

Pecyn Dogfen Gyhoeddus



Swyddog Cyswllt:
Nicola Gittins on 01352 702345
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At: Bob Aelod o'r Cyngor

Dydd Mercher, 4 Rhagfyr 2019

Annwyl Gyngorydd

Fe'ch gwahoddir i fynychu cyfarfod Cyngor Sir y Fflint a fydd yn cael ei gynnal am 2.30 pm Dydd Mawrth, 10fed Rhagfyr, 2019 yn Siambr y Cyngor, Neuadd y Sir, Yr Wyddgrug CH7 6NA i ystyried yr eitemau canlynol

R H A G L E N

Mae'r rhaglen hon yn destun cyfyngiadau o ran cynnwys oherwydd Cyfnod yr Etholiad sy'n dechrau ar 7 Tachwedd ac yn dod i ben ar 13 Rhagfyr.

1 YMDDIHEURIADAU AM ABSENOLDEB

Pwrpas: I dderbyn unrhyw ymddiheuriadau.

2 COFNODION (Tudalennau 5 - 12)

Pwrpas: I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 19 Tachwedd 2019.

3 DATGAN CYSYLLTIAD

Pwrpas: I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r aelodau yn unol a hynny.

4 CYHOEDDIADAU'R CADEIRYDD

Pwrpas: Derbyn unrhyw gyhoeddiad fel y'l dosbarthwyd.

5 DEISEBAU

Pwrpas: Mae hwn gyfle I Aelodau'r Cyngor gyflwyno deisebau ar ran pobl yn eu ward. Unwaith y byddant wedi dod I law, caiff deisebau eu pasio I'r Prif Swyddog priodol ar gyfer gweithredu ac ymateb iddynt.

6 CYFLWYNIAD Y LLUOEDD ARFOG

Pwrpas: Dathlu cyflawniadau diweddar trwy ein Cyfamod Lluoedd Arfog a chyflwyniad y Wobr Aur am y Cynllun Cydnabod Gweithwyr gan y Weinyddiaeth Amddiffyn.

PRIF EITEMAU BUSNES

7 DIWEDDARIAD AR GYLLIDEB 2020/21 (Tudalennau 13 - 26)

Adroddiad Prif Weithredwr, Rheolwr Cyllid Corfforaethol -

Pwrpas: Cymeradwy'r pwysau ariannol a'r arbedion effeithiolrwydd hyd yma yn dilyn adborth gan y Pwyllgorau Craffu.

EITEMAU BUSNES CYFFREDIN

8 ADRODDIAD BLYNYDDOL TROSOLWG A CHRAFFU 2018/19 (Tudalennau 27 - 56)

Adroddiad Prif Swyddog (Llywodraethu) -

Pwrpas: Ystyried a chymeradwyo Adroddiad Blynyddol Trosolwg a Chraffu ar gyfer 2018/19.

9 STRATEGAETH GWRTH-DWYLL A LLYGREDIGAETH A CHYNLLUN YMATEB I DWYLL (Tudalennau 57 - 108)

Adroddiad Prif Swyddog (Llywodraethu) -

Pwrpas: Cael cytundeb Aelodau i'r newidiadau a wnaed o fewn Strategaeth Gwrth-dwyll a Llygredigaeth a Chynllun Ymateb i Dwyll y Cyngor.

10 **POLISI RHANNU PRYDERON** (Tudalennau 109 - 144)

Adroddiad Prif Swyddog (Llywodraethu) -

Pwrpas: Gofyn am gymeradwyaeth Aelodau i'r newidiadau a wnaed i Bolisi Rhannu Pryderon y Cyngor.

11 **RHYBUDD O GYNNIG** (Tudalennau 145 - 146)

Pwrpas: Derbyn unrhyw Rhyuddion o Gynnig: cafwyd un erbyn y dyddiad cau.

Yn ystod y cyfnod cyn yr etholiad, mae angen cyfyngu ar destun Rhybuddion Cynnig. Ystyriwyd bod yr Hysbysiad o Gynnig sydd ynghlwm yn anwleidyddol ac felly'n dderbyniol gan y Swyddogion Statudol.

ER GWYBODAETH YN UNIG

12 **CWESTIYNAU GAN Y CYHOEDD**

Pwrpas: Derbyn Cwestiynau Cyhoeddus ar gyfer yr eitem hon: doedd dim wedi dod I law erbyn y dyddiad cau.

13 **CWESTIYNAU**

Pwrpas: Nodi'r atebion I unrhyw gwestiwn a gyflwynwyd yn unol a Rheol Sefydlog 9.4(A) y Cyngor Sir: doedd dim wedi dod I law erbyn y dyddiad cau.

Yn ddiffuant,



Robert Robins
Rheolwr Gwasanaethau Democraidd

HYSBYSIAD GWEDDARLLEDU

Bydd y cyfarfod hwn yn cael ei ffilmio a'i ddarlledu'n fyw ar wefan y Cyngor. Bydd y cyfarfod cyfan yn cael ei ffilmio oni bai fod eitemau cyfrinachol neu wedi'u heithrio dan drafodaeth.

