

A meeting of the **CORPORATE GOVERNANCE COMMITTEE** will be held as a **REMOTE MEETING VIA ZOOM** on **WEDNESDAY, 30 SEPTEMBER 2020** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

## **AGENDA**

### **APOLOGIES**

**1. MINUTES** (Pages 5 - 10)

To approve as a correct record the Minutes of the meeting of the Committee held on 23rd July 2020.

**Contact Officer: H Peacey - (01223) 752548**

**2. MEMBERS' INTERESTS**

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda Item.

**Contact Officer: Democratic Services - (01223) 752548**

**3. CODE OF CONDUCT COMPLAINTS - UPDATE** (Pages 11 - 14)

To provide a summary and update of completed or ongoing complaints received regarding alleged breaches of the Code of Conduct under the Localism Act 2011 since the start of the year.

**Contact Officer: L Jablonska - (01480) 388004**

**4. UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS** (Pages 15 - 22)

To consider a report by the Member Support Assistant on the Code of Conduct and Register of Disclosable Pecuniary Interests.

**Contact Officer: S Miller - (01480) 388537**

**5. REVIEW OF FRAUD INVESTIGATION ACTIVITY 2019/20** (Pages 23 - 34)

To consider a report by the Corporate Fraud Manager containing a summary of the activity of the Council's Corporate Fraud Team in 2019/20, including the number of investigations undertaken, types of investigation and the value of the fraud identified.

**Contact Officer: L Martin - (01480) 388861**

**6. WHISTLEBLOWING (POLICY, GUIDANCE AND CONCERNS RECEIVED)**  
(Pages 35 - 46)

To consider a report by the Acting Internal Audit Manager on the outcome of a review of the Whistleblowing Policy and Guidance and on the allegations received under the Policy in the year ending March 2020.

**Contact Officer: D Moss - (01480) 388475**

**7. SINGLE TENDER AWARDS** (Pages 47 - 50)

To receive a report on the single tenders/quotes approved by Heads of Service/Assistant Directors.

**Contact Officer: J Andrews/T Evans - (01480) 388116/07729 479446**

**8. CORPORATE GOVERNANCE COMMITTEE PROGRESS REPORT** (Pages 51 - 52)

To receive the Corporate Governance Committee Progress Report.

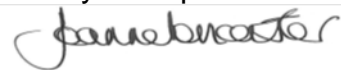
**Contact Officer: H Peacey - (01223) 752548**

**9. CORPORATE GOVERNANCE COMMITTEE - SPECIAL MEETING**

To note that a special meeting of the Committee will be held on Wednesday 25th November 2020 at 7:00pm as a remote meeting. The meeting will consider the approval of the 2019/20 final accounts.

**Contact Officer: H Peacey - (01223) 752548**

22 day of September 2020



Head of Paid Service

**Disclosable Pecuniary Interests and Non-Statutory Disclosable Interests**

Further information on [Disclosable Pecuniary Interests and Non - Statutory Disclosable Interests is available in the Council's Constitution](#)

**Filming, Photography and Recording at Council Meetings**

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Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

**Please contact Habbiba Peacey, Democratic Services Officer, Tel: (01223) 752548 / email: [Habbiba.Peacey@huntingdonshire.gov.uk](mailto:Habbiba.Peacey@huntingdonshire.gov.uk) if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee.**

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Agenda and enclosures can be viewed on the [District Council's website](#).

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## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CORPORATE GOVERNANCE COMMITTEE held as a Remote Meeting via Zoom on Thursday, 23 July 2020

PRESENT: Councillor G J Bull – Chairman.

Councillors S M Burton, E R Butler, Dr P L R Gaskin, K P Gulson, P Kadewere, H V Masson, L W McGuire, J P Morris, R J West and Mrs S R Wilson.

APOLOGY: An Apology for absence from the meeting was submitted on behalf of Councillor D A Giles.

### INTERNAL AUDIT MANAGER

Prior to commencement of the meeting the Chairman informed the Committee that Mr David Harwood, Internal Audit Manager had left the Council's employment at the end of March 2020 after 22 and a half years of service.

On behalf of the Committee, the Chairman expressed appreciation to Mr Harwood for his hard work, support and contribution to the Committee and wished him well for the future.

### 4 MINUTES

The Minutes of the meetings of the Committee held on 22nd January and 17th June 2020 were approved as a correct record and signed by the Chairman.

### 5 MEMBERS' INTERESTS

No declarations were received.

### 6 EXTERNAL AUDIT PLAN 2019/20

*(Mr Suresh Patel, Ernst & Young LLP, was in attendance for consideration of this item).*

The Committee received a report by the Chief Financial Officer (a copy of which is appended in the Minute Book) to which was attached the Council's External Audit Plan 2019/20, which had been produced by the Council's External Auditors, Ernst & Young LLP.

In introducing the report, Mr S Patel drew Members' attention to the overview of the 2019/20 audit strategy and highlighted the new additional risk in relation to the Internal Audit Service in respect of resources and service delivery. Reference was also made to the impact of COVID-19 upon the preparation of the final accounts and auditing process. The Committee's attention was also drawn to the risks around Property, Plant and Equipment Valuations and Pension Liability Valuations where it was noted that both were regarded as inherent risks which

had not changed when compared to the previous year. Finally, the Committee's attention was drawn to the proposed audit timeline which included a timetable of communication and deliverables as well as the proposed audit scale fee of £66,200 for 2019/20.

In acknowledging the challenges around the completion of audit work whilst working from home and in discussing the scale of audit fees, the Committee was informed that the latter was subject to national discussions at Public Sector Audit Appointments. Whereupon it was

RESOLVED

- (a) that the content of the External Audit Plan 2019/20 as attached as an Appendix to the report now submitted be noted; and
- (b) that the timetable for reports and updates to the Committee as set out in paragraph 4.6 of the report now submitted be noted.

## **7 DRAFT 2019/20 ANNUAL FINANCIAL REPORT**

Consideration was given to a report by the Chief Financial Officer (a copy of which is appended in the Minute Book) outlining the process for finalising and publishing the Council's Annual Financial Report for 2019/20.

The Chief Financial Officer confirmed the position with regards to the unaudited accounts and reported that owing to the current situation with the COVID-19 pandemic, the normal statutory deadline had moved from 31st July 2020 to 30th November 2020. Attention was drawn to the key financial highlights, where it was noted that the Council had achieved an underspend of £0.265m against a budget of £17.157m and that General Fund Reserves had been maintained at 15% of net expenditure. Furthermore, the Committee were encouraged to note that £14.678m had been delivered in acquisitions as part of the Commercial Investment Strategy and that Business Rates growth within the Enterprise Zone of £0.638m had been achieved.

Having commended Officers for the financial achievements made, it was

RESOLVED

- (a) that the Unaudited Annual Financial Report as attached as Appendix A of the report now submitted be approved; and
- (b) that the Notice of Publication as attached at Appendix B of the report now submitted be approved.

## **8 INTERNAL AUDIT SERVICE: ANNUAL REPORT 2019/20**

In compliance with the Public Sector Internal Audit Standard, the Committee gave consideration to the Internal Audit Service Annual Report and opinion by the Acting Internal Audit Manager (a copy of which is appended in the Minute Book).

The Assistant Director, Corporate Services drew Members' attention to the Audit Opinion for 2019/20 which gives "adequate assurance" of the control environment. Owing to decreased resources in the team, a limited number of audits had been undertaken across the council, which limits the contributory evidence, but not the offered opinion.

Matters discussed included the outcomes of the customer satisfaction surveys, the impact of COVID-19 upon lone working and risk management, the need to address the resourcing issue within the Internal Audit Team and the three "red" or "high risk" actions which had been identified from audits undertaken over the year. In terms of the latter, the Committee acknowledged the difficulties in the past of ensuring audit actions were completed by services in a timely manner. The Chairman commented that the matter would continue to be raised at future meetings until improvements had been made.

