cash.

3.1.4 Do not accept payments in excess of maximum legal tender levels. Denominations are as follows:

Notes -	no limit
£1 and £2 coins	- no limit
50p and 20p coins	- £10
10p and 5p coins	- £5
2p and 1p coins	- 20p

3.1.5 Maintain a record of each such transaction including:

- Date
- Name of person making payment
- Organisation (if appropriate)
- Type of payment (e.g. Council Tax, Housing Rent)
- Amount of payment
- Officer dealing with payment

4. **Responsibilities Of The Money Laundering Reporting Officer**

4.1 The Money Laundering Reporting Officer (MLRO) is responsible for:

- Establishing and maintaining awareness and training for staff to ensure that they are aware of the Council's policies and procedures to prevent money laundering.
- Receiving internal money laundering reports from staff who have a suspicion.
- Investigating suspicious reports using information the Council holds.
- Making external reports to NCIS if he/she considers that the suspicion is justified.
- Obtaining and applying, where relevant, Government and Financial Action Task Force (FATF) findings.

4.2 In addition the MLRO must make a report at least once a year to Cabinet which as a minimum

- Assesses the Council's compliance with procedures.
- Indicates how findings from Government and FATF have been used during the year.
- Gives the number of reports made by staff to the MLRO during the year.

5. **Reporting Suspicions of Money Laundering**

5.1 Staff must report to the MLRO if they believe the Council may be the subject of an attempt to involve it in a transaction involving the laundering of money.

- 5.2 The MLRO, who is the Head of Internal Audit, must determine if there are reasonable grounds that a report is made to the National Criminal Intelligence Service (NCIS). The CCAB gives the following guidance to determining reasonable grounds:
- Does the conduct under scrutiny fall within that which is potentially criminal?
 - So, is the person/entity under scrutiny suspected of having engaged in this conduct such that proceeds resulted?
 - What factors and information have led to the formation of knowledge or suspicion, i.e. how will the grounds for the report be described to NCIS?

APPENDIX '4'

**FORM FOR DECLARATION OF INTERESTS
FOR OFFICERS**

In accordance with Best Practice and in line with the Code of Official Conduct you are required to complete this form. This information will be kept in a register in accordance with the policy statements of St Albans District Council and in line with the Code of Official Conduct for District Council Employees.

It is the responsibility of the employee to bring to the attention of the Head of Service/Human Resources any pertinent changes in their interests as and when they occur. Our Code of Official Conduct for District Council Employees is attached for your information and guidance.

You will all have received a copy of the above document at the initial date of issue in June 2003 or with your contract of employment. If you require further copies this is available on the Intranet under: Human Resources/Discipline & Grievance titled Official Code of Conduct for Employees or contact a member of the HR team.

This form must be completed by all existing and new staff annually, or at any time, by people wishing to declare items in the register.

1. Full Name:	
2. Status with St Albans District Council:	
a) Permanent or Fixed Term Contract Employee	YES/NO
b) Casual Worker	YES/NO
3. Are you or a member of your immediate family, (spouse/father/mother/son/ daughter or similar), your partner or a member of your household involved with the provision of services or with a contract to the Council? YES/NO	
If "YES" please give details below:	
4. Are you or a member of your immediate family, (spouse/father/mother/son/ daughter or similar), your partner or a member of your household the owner, director or in partnership with, or have a major shareholding (20% interest) in an organisation that does business with the Council? YES/NO	
If "YES" please give details below of the business, which relative, and their connection with it:	
5. Do you have a business or private relationship with any existing Contractor of supplies to the Council? YES/NO	

<p>If “YES” please give details below of the Contractor and your connection:</p>
<p>6. Other Positions of Public Responsibility - Voluntary or otherwise e.g. Magistrate, Board Member of charity, school, registered social landlord or other club/society.</p>
<p>7. Are you or a member of your immediate family, (spouse/father/mother/son/ daughter or similar), partner or member of your household in receipt of or applying for a Council loan or grant? YES/NO If “YES” please give details below:</p>
<p>8. I certify that the above answers are true to the best of my knowledge; a) I will declare any other activity that may potentially give rise to the above conflicts; b) I will comply with the Council’s policy statements at all times. c) I will give written notification to my line manager within 28 days of becoming aware of any changes to the interests declared in this form.</p>
<p>Signed:Date:</p>
<p>Countersigned by the Head of Service as noted and allowable under the policy statements.</p>
<p>Signed:Date:</p>

Pers.21/GD/LR Last updated October 2008
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