Yn gyffredinol ni fydd y manau eistedd cyhoeddus yn cael eu ffilmio. Fodd bynnag wrth i chi ddod i mewn i'r Siambr, byddwch yn cydsynio i gael eich ffilmio ac i'r defnydd posibl o'r delweddau a'r recordiadau sain hynny ar gyfer gweddarlledu a/neu ddibenion hyfforddi.

Os oes gennych chi unrhyw gwestiynau ynglŷn â hyn, ffoniwch aelod o'r Tîm Gwasanaethau Democrataidd ar 01352 702345.

Eitem ar gyfer y Rhaglen 2

FLINTSHIRE COUNTY COUNCIL **19 NOVEMBER 2019**

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 19 November 2019

PRESENT: Councillor Marion Bateman (Chair)

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Haydn Bateman, Sean Bibby, Chris Bithell, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Bob Connah, Paul Cunningham, Jean Davies, Rob Davies, Ron Davies, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, Mared Eastwood, Veronica Gay, David Healey, Gladys Healey, Patrick Heesom, Kevin Hughes, Ray Hughes, Joe Johnson, Paul Johnson, Christine Jones, Richard Jones, Tudor Jones, Colin Legg, Richard Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Mike Peers, Vicky Perfect, Neville Phillips, Ian Roberts, Kevin Rush, Tony Sharps, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Martin White, Andy Williams, David Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Glyn Banks, Sian Braun, David Cox, Adele Davies-Cooke, Andy Dunbobbin, Carol Ellis, David Evans, George Hardcastle, Cindy Hinds, Dave Hughes, Dennis Hutchinson, Rita Johnson, Brian Lloyd, Michelle Perfect, and Owen Thomas

IN ATTENDANCE:

Chief Executive; Chief Officer (Governance); Chief Officer (Planning, Environment and Economy); Chief Officer (Streetscene & Transportation); Chief Officer (Housing & Assets); Chief Officer (Social Services); Senor Manager Human Resources and Organisational Development; Democratic Services Manager; and Democratic Services Officer

Prior to the start of the meeting the Chair read out a statement to advise Members that during the General Election period not to refer in debate to political parties, the political 'colour' of Governments, or the potential impacts of any particular election outcome.

60. PRESENTATION

APSE Apprentice of the Year Awards Recognition

The Chair advised that the APSE Apprentice of the Year Awards was open to all local authorities to recognise the achievements of front line service apprentices and the support they received from Councils and partner organisations. The prestigious Awards were presented to the most enthusiastic apprentices who proved themselves to be innovative and focused on producing excellence in their service area. In competition against peers from across the United Kingdom, it was a significant achievement for an apprentice to be announced as a shortlisted finalist. The Chair was pleased to inform that Flintshire County Council had three apprentices which

had reached the finals of the APSE Apprentice of the Year Awards Recognition in 2019.

The Chair welcomed and introduced Gareth Allen, Apprentice Painter and Decorator, Housing Asset Management, Finalist in the 'Building Skills' category; Matthew Evans, Streetscene Operational Apprentice, Finalist in the 'Streetscene' category; and Adam Cook, Streetscene Operational Apprentice, who was overall winner of the 'Streetscene' category.

Councillor Carolyn Thomas explained that Matthew and Adam had joined the Council in September 2018 as Streetscene Operational Apprentices and were beginning their second year of the programme. During the first year they had worked alongside operational staff on highways maintenance, grounds maintenance, cleansing and waste and recycling services, whilst completing an Environmental Services NVQ at Coleg Cambria. Matthew and Adam had been nominated for the APSE Apprentice of the Year Awards 2019 after receiving positive feedback about their attitude, enthusiasm, and progress, from their mentors and college tutor. Both were strong contestants and shortlisted as Finalists. Following a rigorous interview process against other contenders from across the UK, Adam was awarded Overall Winner of the Streetscene Category.

Councillor Thomas spoke in support of the apprentice scheme which had been provided by the Streetscene service for the last five years and said it provided a valuable opportunity for young people to learn a range of new skills and operate machinery. Apprentices worked in a number of areas across the Streetscene Service to gain an overall view and identify their preferences. Councillor Thomas advised that the Service also offered a range of certificated national accredited training which was provided 'in-house'. She expressed her congratulations to Matthew and Adam and thanks to their tutors and mentors.

Councillor Ian Dunbar congratulated Gareth on achieving Finalist in the 'Building Skills' category. He explained Gareth had started his apprenticeship with the Council as a painter and decorator in September 2018 and had proved himself to be an asset to the Service. In addition to being a finalist at the APSE Awards, Gareth was also recently awarded a Certificate of Recognition at "Skills Competition Wales" following nomination by his college tutor. Feedback from the APSE judges stated: "Gareth came across as passionate about his apprenticeship and gave excellent insight into the value it has to him personally and his ambitions for the future".

The Chair congratulated Gareth, Matthew and Adam on their achievements and presented them with their APSE Awards.

The Chair thanked Ian Peters and Denise Price, Team Managers – Housing & Assets, and Gemma Boniface, Wayne Jones and Russell Broughton, Streetscene & Transportation, for their work and support.

61. MINUTES

The minutes of the meeting on 22 October 2019 were received.

Accuracy

Page 5: Councillor Patrick Heesom asked that the minutes be amended to record that he was unable to attend the start of the meeting due to a prior engagement.