In acknowledging the resourcing issues within the Internal Audit Team and following a question raised by a Member seeking assurances that all statutory standards would be fully maintained in the future, the Assistant Director, Corporate Services advised that priority would be accorded to delivering value for money and addressing the resourcing issues within the team. Whereupon, it was

RESOLVED

- (a) that the content of the report now submitted be noted; and
- (b) that the Acting Internal Audit Manager's opinion be taken into account when considering the Annual Governance Statement for 2019/20.

## **9 APPROVAL FOR PUBLICATION OF THE ANNUAL GOVERNANCE STATEMENT**

With the aid of a report prepared by the Corporate Director (People) (a copy of which is appended in the Minute Book), the Committee were reminded of the statutory requirement to produce an Annual Governance Statement which was required as part of the process to approve the final accounts.

Members' attention was drawn to the main themes within the Annual Governance Statement for 2019/20 which were noted as follows:

- Housing affordability
- Morbidity/Growing number of years of ill health
- Wider economic environment
- Skills level and educational attainment
- Partner agency operational pressures
- Environmental pressures and sustainability challenges

Whereupon, it was

RESOLVED

that the Annual Governance Statement as attached as Appendix A of the report now submitted be approved and that the Executive Leader and

Managing Director be authorised to sign the Statement on behalf of the Council.

## **10 CODE OF FINANCIAL MANAGEMENT 2020/21**

The Committee received and noted a report by the Chief Financial Officer (a copy of which is appended in the Minute Book) detailing the outcome of the annual review of the Code of Financial Management which is included within the Council's Constitution.

Having been advised that only minor changes had been made and in noting that the Finance Governance Board had now been replaced by the Operations Senior Leadership Team, the Committee

RESOLVED

that Council be recommended to endorse the Code of Financial Management as attached as Appendix 1 of the report now submitted.

## **11 INTERNAL AUDIT PLAN 2020/21**

Consideration was given to a report by the Acting Internal Audit Manager (a copy of which is appended in the Minute Book) outlining the planned Internal Audit coverage for the second half of the 2020/21 year covering the period October 2020 to March 2021.

Having been assured that risk-based plans had been established to determine the priorities of the internal audit activities over the six month period and in noting the breadth of work to be undertaken by the team whilst being mindful of the current resource constraints, the Committee

RESOLVED

that the Internal Audit Plan for the period October 2020 to March 2021 be approved.

## **12 ANNUAL REPORT OF THE COMMITTEE**

Consideration was given to a report by the Acting Internal Audit Manager (a copy of which is appended in the Minute Book) to which was appended the Committee's draft Annual Report to Council for the year ending 31st March 2020.

Having had their attention drawn to the low return of skills and training needs assessment forms from Committee Members, it was agreed that the matter be raised at a future meeting.

RESOLVED

(a) that the Corporate Governance Committee Annual Report to Council for the year ending 31st March 2020 be approved for submission to the Council; and



(b) that the Chairman of the Committee be authorised to approve any amendments to the Report.

### **13 CORPORATE GOVERNANCE COMMITTEE PROGRESS REPORT**

The Committee received and noted a report (a copy of which is appended in the Minute Book) on progress of actions in response to any decisions taken at previous meetings.

Chairman

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**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Code of Conduct Complaints – Update

**Meeting/Date:** Corporate Governance Committee – 30th September 2020

**Executive Portfolio:** Councillor R Fuller, Executive Leader

**Report by:** Elections and Democratic Services Manager & Deputy Monitoring Officer

**Ward(s) affected:** All

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### **Executive Summary:**

This report provides Members with an update on complaints cases regarding alleged breaches of the Code of Conduct. The Committee is responsible for maintaining high standards of conduct by Members of the District and Town and Parish Councils, for monitoring operation of the Code of Conduct and for considering the outcome of investigations in the event of breaches of the Code.

### **Recommendation:**

**The Committee is requested to note the progress of any outstanding complaints and the conclusion of cases resolved since the meeting in March 2020.**

## 1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide a summary and update of completed or ongoing complaints received regarding alleged breaches of the Code of Conduct under the Localism Act 2011 since the start of the year.

## 2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 In accordance with the functions of the Committee, this report seeks to provide a summary of the current position in relation to the Code of Conduct complaints since the last meeting.
- 2.2 At the meeting of the Committee on 13th September 2017, Members requested that this report be submitted on a quarterly basis and to include categories of the Code of Conduct cases to enable feedback to be given to Town and Parish Councils should similar themes emerge on the nature of the complaints to enable further training to be arranged.

## 3. ANALYSIS

- 3.1 Details of allegations/complaints in relation to the Code of Conduct have been outlined in the table below. Specific detailed information regarding the complaint has not been provided as this may be prejudicial to the conduct of the ongoing complaints process and to protect the identity of councillors who may not have breached the Code of Conduct.

<b>Case Number</b>	<b>District/Town/ Parish Council</b>	<b>Allegation/complaint</b>	<b>Outcome</b>
20/37	Buckden Parish Council	Complaint against a Parish Councillor alleging she breached 3.4 (disrepute) and 3.5 (personal advantage) of the Code	After consultation with the Independent Person, complaint dismissed as complaint had been fully investigated by the Parish Council complaint about Parish Council as a whole dismissed as not within the scope of the Localism Act 2011.
20/39	Huntingdonshire District Council	Complaint against a District Councillor alleging he breached 3.4 (disrepute) of the Code	After consultation with the Independent Person, complaint dismissed as not in the public interest to proceed

<b>Case Number</b>	<b>District/Town/ Parish Council</b>	<b>Allegation/complaint</b>	<b>Outcome</b>
			with an investigation.
20/40	Warboys Parish Council	Complaint against a Parish Councillor alleging he breached 3.1 (leadership), 3.2 (bullying), 3.4 (disrepute) and 3.5 (personal advantage) of the Code	Complaint fully investigated by Parish Council and dismissed for any further investigation as out of time.
20/41	Warboys Parish Council	Complaint against a Parish Councillor alleging she breached 3.1 (leadership) and 3.7 (judgement) of the Code	Awaiting further clarification on the complaint.

#### **4. LEGAL IMPLICATIONS**

4.1 There are no significant implications to report.

#### **5. REASONS FOR THE RECOMMENDED DECISIONS**

5.1 This is an opportunity for Members of the Committee to be appraised of details of completed complaints and any outstanding complaints alleged against the Code of Conduct. This is in accordance with the functions of the Committee and its duty to discharge functions in relation to the promotion and maintenance of high standards of conduct within the Council and amongst Town and Parish Councils within the District.

#### **6. BACKGROUND PAPERS**

None.

#### **CONTACT OFFICER**

Name/Job Title: Lisa Jablonska, Elections and Democratic Services Manager & Deputy Monitoring Officer

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**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Update on Code of Conduct and Register of Disclosable Pecuniary Interests

**Meeting/Date:** Corporate Governance Committee – 30th September 2020

**Executive Portfolio:** Councillor R Fuller, Executive Leader

**Report by:** Member Support Assistant

**Ward(s) affected:** All Wards

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### **Executive Summary:**

The Monitoring Officer has a duty to establish and maintain a register of Disclosable Pecuniary Interests (DPIs). This report provides the Committee with details of the current level of returns by Town and Parish Councillors and by District Councillors. It also contains a breakdown of the adoption by Town and Parish Councils of Codes of Conduct.