Page 7: Councillor Richard Jones referred to his comments on the last paragraph. He said that he had asked a question on the Deeside Plan and how it had affected the Transport Strategy in Flintshire and said there was no reference to the second part of his question in the minutes. He asked that the minutes be amended to reflect this.

Page 12, paragraph 7, the training session link to the Domestic Abuse Safety Unit (DACU) should read (DASU).

Matters arising

Page 7: Councillor Clive Carver said he had not yet received the information requested on the number of landlords/letting agents not complying with Rent Smart Wales regulations.

RESOLVED:

That subject to the amendments, the minutes be approved and signed by the Chair as a correct record.

62. DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chief Officer (Governance) referred to Item 10 – Updated Pay Policy Statement for 2019/20 and explained that as the Statement had not changed and there were no proposed changes to the current practice, Members and officers could remain in the meeting without declaring an interest, however, if during debate Members wished to seek change to the current practice he would revise his advice.

63. CHAIR'S COMMUNICATIONS

In presenting her Communications, which had been circulated prior to the meeting, the Chair highlighted a number of events and referred to the Buckley Mayor's Charity Ball and Dinner, the official opening of Llys Raddington Extra Care Home, Flint, and the official opening of Hwb Cyfle Day Centre, Queensferry.

64. PETITIONS

None were received.

65. TRIBUTES TO THE LATE CONCILLOR NIGEL STEELE-MORTIMER

Prior to making tribute to the late Councillor Steele-Mortimer the Chair referred to the sad news of the death of former County Councillor Ann Slowick. The Chair thanked

the Vice-Chair for attending the funeral of Councillor Slowick to represent the Authority on her behalf. She advised that Councillor Slowick had been the Chair of County Council 2001-2002 and would be remembered as a hard-working and well respected colleague by many Members.

The Chair said she had been privileged to attend the funeral of Councillor Nigel Steele-Mortimer who had been a member of the Council for over 30 years. She said he was admired and respected by all Members and she had always found him to be a true gentleman. The Chair expressed her deep condolences to his wife and family on their sad loss.

The Chair asked Members to stand for one minutes silence in tribute to the late Councillor Nigel Steele-Mortimer and Councillor Ann Slowick.

Councillor Clive Carver led the tributes from Members. He said Councillor Nigel Steele-Mortimer had been a long-serving Member since 1987 and held a number of senior appointments during his term of office. He had also been a member of many prominent and worthy external organisations and bodies and again held a range of senior positions within them. Councillor Carver commented on Councillor Steele-Mortimer's role and responsibilities during active service, his professional career, and personal interests and hobbies. He reiterated the view expressed by the Chair that he was a gentleman and a man of integrity; a person who could be trusted and gave good counsel. He said Councillor Steele-Mortimer would be sadly missed.

Councillors Ian Roberts, Patrick Heesom, Arnold Woolley, Neville Phillips, Tony Sharps, Mike Peers and Derek Butler made further tributes to Councillor Steele Mortimer. They spoke of their long-standing association with him and reiterated that he had served the Council well in a number of senior positions and was an immeasurable source of guidance and information to others. Members reiterated that Councillor Steele-Mortimer was highly respected by Members and Officers and was regarded as an honourable and trusted friend who would give help and sound advice when needed.

Councillors Ian Roberts, Tony Sharps and Derek Butler also paid tribute to former Councillor Ann Slowick who represented the Gronant Ward. They said Councillor Slowick was hard working and had served the Council in a distinguished manner as a previous Chair of Council and had been an excellent representative for her community. She had been well regarded for her personal qualities by all Members.

Members thanked Councillor Steele-Mortimer and Councillor Slowick for their commitment and service to Flintshire and said they were exemplars of how an elected Member should conduct Council and community business.

66. WELCOME TO COUNCILLOR KEVIN RUSH

The Chair formally welcomed Councillor Kevin Rush, newly elected Member for Bagillt West.

Councillor Rush thanked the Chair for her warm welcome. He also thanked Members, officers, and staff for their welcome and support and specifically the

Returning Monitoring Officer and the Election team for their work on the Bagillt West By-Election. He said it was a privilege to be elected to represent the Bagillt West community and he would strive to serve residents to the best of his ability.

67. FLINTSHIRE ELECTORAL REVIEW

The Chief Executive introduced the report to respond to the Local Democracy and Boundary Commission of Wales (LDBC) Review of the Electoral Arrangements of the County of Flintshire – Draft Proposals. The consultation period during which the Council and other interested parties could respond to the proposals would end on 27 November 2019.

The Chief Executive thanked Members for their work and collaboration to achieve local consensus in most cases and meet the deadline for Stage 2 of the review process. He referred to the initial consultation between November 2018 and January 2019 when Members had made proposals to the LDBC for changes to improve local representation. Appended to the report was the Council's draft response to Stage 2 of the LDBC's draft proposals for Flintshire. The Chief Executive explained that the approach to the initial response had been to allocate proposals a red/amber/green (RAG) status which has been carried through to the second response (Green being supported LDBC proposals or alternative proposals which had consensus amongst local Members; Amber showed local proposals which do not have full consensus support; and Red indicated that no local agreement had been possible).

The Democratic Services Manager presented the report. He advised that the LDBC draft proposals for Flintshire, published in August 2019, changed the arrangement of electoral wards to achieve a "significant improvement" in the level of electoral parity across Flintshire. This would mean a Council of 65 Members with a proposed County average ratio of 1,836 electors per Member, and a reduction to 39 electoral wards instead of the current 57. He reiterated that the draft proposals to be submitted to the LDBC, based on extensive consultation undertaken with Members, were detailed in the appendix to the report.

The Democratic Services Manager said that Members had a unique understanding of the areas which they represented and knowledge of local needs and community ties which provided community cohesion and effective representation. He said that some of the Council's proposals might not meet LDBC electoral parity requirements but they did present viable options which would have local support. He reported on the main considerations around the proposals which had formed the Council's response to the consultation. He explained that there was still an opportunity prior to the deadline on 27 November 2019 for Members to make further personal representations or encourage group representations. Following conclusion of the Stage 2 process the Commission would prepare a Final Proposals Report (Stage 3) which would be submitted to the Welsh Government. He cautioned that changes at Stage 3 would be difficult.

The Chief Executive explained that the Council's response brought out the areas, as detailed in the report, where it felt that the Commission had deviated too much from

its own rules. He reiterated the need to provide the best response possible to the proposals at Stage 2 as change may not be accepted later.

In moving the report Councillor Ian Roberts thanked the Democratic Services Manager and the Election Team for their work and assistance to help Members formulate a response to the proposals. He also thanked Group Leaders for their work and spoke of the Council's united opposition to the proposal to have three member wards. The Chief Executive explained that the Council's response would emphasise its opposition to the creation of three member wards.

Councillor Richard Jones referred to the example in the report that the proposal for combining the current three Holywell wards into a three member ward would mean that each individual Member had the prospect of representing not the LDBC ratio of 1 member:1,836 people but 1 member:4,634 people and said this would increase to 1 member:6,900 people for a Buckley ward member. He suggested that a second example be included in the response to highlight the variation in numbers.

Councillor Mike Peers said the LDBC draft proposals received in August had caused concern in some communities in Flintshire around the introduction of three member wards and instances where wards were to be joined together. He supported the views expressed by Councillor Ian Roberts and Group Leaders that three member wards were not required in Flintshire. He thanked the Chief Executive and Chief Officer (Governance) for their work on the Council's response to the LDBC and said the offer to put forward additional representations prior to the deadline was welcomed.

Councillor Peers referred to the Council's draft response appended to the report. He said that the second column on the proposed ward, number of Members etc., had come directly from the Commission in the August proposals. He said that the green comments in certain instances advised of the number of electors to move from one ward to another but he felt that the number of wards in a town needed to be clarified, for example where 4 wards had reduced to 2 in the commentary it should be stated that there was a need to retain 4 wards. He also said there was a need to clarify the proposed members per ward in the latest proposals.

Councillor Clive Carver referred to the Ewloe, Hawarden, Aston, and Mancot wards and said a suggestion which had the agreement of all the current councillors for the wards, was that as Hawarden was being absorbed the other areas would have an east/west or north/south element, for example Hawarden East, or Hawarden West and said he did not see reference to this in the appendix. The Democratic Services Manager agreed to include the comment in the Council's response to the LDBC. The Chief Executive confirmed that an email would be sent to all concerned – to that effect - and that the proposals would be referred to in the response as consensus.

Councillor Neville Phillips commented on the National Assembly for Wales elections to be held next year and said he understood that voting may be introduced for 16/17 year olds which would effect the calculations for member:elector ratios in the current wards in Flintshire. The Chief Executive acknowledged the point made by Councillor Phillips and advised that the Local Government Bill had only just been published and if enacted would be in place next year. He explained that it was discounted by the

LDBC under its current legal brief, and his advice was that it could not be relied upon in the Council's response at this point in time.

Councillor Chris Bithell commended the Democratic Services Manager and his team for their assistance to support Members in comprehensive and sensitive matters. He said he fully supported the views which had been expressed on the opposition to introduce three member wards in some areas. He spoke of the strong relationship between Members and their local communities which was vitally important.

In summarising the Chief Executive explained that the Council, in a written letter with evidence, would challenge the LDBC to balance community ties and artificial ratio.

The recommendation in the report was moved by Councillor Ian Roberts and seconded by Councillor Bernie Attridge.

RESOLVED:

That the Council agrees to submit the proposals set out in Appendix 1 with variation.

68. UPDATED PAY POLICY STATEMENT FOR 2019/20

The Chief Executive introduced the report and provided background information. He explained that the Pay Policy Statement presented within the report was an amended version of the seventh annual Statement approved by the Council in January 2019. It had been necessary to update the pay policy to reflect the changes to pay for a large proportion of the workforce as a result of a pay modelling exercise to accommodate Year Two (2019) of the NJC pay agreement.

The Senior Manager Human Resources and Organisational Development presented the main considerations, as detailed in the report. She advised that having implemented the various national pay awards the Authority's lowest evaluated rate of pay was £17,364 and the medium salary had increased to £19,554 and said the gender pay gap was closing. She explained that only five sections of the pay policy had been amended. Four were minor changes which reflected changes due to pay awards and improvement in the position around pay relativity. She continued that the main change was in Section 11 – National Living Wage (NLW) and the introduction of the new pay model.