### **Recommendation:**

**The Committee is requested to consider and comment on the report.**

## **1. PURPOSE OF THE REPORT**

- 1.1 Chapter 7 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of disclosable pecuniary or other interests of Members of the District Council. In addition, the District Council is responsible for maintaining the Register for Town and Parish Councils. The register is open for inspection at the District Council's offices and published on the District Council's website. Where a Town or Parish Council has a website, the District Council is required to provide that Council with the information necessary to enable it to publish their current register on its own website. Information in respect of the DPIs of each Town and Parish Council is presented in Appendix 1.
- 1.2 Each Town and Parish Council also has a duty to adopt a Code of Conduct. All Town and Parish Councils were requested to advise the Monitoring Officer when their Council had adopted a new Code and to confirm whether it was identical to that adopted and promoted by the District Council or alternatively the version produced by the National Association of Local Councils (NALC) or any other.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The Committee is responsible for maintaining high standards of conduct by Members of the District and Town and Parish Councils, for monitoring operation of the Code of Conduct and for considering the outcome of investigations in the event of breaches of the Code. The District Council has a duty to maintain and publish the Registers of Pecuniary Interests of the District and Town and Parish Councils. Those Members who fail to comply with the 2011 Act are guilty of an offence and liable to a maximum fine of £5,000 and disqualification for up to five years.
- 2.2 This report describes the current position in relation to both matters.

## **3. ANALYSIS**

- 3.1 All DPI forms that have been received have been published. Any changes made to pecuniary interests have also been published.
- 3.2 Of 71 Town and Parish Councils, 39 have had their full Register published on the District Council's website, 23 Parishes have published their Register with vacancies and 9 Parish Councils currently have a form outstanding.
- 3.3 In terms of individual DPIs, 586 out of a total of 651 have been received from Parish Councillors; with 51 vacant and 13 outstanding. The up to date position on each Council is noted in Appendix 1. It is unlikely that there will ever be a complete return at any one time because of the ever-changing Parish Council membership.
- 3.4 All District Councillors' DPI forms are uploaded onto the Council's website.



#### **4. KEY IMPACTS**

- 4.1 The Democratic Services Team regularly requests updates from those Parish Councils where DPIs are outstanding. Similarly, incomplete or inaccurate forms are returned to Parish Councils with a request to revise and return. All Parish Councils are asked twice a year to verify details held by the District Council regarding DPIs and the Code of Conduct adopted by each Parish Council.

#### **5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- 5.1 Parish Clerks are regularly reminded by email to submit DPI forms as soon as possible following any changes.

#### **6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

- 6.1 The Council's strategic priorities include collaboration with partners to enhance community resilience. By ensuring that DPIs are published, the Council is supporting local accountability and transparency in decision making which contributes to the objective to develop stronger and more resilient communities to enable people to help themselves.

#### **7. LEGAL IMPLICATIONS**

- 7.1 There is no legal obligation upon a Town or Parish Council to notify the Monitoring Officer that it has adopted a Code of Conduct. Records indicate, however, that all Town and Parish Councils have adopted a Code. 57 of those Parish Councils have adopted one based on that adopted by the District Council. 12 Town and Parish Councils have opted for the Code promoted by NALC, and two have adopted their own version of the Code. The up to date position on each Council is noted in Appendix 2.

#### **8. REASONS FOR THE RECOMMENDED DECISIONS**

- 8.1 The Committee take a role in maintaining high standards of conduct by elected Members and monitoring the Code of Conduct.

#### **9. LIST OF APPENDICES INCLUDED**

Appendix 1 - Town and Parish Councils Disclosable Pecuniary Interests (DPI) forms.

Appendix 2 - Town and Parish Council New Standards Regime and Code of Conduct.

#### **10. BACKGROUND PAPERS**

None.

## **CONTACT OFFICER**

Name/Job Title: Sophie Miller, Member Support Assistant

Tel No: 01480 388537

Email: [Sophie.Miller@Huntingdonshire.gov.uk](mailto:Sophie.Miller@Huntingdonshire.gov.uk)

## Town and Parish Councils' Disclosable Pecuniary Interests (DPI) forms

No	Town/Parish Council	No of Cllrs	DPIs Received	Vacancies	DPIs Outstanding
1	Abbots Ripton	6	6		
2	Abbotsley	7	7		
3	Alconbury	11	8	3	
4	Alconbury Weston	7	5	2	
5	Alwalton	5	5		
6	Barham & Woolley	5	5		
7	Bluntisham	11	10	1	
8	Brampton	15	14	1	
9	Brington & Molesworth	5	5		
10	Broughton	7	6	1	
11	Buckden & Diddington	15	15		
12	Buckworth	5	5		
13	Bury	9	9		
14	Bythorn & Keyston	5	5		
15	Catworth	7	7		
16	Colne	9	9		
17	Conington	5	4	1	
18	Earith	11	11		
19	Easton	5	5		
20	Ellington	7	7		
21	Elton	9	7	1	1
22	Farcet	11	3	5	3
23	Fenstanton	13	11	2	
24	Folksworth & Washingley	9	9		
25	Glatton	5	5		
26	Godmanchester	17	17		
27	Grafham	7	5	2	
28	Great & Little Gidding	7	5	2	
29	Great Gransden	9	9		
30	Great Paxton	9	8	1	
31	Great Staughton	9	8		1
32	Hail Weston	7	7		
33	Hemingford Abbots	7	5	2	
34	Hemingford Grey	13	9	4	
35	Hilton	9	9		
36	Holme	7	7		
37	Holywell cum Needingworth	13	13		
38	Houghton & Wyton	9	7	2	
39	Huntingdon	19	18		1
40	Kimbolton & Stonely	11	10	1	
41	Kings Ripton	5	4	1	
42	Leighton Bromswold	7	6	1	
43	Little Paxton	15	13	2	

44	Offord Cluny & Offord Darcy	11	11		
45	Old Hurst	7	7		
46	Old Weston	7	5	1	1
47	Perry	9	6	3	
48	Pidley cum Fenton	7	6	1	
49	Ramsey	17	17		
50	Sawtry	15	15		
51	Sibson cum Stibbington	7	7		
52	Somersham	15	13	2	
53	Southoe & Midloe	7	7		
54	Spaldwick	7	7		
55	St Ives	17	17		
56	St Neots	21	17	1	3
57	Stilton	11	9	2	
58	Stow Longa	5	5		
59	The Stukeleys	9	9		
60	Tilbrook	5	5		
61	Toseland	5	4		1
62	Upton & Coppingford	5	5		
63	Upwood & The Raveleys	9	6	2	1
64	Warboys	15	15		
65	Waresley cum Tetworth	5	5		
66	Wistow	7	7		
67	Woodhurst	7	6		1
68	Woodwalton	5	5		
69	Wyton on the Hill	7	6	1	
70	Yaxley	17	14	3	
71	Yelling	7	7		
	<b>Totals</b>	650	586	51	13

## Town and Parish Council New Standards Regime and Code of Conduct

No	Town/Parish Council	HDC Code	NALC Code	Own Code
1	Abbots Ripton	X		
2	Abbotsley		X	
3	Alconbury	X		
4	Alconbury Weston		X	
5	Alwalton	X		
6	Barham & Woolley	X		
7	Bluntisham	X		
8	Brampton	X		
9	Brington & Molesworth	X		
10	Broughton	X		
11	Buckden	X		
12	Buckworth	X		
13	Bury	X		
14	Bythorn & Keyston	X		
15	Catworth	X		
16	Colne			X
17	Conington	X		
18	Earith		X	
19	Easton	X		
20	Ellington	X		
21	Elton	X		
22	Farcet		X	
23	Fenstanton	X		
24	Folksworth & Washingley		X	
25	Glatton	X		
26	Godmanchester	X		
27	Grafham	X		
28	Great & Little Gidding	X		
29	Great Gransden	X		
30	Great Paxton	X		
31	Great Staughton	X		
32	Hail Weston		X	
33	Hemingford Abbots	X		
34	Hemingford Grey	X		
35	Hilton	X		
36	Holme	X		
37	Holywell cum Needingworth	X		
38	Houghton & Wyton			X
39	Huntingdon	X		
40	Kimbolton & Stonely	X		
41	Kings Ripton	X		
42	Leighton Bromswold	X		
43	Little Paxton	X		
44	Offord Cluny & Offord Darcy		X	
45	Old Hurst		X	