The Senior Manager commented on the scope of work. She said the effective date of the new pay model had been 1 April 2019 and it was implemented in July 2019 (backdated to April 2019). An independent Equality Impact Assessment had been undertaken which in summary found the amendment to the pay and grading structure to be a positive development.

In response to a question from Councillor Bernie Attridge on the national living wage the Senior Manager commented on compliance with the national agreement and explained that the Council had been a living wage employer since April 2019.

Councillor Richard Jones thanked the Senior Manager and her team for their work and acknowledged the commitment to stay within budget, manage the pay gender gap, and collaborative work undertaken with Trade Unions.

RESOLVED:

That the Updated Pay Policy Statement for 2019/20 as appended to the report be approved.

69. PUBLIC QUESTION TIME

None were received.

70. QUESTIONS

None were received.

71. NOTICE OF MOTION

None which were eligible and able to be considered during the pre-election period were received.

72. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press or public in attendance.

(The meeting started at 2.00 pm and ended at 3.24pm)

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Chair

Eitem ar gyfer y Rhaglen 7



COUNTY COUNCIL

Date of Meeting	Tuesday, 10 th December 2019
Report Subject	Council Fund Revenue Budget 2020/21
Cabinet Member	Leader of the Council and Cabinet Member for Finance
Report Author	Chief Executive and Corporate Finance Manager
Type of Report	Strategic

EXECUTIVE SUMMARY

This report sets out (1) the latest local financial forecast for 2020/21 (2) the work to date to develop and agree local solutions to meet the projected 'gap' in the budget requirement for 2020/21 within the forecast (3) the arrangements for and expectations around the Welsh Government Budget and the Provisional Local Government Settlement which are due to be announced in tandem on 16th December (4) the remaining local options to achieve a legally balanced budget for 2020/21 alongside the Settlement and (5) the timetable to complete budget closure by March.

The report includes the following table:

- Table 1: Updated Financial Forecast 2020/21

RECOMMENDATIONS

1	That Council notes the updated forecast for 2020/21. The forecast includes the cost pressures which have been reviewed and endorsed by the respective Overview and Scrutiny Committees which have met thus far.
2	That Council notes the completed first stage of solutions to meet the budget requirement which total £8.164M. The specific service portfolio and corporate financing solutions have been reviewed and endorsed by the respective Overview and Scrutiny Committees which have met thus far (This first stage of solutions includes a provisional Council Tax rate of 5%. The level of Council Tax is a reserved matter for full Council and this will not be decided until the February meeting. The recommended level of Council Tax may vary depending on the budget requirement outstanding at the final stage of the budget.)

3	That Council notes the arrangements for the announcement of the Provisional Welsh Local Government Settlement.
4	That Council notes and accepts the limited range of local options which are available to reach a balanced budget alongside the outcome of the Settlement.
5	That Council notes the timetable for the closing stages of the annual budget setting process.

REPORT DETAILS

1.00	EXPLAINING THE FINANCIAL FORECAST																																				
1.01	<p>The Financial Forecast</p> <p>The forecast has been continuously revised to take into account (1) changes to the pressures included in the original April forecast and (2) new pressures which were not previously known or fully understood and calculated. The impact of the changes has been to increase the budget gap by £0.181M to £16.355M at December.</p>																																				
1.02	The latest forecast for 2020/21 as at December is shown in Table 1 below.																																				
1.03	<p>Table 1: Updated Financial Forecast 2020/21 (December)</p> <table border="1"> <thead> <tr> <th>Cost Pressure Groups: November Figures</th> <th>20/21</th> </tr> <tr> <th></th> <th>£M</th> </tr> </thead> <tbody> <tr> <td>Pay Inflation</td> <td>5.456</td> </tr> <tr> <td>Non-pay Inflation</td> <td>0.759</td> </tr> <tr> <td>Social Care Pressures</td> <td>5.574</td> </tr> <tr> <td>Education Pressures (non-pay)</td> <td>0.788</td> </tr> <tr> <td>Other Service Pressures</td> <td>1.376</td> </tr> <tr> <td>Repayment of Reserve from 2019/20</td> <td>2.221</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Total</td> <td>16.174</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Additional Fixed Cost Pressures</td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>North Wales Fire and Rescue Levy (see 1.04 below)</td> <td>0.156</td> </tr> <tr> <td>Members Allowances (see 1.04 below)</td> <td>0.025</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Revised Total</td> <td>16.355</td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Cost Pressure Groups: November Figures	20/21		£M	Pay Inflation	5.456	Non-pay Inflation	0.759	Social Care Pressures	5.574	Education Pressures (non-pay)	0.788	Other Service Pressures	1.376	Repayment of Reserve from 2019/20	2.221			Total	16.174			Additional Fixed Cost Pressures				North Wales Fire and Rescue Levy (see 1.04 below)	0.156	Members Allowances (see 1.04 below)	0.025			Revised Total	16.355		
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1.04	A breakdown of the cost pressures per service portfolio, and under corporate financing, has been reported to and reviewed by the respective Overview and Scrutiny Committees which have met thus far. There is no recommended change to the list of cost pressures (as at November) as a result of this Scrutiny review and the forecast makes full provision for																																				