46	Old Weston	X		
47	Perry	X		
48	Pidley cum Fenton	X		
49	Ramsey	X		
50	Sawtry	X		
51	Sibson cum Stibbington	X		
52	Somersham	X		
53	Southoe & Midloe	X		
54	Spaldwick	X		
55	St Ives	X		
56	St Neots	X		
57	Stilton		X	
58	Stow Longa	X		
59	The Stukeleys	X		
60	Tilbrook	X		
61	Toseland	X		
62	Upton & Coppingford	X		
63	Upwood & The Raveleys	X		
64	Warboys	X		
65	Waresley cum Tetworth		X	
66	Wistow	X		
67	Woodhurst		X	
68	Woodwalton		X	
69	Wyton on the Hill	X		
70	Yaxley	X		
71	Yelling	X		
	<b>Totals</b>	<b>57</b>	<b>12</b>	<b>2</b>

**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Review of Fraud Investigation Activity 2019/20  
**Meeting/Date:** Corporate Governance Committee - 30 Sept 2020  
**Executive Portfolio:** Executive Councillor for Resources  
**Report by:** Corporate Fraud Manager  
**Ward(s) affected:** All

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### **Executive Summary:**

The Council's Anti-Fraud and Corruption Strategy sets out a requirement that a report shall be submitted on an annual basis to the Corporate Governance Committee detailing the work that has been undertaken by the Corporate Fraud Team (CFT).

During 2019/20, the CFT:

- Received 546 referrals
- Investigated and closed 348 cases and identified fraud valued at £671,310
- Recovered 6 social housing properties with two more pending
- Carried out 5 prosecutions
- Administered 147 Council Tax Penalties giving an income of £10k
- Administered 4 Administrative Penalties giving an income of £3.5k

### **Recommendation:**

The Corporate Governance Committee is invited to comment on the contents of this report which details the work that has been undertaken by the Corporate Fraud Team during 2019/2020.

## 1. PURPOSE OF THE REPORT

- 1.1 This report provides a summary of the activity of the Council's CFT in 2019/20 including the number of investigations undertaken, types of investigation and the value of the fraud identified.

## 2. BACKGROUND

- 2.1 The CFT plays a key role in ensuring that the Council meets its requirements under the Anti-Fraud and Corruption Strategy (AFCS) 2018-2021 by providing a comprehensive fraud service across the whole of the Council. The AFCS sets out the requirement for the Corporate Leadership Team to approve an annual business plan that sets out the priorities for the team. The priorities are based on the level of risk facing specific service areas within HDC and the AFCS.
- 2.2 The tables below show the outcomes of the work undertaken by the CFT in 2019-20 in line with the business plan.
- 2.3 The team consists of a manager, an investigation officer, and an intelligence / data analyst officer.
- 2.4 The CFT's main emphasis has been Council Tax Support (CTS), Single Person Discount (SPD) and Tenancy Fraud.

## 3. ANALYSIS/WORK UNDERTAKEN

- 3.1 The Corporate Fraud Team figures compared to last financial year:

	2018/19	2019/20
Allegations of fraud	580	546
Cases investigated	341	348
Cases where fraud was found	102(30%)	115(33%)
Social housing recovered	3	6
Prosecutions	9	5
Penalties/fines	34	147

The value of the fraud established for HDC administered services is broken down as follows:

	Fraud identified	Future 12month saving
Council Tax Support	£13,345	£11,100
Council Tax SPD	£51,565	£102,000
Housing Benefit *	£48,400	
Council Tax Fines issued	£10,290	
Administrative Penalties issued	£3,500	



Value of social housing recovered**	£558,000	

\*During the investigation of CTS and SPD cases, the team regularly find discrepancies in Housing Benefit and DWP benefits, details of which are passed on to the DWP to deal with. As this fraud would unlikely have been identified without HDC input, the value of this fraud is included in the figures above.

\*\* This figure has been taken from the Chartered Institute for Public Finance and Accountancy (CIPFA) Fraud and Corruption Tracker Report 2019 and represents a notional figure of the income lost to housing fraud.

- 3.2 The number of prosecutions has reduced this year mainly due to the low financial level of CTS and SPD fraud and therefore it is not always appropriate or in the public interest to prosecute when alternative sanctions are deemed more appropriate; however each case is considered on an individual basis and this also accounts for the increase in penalties issued. Under Council Tax Legislation a penalty of £70.00 per year of incorrect SPD award can be applied directly to the liability account.
- 3.3 The number of properties recovered has increased from last year due to successful collaboration with local Housing Associations. The CFT's work with Places for People has increased significantly due to the hard work the team has put in and the housing officers now having a better understanding of our work and the implications and impact Tenancy Fraud has on their residents and the wider community.
- 3.4 The CFT issues press releases in respect of successful prosecutions where it is appropriate to highlight the consequences of committing fraud against the Council.
- 3.5 The CFT also acts as the Single Point of Contact (SPOC) providing the DWP with information regarding Housing Benefit claims. In the last year over 101 Local Authority Information Exchange Form (LAIEF) were received and responded to in addition to dealing with numerous requests for further information.
- 3.6 The Corporate Fraud Manager is the Council's Coordinating Officer for the Regulatory Investigatory Powers Act which deals with Directed Surveillance and Communications Data requests. It is a requirement of the Council's Covert Surveillance (RIPA) Policy and Procedure that a report is made annually to CGC on any activity undertaken in line with the policy. In 2019/2020, HDC made three applications for Directed Surveillance regarding fly tipping matters and the deployment of covert cameras and one application for Communications Data also regarding fly tipping matters to ascertain subscriber and address information. All Communications Data requests were made via the National Anti-Fraud Network (NAFN).

#### **4. KEY IMPACTS / RISKS**

- 4.1 The Council is constantly at risk of fraudulent activity against its services and so the presence of the CFT helps to mitigate this risk. The main emphasis is on the prevention and detection of potential fraud in higher monetary value service areas such as Council Tax, i.e. ensuring the award of discounts, exemptions and CTS is correct and Housing, i.e. working with both internal and external partners to make sure that housing is allocated correctly and those who try to take advantage of the system are caught and where appropriate, prosecuted. The CFT also continues to support the Housing Team in checking and verifying application details when required.
- 4.2 The CIPFA Fraud and Corruption Tracker Summary Report 2019 sets out the main types of fraud identified across the country and the CFT uses this and other publications to stay up to date with current trends and new emerging risks. Council Tax has continued to be the largest area of identified fraud over the last three years and is the top fraud risk for districts and unitaries with £30.6.million of fraud being identified last year. Housing and Tenancy Fraud is another area of focus as the national shortage of accommodation and the number of people waiting to be housed means accommodation is valuable and needs to be utilised correctly.
- 4.3 The CFT also closely liaise with other enforcement teams in the council and have arranged some necessary training for the teams. The CFT has also produced a standardised file format for an online Prosecution File that can be uploaded via Teams to Legal. This ensures the file can be dealt with quickly and easily by Legal with them knowing where the necessary information will be.
- 4.4 During the current Covid 19 pandemic the CFT has supported and assisted other teams and services within the Council. There is an increased risk of fraud across various services where people look to take advantage of the current situation. The CFT will be actively involved in working with services most at risk to help identify and stop fraudulent claims being made against the Council.

#### **5. WHAT ACTIONS WILL BE TAKEN**

- 5.1 The CFT will continue to be proactive in identifying and investigating allegations of fraud and corruption against the Council. A key aim for 2020/21 is to restart the project the CFT had commenced for a Council Financial Investigator to look at and identify relevant prosecution cases that could also be dealt with under the Proceeds of Crime Act. Although the project was only into its second month when the Covid 19 pandemic hit the country the initial results had been extremely promising with about six cases being identified to take further. These covered several areas across the Council from Illegal Flytipping, Planning, illegal HMO's and a

Fraud Case. Currently this project and most of the Teams work has been put on hold due to the current restrictions in place.

- 5.2 The CFT continue to work closely with the Police and build our local connections. The CFT have been actively able to assist them in some visits and enquiries and they in turn have assisted us.
- 5.3 Joint working with the Department for Work and Pensions on Housing Benefit and Council Tax Support claims commenced in December 2018. This allows joint investigations on suitable cases with the ability to exchange information and evidence.
- 5.4 The CFT like many areas of the Council have had staff redeployed to support other vital services, with one member delivering food parcels to vulnerable residents and the rest of the team assisting with the roll out of the business rate grants. The CFT will also be actively involved in the Post Assurance checks and any subsequent fraudulent applications that may be identified as a result.
- 5.5 With current government restrictions in place this will undoubtedly have an impact on how the team investigates allegations. The uncertainty around the interviewing of suspects, taking witness statements and conducting visits is being closely monitored and will be updated once further government guidance has been received. However these considerations will be the same for all Enforcement Teams in the Council and of course depending on the Councils priorities and challenges over the next few months will determine where and what the CFT focus on.

## **6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND / OR CORPORATE OBJECTIVES**

- 6.1 Strategic priority: Becoming a more efficient and effective Council.

## **7. RESOURCE IMPLICATIONS**

- 7.1 The costs of the Fraud Team are incorporated into the main Revenues & Benefits budget and cannot be isolated.

## **8. REASONS FOR THE RECOMMENDED DECISIONS**

- 8.1 The Anti-Fraud and Corruption Strategy sets outs a requirement for an annual report to be submitted to the Corporate Governance Committee on the work of the Corporate Fraud Team during the previous financial year.

## **9. LIST OF APPENDICES INCLUDED**

Appendix 1 – Corporate Fraud Team Work Plan 2019/20

## **BACKGROUND PAPERS**

CIPFA Fraud and Corruption Tracker Summary Report 2019

<https://www.cipfa.org/services/counter-fraud-centre/fraud-and-corruption-tracker>

## **CONTACT OFFICER**

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Email: [Loraine.Martin@huntingdonshire.gov.uk](mailto:Loraine.Martin@huntingdonshire.gov.uk)

# HUNTINGDONSHIRE DISTRICT COUNCIL

## CORPORATE FRAUD TEAM - WORK PLAN 2019/20

### 1. INTRODUCTION

- 1.1 Huntingdonshire District Council (HDC) aims to set and achieve the highest standards of service provision in all of its services. This is underpinned by the strategic objective in the Corporate Plan to:

**Become a more efficient and effective Council.**

- 1.2 HDC is committed to actively safeguard public funds by preventing and detecting fraud and corruption. Maintaining high levels of probity, governance and ethics will ensure that HDC's resources can be focussed in providing services that matter to local residents.
- 1.3 HDC's commitment to dealing with fraud and error is demonstrated by having in place systems, resources and procedures designed to:
- limit the opportunities to commit fraudulent acts
  - enable such acts to be detected at the first opportunity
  - deal with investigations promptly, thoroughly, professionally and legally.
  - where appropriate use and publicise its sanction activity as a deterrent to future offending.
  - reduce the financial loss caused by fraudulent activity

To enable this, HDC retains a professional, fully trained Corporate Fraud Team (CFT). The work of this team is directly aligned to meet the priorities set out in the HDC's Countering Fraud and Corruption Strategy and CIPFA Fraud and Corruption Tracker 2018.

### 2. BACKGROUND

- 2.1 The work of the Team has included investigations into all areas of services provided by HDC but in particular around Council Tax Support, Single Person Discount, Tenancy Fraud but also includes advice given to other HDC enforcement teams.
- 2.2 In order to identify current fraud and loss the following documents have been used to develop this work Plan. The Chartered Institute of Public Finance & Accountancy (CIPFA) Code of Practice on Managing the Risk of Fraud and Corruption, the CIPFA Fraud & Corruption Tracker and HDC's Countering Fraud and Corruption Strategy 2018-2021.

### 3. SET UP OF CORPORATE FRAUD TEAM

3.1 The team's substantive structure is currently:

- 1 Fraud Manager (CFM)
- 1 Investigating Officer (IO)
- 1 Fraud Intelligence and Analyst Officer (AO)

All staff hold accredited fraud qualifications, e.g. Professionalism in Security (PINS) or the equivalent to a BTEC Level 5. The team will attend conferences and training workshops to keep up to date with current trends and emerging risks. This also enables us to network with colleagues and exchange ideas and best practice.

3.2 Sifting of referrals: The AO will sift all reported fraud in line with current procedures and select those cases suitable for full investigation and those which can be dealt with in other ways. The sift will include an assessment of potential loss with those cases highlighted as producing larger or more immediate savings being prioritised.

3.3 Investigations: The IO will undertake investigations into all cases selected for full investigation.

3.4 Management: The CFM will work to develop working with partners to identify services at risk of fraud. The FM oversees all investigations, prepare files for disposal in line with the Fraud Prosecution Policy and produces reports for senior officers and Members.

### 4. WORK PRIORITIES FOR THE TEAM 2019/20

4.1 In setting the work priorities of the team for the forthcoming year, reference has been made to a number of documents including Fighting Fraud & Corruption Locally 2016-2019, Fraud and Corruption Tracker 2018 both published by CIPFA and HDC's Anti Fraud and Corruption Strategy 2018- 2021. In setting these priorities we have also taken into account the pressures on our own services and have identified the following areas:

- Council Tax Reduction Support (CTRS).
- Housing Benefit – this is still an area we are involved in due to its close links with CTRS and if investigating this type of case our findings will also have an impact on the Housing Benefit award.
- Since December 2018 joint working has recommenced with the Department for Work and Pensions on cases including Housing benefit and CTRS.
- Council Tax Discounts.
- Housing Tenancy Fraud - illegal subletting.
- Housing/ homeless Applications.

- Housing Benefit Matching Service referrals.
- National Fraud Initiative
- Business Rates – This has been identified by CIPFA to be an area of growth as far as fraud is concerned and the CFT will look to do some work in this area.

## Targets

Council Tax penalties	20
CTRS Ad Pens	15
Recover 4 properties through work with Housing Associations	4
Identify fraud and error across council services	£300K

With the overall level of individual overpayments on cases this year reducing, the team has looked at how to deal more effectively and efficiently with lower level cases and how we may apply penalties. Serious cases of fraud will always be considered for more serious action or prosecution however it is also necessary to look at the cost of prosecuting lower level frauds and if this is time and cost effective disposal method.

- 4.2 In addition the Corporate Fraud Team is the Single Point of Contact (SPoC) for dealing with enquiries received from the Department for Work and Pensions (DWP) in relation to Housing Benefit investigations in line with the requirements and deadlines set by the DWP.
- 4.3 The CFT is called upon to provide expertise and mentoring for other enforcement services in collection of evidence and interview facilities. The CFT offers a wide variety of services including credit reference data, local intelligence, checking for previous convictions or even hands on interview specialism to other sections within the council.
- 4.4 The Corporate Fraud Manager is also the Council's co-ordinating officer for RIPA and responsible for maintaining the central register of applications. Requests for communications data under RIPA are dealt with by the National Anti Fraud Network (NAFN) and following changes to this legislation the investigating officer is now responsible for making these types of request.
- 4.5 With the merger of Luminus with Places for People we continue to have discussions with them and managed to secure some training last October for a large number of their staff regarding tenancy fraud. This

has made a dramatic difference in the level of communication and referrals received.