	<p>them. Several additional known fixed cost pressures have been included since the Committee review began, as shown in Table 1 above. The North Wales Fire and Rescue Service is still to finalise its budget for 2020/21 and an estimated uplift in the levy contribution from the Council has been included in the forecast. The impact of the recommendation of the Independent Remuneration panel for Wales for an uplift on Member Allowances has also now been included. These adjustments give us a revised total to find of £16.355M.</p>
1.05	<p>The solutions available to the Council to balance the 2020/21 budget have been grouped as follows in the series of reports to Cabinet and the Overview and Scrutiny Committees: -</p> <ul style="list-style-type: none"> - National Funding - Portfolio Business Plans and Corporate Finance - Local Taxation and Income - Organisational Change
1.06	<p>Ahead of setting out these solutions it is possible to make a single reduction to the forecast budget requirement due to a national development. It is now Welsh Government practice to provide a specific grant to local government to fund a proportion of the annual teachers' pay award which takes effect each September. It is a calculable risk that a grant will be made towards the 7/12^{ths} of the 2020/21 financial year for which a pay award will be due, and in the base for the 2021/22 financial year and thereafter. Welsh Government is not due to determine the level of this annual pay award, and the way in which it is to be funded, until later in 2020. Our expectation is that Welsh Government should pay for the 2020/21 pay award in full. On this basis the forecast can be adjusted by £0.726M to a revised figure of £15.629M. Confirmation will be sought from Welsh Government on their pay-setting plans between now and the final stage of budget-setting.</p>
1.07	<p>National Funding</p> <p>In September the UK Government announced the outcome of its one-year spending review and set out its spending plans for 2020/21. The outcome is an increase of £593M revenue for the Welsh Government budget above the 2019/20 baseline – an increase of 2.3%. Analysis undertaken by the Welsh Local Government Association (WLGA) has identified that the cost pressures facing Councils across Wales in 2020/21 total £254M - rising to an estimated £739M by 2022/23. The case had been made that these cost pressures are met in full by Welsh Government from the additional funding announced through the UK Spending Review for Welsh Local Government to be sustainable.</p>
1.08	<p>Welsh Government is due to announce the Provisional Local Government Settlement for 2020/21 in tandem with its overall budget for Wales on Monday 16th December. Welsh Government has committed to make statements on the level of the key specific service grants for 2020/21 as part of this announcement. Many of these grants are critical to service continuity in areas including education, environment, social services and supported housing.</p>

1.09	<p>Portfolio Business Plan Efficiencies and Income</p> <p>The total efficiencies recommended from service portfolio plans for 2020/21 amount to £1.034M of which £0.270M will come from income. These have been reviewed in full by the Corporate Resources Overview and Scrutiny Committee and by three portfolio specific Overview and Scrutiny Committees which have met thus far, according to their terms of reference and remits. The Environment and Organisational Change Overview and Scrutiny Committees have not met at the time of writing this report. A summary of the feedback from the Overview and Scrutiny Committees is given at Appendix 1. The feedback from the Environment and Organisational Change Overview and Scrutiny Committees will be reported at this meeting.</p> <p>There is a significant risk to the achievement of the income target for post-16 education transport due to restrictions on fare charging for certain types of vehicles which the UK Government Department of Transport intends to impose. This is a recent development. This risk will be reported separately, and with more certainty, at the final stage of budget setting.</p>
1.10	<p>Corporate Finance Efficiencies</p> <p>Corporate finance efficiencies have been recommended in (1) a reduction in the provision for in-year employer pension contributions (£0.500M) and (2) a reduction in the provision for in-year price inflation (£0.250M). The initial contribution from corporate finance management totals £0.750M which, when combined with the service portfolio efficiencies, provides a first contribution of £1.784M to meet the budget gap. These efficiencies have been reviewed in full by the Corporate Resources Overview and Scrutiny Committee. A summary of the feedback from the Overview and Scrutiny Committees is given at Appendix 1.</p> <p>A second contribution can confidently be assumed to become available within the base budget provision for our future employer contributions to the Clwyd Pension Fund deficit as the triennial actuarial review comes to its completion. The actuarial review resets the employer contributions to be made to the pension fund for (1) its ongoing obligations to the pension entitlement of its membership base and (2) making up the historical deficit for the pension fund to reach a position of being fully funded i.e. a position where its total income matches its total current and future requirements to pay out contributions to its members. Once completed the financial implications of the actuarial review will be reported in full. A 'dividend' is expected on (2) the deficit contributions, due to the high investment return performance of the Clwyd Pension Fund over the past three years. This means that we now have an over-provision in our base budget and that this can be reduced. At this late stage of the review we are confident that a minimum of £2.0M can be taken out of the base budget and used to add as a contribution to the budget gap, taking the contribution from portfolios and corporate financing to £3.784M.</p>
1.11	<p>Local Taxation and Income</p> <p>For budget planning purposes a provisional Council Tax rate of 5% is being included in all of our calculations. The level of Council Tax is a</p>