- 4.6 For securing the gateway to ensure that HDC services are only provided to people legitimately entitled to receive them, all proof of ID is put through the Trust ID scanners and the CFM has audit permissions for this system so is aware of any documents that are referred for further verification. The scanners are now also used to verify the right to work for all new HDC employees.
- 4.7 The CFT will investigate and assist the HDC HR service when requested in any matters concerning fraud or disciplinary action in relation to staff.
- 4.8 The CFT will work with the HDC Audit Section and partners to determine whether there is a risk to HDC and take appropriate action.

## **5. PROCESSES FOR PROACTIVE / RESPONSIVE WORK.**

- 5.1 The CFT receives regular data sets from internal services such as Electoral Registration, Licensing, Benefits, etc. to enable data matching. This identifies potentially fraudulent access and use of Council services.
- 5.2 Housing Benefit Matching Referrals are received on a monthly basis via secure email from the DWP. These types of matches highlight claims where certain benefits have ceased yet Housing Benefit is still being paid on the basis that the customer is entitled to Income Support or Job Seekers Allowance. These types of referrals also highlight matches against undeclared bank or savings accounts that may not have been declared to HDC.
- 5.3 In the case of Housing tenancy fraud a full report is provided to the Housing Association and then joint discussions would be undertaken on how best to proceed and if the case is to be prosecuted then HDC CFT will take the lead.
- 5.4 The National Fraud Initiative are also releasing additional reports throughout the year which highlight potential cases for investigation relating to Single Person Discounts and CTRS cases. They also highlight and enable us to cleanse our data regarding mortality checks and ensure it is up to date and relevant.
- 5.5 The CFT meets weekly with other HDC enforcement teams from Planning, Housing and Communities to discuss any cases that may be of interest or could have an impact across other service areas. This is a useful platform for sharing information, problem solving and collaboratively working.



## **6. RISKS**

- 6.1 The level of resource on the CFT means that there could be a capacity issues if levels of fraud allegations referred to the team increase. The role of the Intelligence and Analyst Officer is key in ensuring that the allegations carrying most risk (financial or reputational) are prioritised by the team.
- 6.2 Although the CFT does collaborate on proactive work with other enforcement teams across the Council, there is a risk that fraud in some service areas is not identified. It is vital that all managers take responsibility to identify risks specific to their service area and put controls in place to minimise loss. The CFT is keen to work with any team to assist in this piece of work. Some risks will be identified through the internal audit programme and the CFT will work with the Internal Audit Team as and when necessary.

## **7. PUBLICITY**

- 7.1 The CFT encourages allegations of fraud to be reported to HDC through the following:
- a 24-hour telephone line (automated voicemail system) that is checked daily
  - a further phone line manned during office hours
  - an e-mail account linked directly to the CFT
  - on-line referral forms on the HDC website
  - at any of the Council's offices in person or in writing
- 7.2 Prosecutions are regularly publicised in the local press as both a deterrent to prospective fraudsters and as a way of encouraging further referrals.
- 7.3 Any decisions made in the disposal of cases are made in line with the council's prosecution policy.

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**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Whistleblowing (Policy, Guidance and Concerns Received)

**Meeting/Date:** Corporate Governance Committee – 30th September 2020

**Executive Portfolio:** Executive Councillor for Resources and Corporate Services

**Report by:** Deborah Moss, Acting Audit Manager

**Wards affected:** All

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### **Executive Summary:**

The purpose of whistleblowing law is to protect individuals who make 'protected' disclosures of wrongdoings in the public interest without fear of reprisals from their employer.

The Whistleblowing Policy and Guidance have been reviewed and it is recommended that they remain unchanged with the exception of updating one postholder. The outcome of this review will be included in the Local Code of Corporate Governance. The Policy and Guidance are included within the Councils' Code of Conduct.

Only Council employees, contractors or suppliers providing services under a contract to the Council are classified by law as whistleblowers. There have been seven whistleblowing allegations received during 2019/20 that related to disclosures received internally from staff. An additional 5 disclosures have been received throughout the year from members of the public, none of these relating to allegations about staff, and these do not come under whistleblowing rules. The whistleblowing allegations have not resulted in any heightened risk or concern that needs to be brought to the Committee's attention.

### **Recommendation:**

The Committee is invited to comment on the contents of this report and to acknowledge the annual review of the Whistleblowing Policy and Guidance as still fit for purpose.

## **1. PURPOSE OF THE REPORT**

- 1.1 To confirm to the Committee the number of whistleblowing allegations received in the year, both internally and from members of the public.
- 1.2 To restate / refresh the Whistleblowing Policy and Guidance as part of an annual review, and to approve any amendments.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The Whistleblowing policy and guidance notes were both introduced in 2000 in response to the Public Interest Disclosure Act 1998. Both documents are reviewed annually to ensure they continue to be fit for purpose.

## **3. ANALYSIS**

- 3.1 Seven whistleblowing allegations (as per the definition in the Policy) were received in the year 19.20 and related predominantly to Health & Safety matters. All cases were dealt with internally either through service manager investigation or disciplinary procedure and were concluded to the satisfaction of the Audit Manager.
- 3.2 Another five allegations were received from members of the public. These were passed to the relevant Services to investigate and have not caused any further issue or impact that needs consideration and are not classified as Whistleblowing reports.
- 3.3 A publicity campaign is generally undertaken once a year to promote the policy to staff. Over the years a wide variety of posters have been designed to promote the policy. With the continuing pattern of homeworking, and lack of visibility to such posters, it would seem prudent to publicise the policy and guidance to staff via an Intranet post to serve as a reminder.

## **4. REASONS FOR THE RECOMMENDED DECISIONS**

- 4.1 The policy requires an annual report be presented to the Committee. After reviewing the policy and guidance, they are deemed still fit for purpose and effective. Remote working does not require any change to the guidance and access to the Whistleblowing Hotline can be performed remotely.

## **5. LIST OF APPENDICES INCLUDED / BACKGROUND PAPERS**

Whistleblowing Policy  
Whistleblowing Guidance

## **CONTACT OFFICERS**

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## Huntingdonshire District Council Whistleblowing Policy

Huntingdonshire District Council recognises that those that it employs and provides services to are often in the best position to know when the interests of the public are being put at risk. They can act as an early warning system on matters of health and safety or help to uncover fraud and mismanagement.

The Council also recognises that these people may not wish to express their concerns for a number of reasons. They may think it is disloyal to do so or they may fear reprisals, or they may not expect any action to be taken, or they may not know the best way to proceed. They may therefore find it easier to ignore their own concerns, or to “blow the whistle” to someone outside the Council.

The Council wants to build an environment of trust and openness so that individuals are prepared to whistle blow knowing that their concern will be treated confidentially and investigated appropriately.

This Policy has been prepared in response to the Public Interest Disclosure Act 1998 and other legislation<sup>1</sup> and the Code of Practice issued by Public Concern at Work<sup>2</sup>. The latest version was adopted by the Corporate Governance Committee on behalf of the Council on 30 September 2020.

### SCOPE OF THE POLICY

This policy applies to all Council employees and those contractors working for the Council on its premises. It also covers suppliers and those providing services under a contract with the Council in their own premises.

The term ‘individual’ is used throughout this policy and includes all of the above.

### POLICY STATEMENT

The Council is committed to the highest possible standards of openness, probity and accountability and to dealing with all fraud and other forms of malpractice reported.

Any individual with serious concerns about any aspect of the Council’s work shall be encouraged to come forward and voice those concerns without fear of victimisation, subsequent discrimination or disadvantage or dismissal. Concerns

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<sup>1</sup> Enterprise and Regulatory Reform Act 2013

<sup>2</sup> Public Concern at Work is a charity. It is the leading independent supporter of whistleblowers and a provider of best practice guidance and advice

may relate to issues that are occurring now, took place in the past, or are likely to happen in the future.

All concerns received will be treated in confidence, examined and investigated in accordance with this policy.

## **PROTECTED DISCLOSURE**

Any individual who raises a concern shall be treated as though they are making a protected disclosure if they disclose any information which they reasonably believe is made in the public interest and relates to any of the areas listed below:

- fraud and corruption
- any customers that we deal with, particularly children, being mistreated or abused
- an unlawful act
- the health and safety of any individual has been, or is likely to be endangered
- damage to the environment
- discrimination of any kind; or the
- deliberate concealment or suppression of any information that falls into any of the areas above.

This list is not exhaustive.

Individuals who make a protected disclosure will be protected from victimisation, subsequent discrimination or disadvantage or dismissal.

## **CONCERNS NOT COVERED BY THE POLICY**

The Council wants all serious or sensitive concerns to be raised. This policy is not intended to replace existing policies or procedures.

- Individuals who have a concern about their own personal circumstances or how they are being treated at work should first raise their concerns informally with their line manager who will attempt to resolve the concern<sup>3</sup>. If that is not possible then the grievance or dignity at work policy should be followed.
- Members of the public who wish to raise a concern should use the complaints procedure.
- If the concern refers to the misconduct of a Councillor, the procedure set out in the Member Code of Conduct should be followed.

If an individual raises a protected disclosure concern under the wrong policy or procedure, it will be treated as though it was made correctly.

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<sup>3</sup> Certain types of personal circumstance concerns may still be classed as protected disclosures if the public interest test is satisfied. Please contact the Internal Audit & Risk Manager for more information.

## **IMPLEMENTING THE POLICY**

The Council shall take appropriate action to publicise the policy so that all individuals:

- feel confident that they are able to contact the Council and raise their concerns about Council practices
- realise that concerns should be raised about any individual, councillor, supplier or anyone who provides services to the public on the Council's behalf
- are aware of the different ways they can inform the Council of their concerns
- understand that concerns will be received in good faith and taken seriously
- are aware that anonymous concerns may not be investigated
- who have provided their contact details understand that they will receive a response to their concerns and how to take the matter further if they are dissatisfied with the response
- are reassured that they will be protected from victimisation, subsequent discrimination or disadvantage.

A guidance note shall be made available setting out the actions that will normally be taken when a concern is received.

## **RAISING A CONCERN**

THE COUNCIL WILL MAINTAIN A NUMBER OF DIFFERENT CHANNELS THAT ALLOW CONCERNS TO BE RAISED. FULL DETAILS ARE CONTAINED IN THE GUIDANCE NOTE.

The Council will encourage individuals to raise their concerns openly and reserves the right not to investigate anonymous concerns.

## **INVESTIGATING OFFICER**

All concerns received under this policy shall be reported immediately to the Internal Audit Manager who will be responsible for reviewing the concern, deciding upon the action to take, leading and directing investigations, preparing any subsequent reports and liaising with the individual raising the concern.

## **UNTRUE CONCERNS**

No action will be taken against any individual who raises a concern that they have reason to believe to be true.

If during the course of an investigation it is felt that the concern has been raised frivolously, maliciously or for personal gain, appropriate disciplinary action will be taken.

## **SAFEGUARDS**

The Council will not dismiss or subject any individual to detriment of any kind, due to them making a 'protected disclosure'.

The identity of the individual raising the concern will remain confidential. If disclosure is required for any reason then this will be discussed with the individual concerned.

The Council will not tolerate the harassment or victimisation (including informal pressures) of any individual who has raised a concern.

The Council's disciplinary procedures will be used against anybody who is found to be harassing or victimising the individual raising the concern or who has disclosed the name of that individual to anybody other than the Council's Managing Director, the Corporate Director (People) or the Internal Audit Manager.

## **WHISTLEBLOWING EXTERNALLY**

Whilst the Council would like all concerns to be raised with it initially, it recognises that the Public Interest Disclosure Act 1998 allows for concerns to be made to "prescribed persons". The guidance note will provide information on how an individual can whistle-blow to a prescribed person.

## **MONITORING AND REVIEW**

The Corporate Director (People) will be responsible for monitoring the implementation and effectiveness of this policy and guidance note. This will include an annual review, and an annual report to the Corporate Governance Committee on the effectiveness of the arrangements that have been introduced. The Local Code of Corporate Governance shall contain details of the outcome of the annual review and the effectiveness of the whistleblowing arrangements.

End.



Version: September 2020. Reviewed annually

## Huntingdonshire District Council Guidance Note for Whistleblowers

This guidance has been prepared to accompany the [Whistleblowing Policy](#). It explains how the Council will deal with whistleblowing concerns that it receives.

We realise that for some individuals it will take a great deal of courage to raise a concern. If you honestly and reasonably believe what you are saying is true, you will have nothing to fear by telling us your concern. We would much rather be told about a concern and investigate it, even if the investigation shows your concern was unfounded, than not know about the matter in the first place.

Your concern will be treated in confidence. We will not tolerate the victimisation of anyone who reports an issue to us. Without exception, we will take disciplinary against anyone who victimises any individual.

Concerns received may require different responses. This guidance is intended to provide you with an idea of the steps we will generally follow when a concern is received.

### WHAT YOU NEED TO TELL US

If you have a concern then please raise it with us openly rather than anonymously. Openness makes it easier for us to assess the issue, work out how to investigate the matter and if required, obtain more information. It is best if your concern is raised in writing and that you provide your name and some contact information. An email address or telephone number would be sufficient.

You need to tell us as much as you can about your concern. Please try and provide some background information and all the names, dates and places that are relevant. If you have any documentary evidence to support your concern that should be also be provided. The more information you are able to provide the easier it will be for us to investigate your concern.

If you are uneasy about putting your concern in writing then contact us using one of the methods below and ask for a meeting. This doesn't have to be at the Council's offices. If you wish you can bring other people to the meeting if that will reassure you (e.g. legal representative, colleague, Staff Council or Union representative).

## HOW TO CONTACT US

There are a number of ways in which you can raise a concern.

You can:

- speak to your line manager, a member of the Internal Audit team, a Head of Service or the Corporate Director (People).
- complete the [online form](#)
- send an email to [whistleblower@huntingdonshire.gov.uk](mailto:whistleblower@huntingdonshire.gov.uk)
- leave a message on the 24 hour telephone hotline: [01480 387080](tel:01480387080).
- write a letter, clearly marking the envelope Strictly Private & Confidential to:

Internal Audit Manager  
Huntingdonshire District Council  
Pathfinder House  
St Mary's Street  
Huntingdon  
PE29 3TN

## WHO WILL INVESTIGATE YOUR CONCERN?

All concerns received are passed to the Internal Audit Manager. They are the only person who can see what has been written on the electronic forms or in emails. They are also the only person who can access messages left on the telephone hotline. Post that is marked 'strictly private and confidential' will be passed unopened to them.

The Internal Audit Manager will use their discretion when deciding if an anonymous concern is to be investigated, taking the following factors into account:

- The seriousness of the issue raised
- The amount of information provided to support of the concern
- Whether the individual may be required to provide further information
- The ability to trace the individual if the concern is considered malicious.

## **WHAT WE WILL DO**

Once we have received your concern the Internal Audit Manager will initially assess the information you have provided and consider what action should be taken.

If the concern is valid but should not be classed as a protected disclosure (e.g. bullying) within the terms of the whistleblowing policy, they will contact you and ask whether you want the information to be passed to the appropriate manager for further action. You will also be asked if you wish your name to be disclosed or not.