	<p>reserved matter for full Council and this will not be decided until the February meeting. The recommended level of Council Tax required may vary depending on the budget requirement outstanding at the final stage of the budget. An increase at this level would yield an additional £4.380M in income net of a deduction for an increase in the Council Tax Reduction Scheme - Council Tax Benefits to be paid out. However, being able to contain Council Tax at the level will require a much-improved Settlement from Welsh Government.</p> <p>The Council is continuing to review its current fees and charges with the aim to reach full cost recovery for as many services as possible. A number of opportunities for new income generating activities are being considered which may provide additional income in the future. All agreed changes for 2020/21 have already been included in the service portfolio efficiencies and income total shown in 1.09 above.</p>
1.12	<p>Organisational Change</p> <p>Further options for change are under development under the second phase of Alternative Delivery Models (ADM) and Digital Strategy as two main programmes of work for the medium term. No immediate yield can be relied upon from this work for the 2020/21 financial year. These are medium-term programmes which will impact positively on the budget in 2021/22 at the earliest.</p>
1.13	<p>Budget Summary, Process and Timeline</p> <p>A combination of corporate finance portfolio efficiencies and income, the income derived from an indicative level of Council Tax increase, and the 'dividend' from the actuarial review of the Clwyd Pensions Fund summarised above would generate a significant contribution to the budget of £8.164M (subject to the issues and risks noted in the report).</p> <p>The only remaining local options which can be reviewed to build on this contribution, dependent on the outcome of the Welsh Government budget are (1) further review of the Clwyd Pension Fund employer contributions in liaison with the Fund Actuary e.g. rephasing the agreed strategy to reach a fully funded position over a longer period of years (2) sharing of schools cost pressures with schools themselves e.g. teachers' pay and removing budget uplifts included in the forecast e.g. inflation indexation – a fall-back position of which schools are aware (3) a limited set of other corporate finance provisions such as the Council Tax predicted yield and Single Person Discount recovery rates (4) a reduction in the provision for the uplift in commissioning fees for social care providers as annual negotiations continue and (5) a higher level of Council Tax than the working assumption of 5%.</p> <p>There is no scope for further service portfolio efficiencies for 2020/21, and the deadline has passed for requests for any further service review work in time for budget closure. Un-earmarked Council reserves are now at a low level, and no further contribution can be safely drawn down to assist with budget setting this year.</p>

	<p>Some of the above options would be high risk e.g. (2) and others would be dependent on the professional advice of third parties such as the pension fund actuary e.g. (1). The financial value range of the options (1) to (4) is £1.0-2.9M. Every 0.5% rise in Council Tax above 5.0% would yield a further net increase in income of £0.360M.</p> <p>An improved Settlement is expected for 2020/21. The big question is whether there will be a sufficient uplift on the current levels of funding for local government for Flintshire and other councils to be able to set safe and legally balanced budgets for next year. If not, the Council will have no option but to attempt to exploit the remaining options listed above including Council Tax and/or invite the Welsh Government to make a specific financial intervention to assist the Council.</p> <p>The impacts of the annual Formula Distribution changes are also of concern. Each year the distribution of the funding block for Welsh councils under the Local Government Funding Formula is adjusted to follow a set of annualised population and demographic changes. Under the latest distribution analysis, Flintshire is set to be a significant net loser. Discussions are continuing within the Welsh Local Government Association and Welsh Government to set a 'floor' – a way of capping the levels of loss to councils with a negative distribution impact - as in previous years. The risk here is that a proportion of the funds Flintshire will gain from an uplift in the Settlement could be deducted and redistributed elsewhere in Wales.</p>
1.14	<p>The timetable for the closing stages of the annual budget setting process is as follows: -</p> <p>16th December – Announcement of the Provisional Welsh Local Government Settlement</p> <p>7th January - National Assembly for Wales plenary debate on the 2020/21 Budget</p> <p>28th January Council Meeting - Review of the remaining local options to reach a balanced budget alongside a full analysis of the Provisional Settlement and its implications</p> <p>18th February Council Meeting – Final budget-setting decisions including final agreement on the level of Council Tax</p> <p>25th February – Announcement of the final Welsh Local Government settlement.</p> <p>27th February Council Meeting – Passing of the formal Council Tax resolution</p> <p>4th March - National Assembly for Wales passing of the final budget</p>

2.00	RESOURCE IMPLICATIONS
2.01	<p>Revenue: The revenue implications for the 2020/21 budget are set out in the report.</p> <p>Capital: there are no implications for the approved capital programme for either the current financial year or for future financial years – the capital programme for 2020/21 onwards will be subject to a separate report.</p> <p>Human Resources: none.</p>