Depending on the outcome of the initial assessment it may be that your concern is valid but that we have insufficient information to continue with the investigation. If this happens we will try and obtain further information to allow us to continue with the investigation. If this is not possible and no other option is available to us, we may request you to gather additional information on our behalf. You are under no obligation to do this however.

Once we have validated your concern and have sufficient information to continue, your concern will be investigated.

All meetings, decisions and actions taken in dealing with the concern will be recorded in writing.

## **LETTING YOU KNOW WHAT WE'RE DOING**

If you have provided contact information we will contact you within 10 working days, summarising your concern and telling you:

- whether an investigation will take place and if not, why not;
- who will be handling the matter and how you can contact them;
- how long we estimate the investigation will take;
- whether your further assistance may be needed; and
- providing you with information on the support that is available to you; and

When the investigation has been completed we will contact you again and provide you with as much detail about the investigation as we are able to. It may be that we aren't able to tell you the precise action we have taken, as this may infringe a duty of confidence owed by us to someone else.

## **WHAT IF YOU ARE UNHAPPY WITH OUR RESPONSE**

If:

- you believe that we have not properly investigated your concern; or
- you are unhappy with the outcome of any investigation

you should contact the Council's Managing Director or Corporate Director (People). They will decide if any further action is to be taken.

## WHO TO REPORT TO EXTERNALLY

If you

- remain unhappy with the decision reached by the Council's Managing Director or Corporate Director (People); or
- sincerely believe that by raising your concern with us you will be subject to detriment (victimisation or reprisals) of whatever sort, or that evidence to support your concern will be destroyed, then you should raise the matter with an external organisation, known as a "prescribed person".

The Government has issued a [list of prescribed persons](#) who you can make a disclosure to.

If you wish to report externally, but are unsure of what to do then please contact either the Internal Audit Manager or the Corporate Director (People). They will be able to advise you on what you need to do, without asking for details of your concern.

Alternatively you can contact **the Council's external auditors, Ernst & Young** on [01223 394 400](tel:01223394400).

When raising a concern externally remember to make it clear that you are raising the issue as a whistleblower.

## MAINTAINING CONFIDENTIALITY

We will do our utmost to protect your identity. If it has to be disclosed to allow us to undertake disciplinary or other more serious action against any wrongdoer, then we will discuss this with you. In some circumstances, especially if the Police are involved, we may be legally obliged to disclose your identity without your consent. Again, we will discuss this with you.

If you feel that you have suffered detriment or been in any way disadvantaged because you have raised a concern then you must let us know. We will take action to protect you as long as we believe that your concern was raised in the public interest and that you have not intentionally provided us with false information.

## FURTHER INFORMATION AND ADVICE

If you want further information or advice about whistleblowing then please contact either:

Deborah Moss, Acting Internal Audit Manager  
or  
Oliver Morley, Corporate Director (People)

 01480 388475

 [01480 388103](tel:01480388103)

End.

Version: September 2020. Reviewed annually.

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**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Single Tender Awards

**Meeting/Date:** Corporate Governance Committee – 30th September 2020

**Executive Portfolio:** Executive Councillors for Finance and Resources and Corporate Services

**Report by:** Assistant Directors for Corporate Services and Transformation

**Wards affected:** All

**Executive Summary:**

It is a requirement within the Council's Constitution, under the Code of Procurement, that the approval of single tenders/quotes by a Head of Service/Assistant Director are to be reported to the next quarterly meeting of the Corporate Governance Committee. Owing to the COVID-19/coronavirus pandemic and the move towards virtual committee meetings, this is the earliest opportunity that Officers have had to bring this report to an appropriate meeting of the Committee.

Three tenders have been approved as follows:

Details	Approved by
Proposed Sale of Bridge Place Car Park and Associated Legal Conditions	Assistant Director, Corporate Services in conjunction with Monitoring Officer
Remedial Works to OakTree Health Centre	Assistant Director, Corporate Services in conjunction with Monitoring Officer
Support for Vulnerable Person App	Assistant Director, Transformation

Further details are provided within this report.

**Recommendation:**

The Committee is invited to comment and note the contents of this report.

## 1. PURPOSE OF THE REPORT

- 1.1 To notify the Committee of single tenders/quotes approved by a Head of Service/Assistant Director.

## 2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Three single tenders have been approved by the Assistant Director, Corporate Services and Assistant Director, Transformation. Details of each are provided below:

<b>Proposed Sale of Bridge Place Car Park – Legal Engagement</b>		
<b>Details</b>	<b>Value</b>	<b>Approved by</b>
For specialist legal advice in relation to compliance, planning and common land law.	£15,000 (of which only £7,500 will be met by HDC)	Assistant Director, Corporate Services in conjunction with Monitoring Officer.

<b>Remedial Works to OakTree Health Centre</b>		
<b>Details</b>	<b>Value</b>	<b>Approved by</b>
It is in the Council's best interest to engage a particular consultant, agent or adviser.	£8,925	Assistant Director, Corporate Services in conjunction with Monitoring Officer.

<b>Support for Vulnerable Person App</b>		
<b>Details</b>	<b>Value</b>	<b>Approved by</b>
For deployment, implementation and data migration to an application which will improve how we manage providing support to vulnerable people within the district.	£8,000 (which will be reclaimed as a COVID-19 cost)	Assistant Director, Transformation

- 2.2 Paragraph 6.4 (e) of the Code of Procurement, contained in the Council's Constitution, states that a single tender/quote can be approved:



“where the Head of Service/Assistant Director considers a single quote is in the Council’s best interests and:

- ◆ the total value is less than £25,000; and
- ◆ the details and justification are reported to the next quarterly Corporate Governance Committee”.

2.3 Additionally, in the case for the Proposed Sale of Bridge Place Car Park, approval was also sought from the Monitoring Officer in accordance with paragraphs 6.5 (b) and (e) and paragraph 6.6 of the Code of Procurement:

“6.5 (b) Specialist consultants, agents or professional advisers are required and

- ◆ there is no satisfactory alternative; or
- ◆ evidence indicates that there is likely to be no genuine competition; or
- ◆ it is in the Council’s best interest to engage a particular consultant, agent or adviser.”

“6.5 (e) For reasons of interoperability / interchangeability or substantial duplication of costs.”

“6.6 If the single quote/tender option is used, the Manager shall:

- (a) seek approval of the Monitoring Officer; and
- (b) retain records that demonstrate that the best price or value for money has been obtained from the negotiations with the contractor.”

### **3. REASONS FOR THE RECOMMENDED DECISIONS**

3.1 It is a requirement within the Council’s Constitution, under the Code of Procurement, that the approval of single tenders/quotes by a Head of Service/Assistant Director are to be reported to the next meeting of the Corporate Governance Committee.

### **4. LIST OF APPENDICES INCLUDED / BACKGROUND PAPERS**

None.

### **CONTACT OFFICERS**

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## CORPORATE GOVERNANCE COMMITTEE PROGRESS REPORT

Committee	Decisions	Date for Action	Action Taken	Officer Responsible	Delete from future list
02/10/2019	<p><b>Annual Complaints Report 2018</b></p> <p>Consideration of content of future reports to include information around the compliments the Council had received.</p>	20/01/2021	Compliments will be added to the next annual report for the period April 2019 and March 2020.	Customer Services Manager	No
22/01/2020	<p><b>Annual Report on HDC Compliance with the Freedom of Information (FOI) &amp; Environmental Information Regulations (EIR) Acts</b></p> <p>Agreed that future reports should include details of previous years' performance data to help identify trends.</p>	20/01/2021	Previous years' performance data will be added to the next annual report in January 2021.	Information Governance Manager	No

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