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT												
3.01	In the absence of adequate funding being provided by Welsh Government there is a significant risk that the Council will not be able to meet its statutory obligation to set a balanced budget for 2020/21. These risks will be fully explained and explored later in the budget setting process.												
3.02	<p>Ways of Working (Sustainable Development) Principles Impact</p> <table border="1"> <tr> <td>Long-term</td> <td>Negative – the absence of longer-term funding settlements from Welsh Government means that sustainable support for service delivery is challenging for the longer term. Sustainable funding from Welsh Government that provides additional funding for Indexation, Service demands and new legislation will provide a positive and sustainable position for the Council in the longer term</td> </tr> <tr> <td>Prevention</td> <td>As above</td> </tr> <tr> <td>Integration</td> <td>Neutral</td> </tr> <tr> <td>Collaboration</td> <td>Services continue to explore opportunities for collaboration with other services and external partners to support positive impacts</td> </tr> <tr> <td>Involvement</td> <td>Communication with Members, residents and other stakeholders throughout the budget process</td> </tr> </table> <p>Well-Being Goals Impact</p> <table border="1"> <tr> <td>Prosperous Wales</td> <td>Longer term funding settlements from Welsh Government that provide additional funding for Indexation, service demands and new legislation will aid sustainability and support a strong economy that encourage business investment in the region. The opposite will be true if settlements are inadequate.</td> </tr> </table>	Long-term	Negative – the absence of longer-term funding settlements from Welsh Government means that sustainable support for service delivery is challenging for the longer term. Sustainable funding from Welsh Government that provides additional funding for Indexation, Service demands and new legislation will provide a positive and sustainable position for the Council in the longer term	Prevention	As above	Integration	Neutral	Collaboration	Services continue to explore opportunities for collaboration with other services and external partners to support positive impacts	Involvement	Communication with Members, residents and other stakeholders throughout the budget process	Prosperous Wales	Longer term funding settlements from Welsh Government that provide additional funding for Indexation, service demands and new legislation will aid sustainability and support a strong economy that encourage business investment in the region. The opposite will be true if settlements are inadequate.
Long-term	Negative – the absence of longer-term funding settlements from Welsh Government means that sustainable support for service delivery is challenging for the longer term. Sustainable funding from Welsh Government that provides additional funding for Indexation, Service demands and new legislation will provide a positive and sustainable position for the Council in the longer term												
Prevention	As above												
Integration	Neutral												
Collaboration	Services continue to explore opportunities for collaboration with other services and external partners to support positive impacts												
Involvement	Communication with Members, residents and other stakeholders throughout the budget process												
Prosperous Wales	Longer term funding settlements from Welsh Government that provide additional funding for Indexation, service demands and new legislation will aid sustainability and support a strong economy that encourage business investment in the region. The opposite will be true if settlements are inadequate.												

Resilient Wales	Continuation of services to support communities and social cohesion will have a positive impact. The opposite will be true if settlements are inadequate.
Healthier Wales	An appropriate level of funding will ensure that communities are supported and will have a positive impact. The opposite will be true if settlements are inadequate.
More equal Wales	A positive impact with greater parity of funding from Welsh Government for all Welsh Local Authorities. The opposite will be true if settlements are inadequate.
Cohesive Wales	Appropriate level of funding will support services working alongside partners. The opposite will be true if settlements are inadequate.
Vibrant Wales	As Healthier and Cohesive Wales above
Globally responsible Wales	Neutral

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Consultation with Group Leaders, Overview and Scrutiny Committees, external partners, external advisors and representative bodies, local schools, the workforce and trade unions is continuous. An interactive feature is about to be launched on the Council's website which shows how our budget works, the efficiencies we have made over the years and our budget situation, and how our resources are used.

5.00	APPENDICES
5.01	Appendix 1: Summary of Feedback from the Overview and Scrutiny Committees Specific Reports for Overview and Scrutiny Committees – Corporate Resources OSC http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=141&MId=4506&Ver=4&LLL=0

	<p>Social & Health Care OSC http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=150&MId=4588&Ver=4&LLL=0</p> <p>Education & Youth OSC http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=472&MId=4656&Ver=4&LLL=0</p> <p>Community & Enterprise OSC http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=471&MId=4655&Ver=4&LLL=0</p> <p>Organisational Change OSC http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=473&MId=4579&Ver=4&LLL=0</p> <p>Environment OSC http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=142&MId=4608&Ver=4&LLL=0</p>
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6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Medium Term Financial Strategy – Forecast 2020/21 – 2022/23 April 2019 Cabinet - http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=391&MId=4252&Ver=4&LLL=0</p> <p>Medium Term Financial Strategy – Forecast 2020/21 – 2022/23 October 2019 Cabinet – http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=391&MId=4453&Ver=4&LLL=0</p>

7.00	CONTACT OFFICER DETAILS
7.01	<p>Contact Officer: Gary Ferguson, Corporate Finance Manager Telephone: 01352 702271 E-mail: gary.ferguson@flintshire.gov.uk</p>

8.00	GLOSSARY OF TERMS
8.01	<p>Medium Term Financial Strategy (MTFS): a written strategy which gives a forecast of the financial resources which will be available to a Council for a given period, and sets out plans for how best to deploy those resources to meet its priorities, duties and obligations.</p> <p>Revenue: a term used to describe the day to day costs of running Council services and income deriving from those services. It also includes charges for the repayment of debt, including interest, and may include direct financing of capital expenditure.</p> <p>Budget: a statement expressing the Council's policies and service levels in financial terms for a particular financial year. In its broadest sense it includes both the revenue budget and capital programme and any authorised amendments to them.</p> <p>Revenue Support Grant: the annual amount of money the Council receives from Welsh Government to fund what it does alongside the Council Tax and other income the Council raises locally. Councils can decide how to use this grant across services although their freedom to allocate according to local choice can be limited by guidelines set by Government.</p> <p>Specific Grants: An award of funding from a grant provider (e.g. Welsh Government) which must be used for a pre-defined purpose.</p> <p>Welsh Local Government Association: the representative body for unitary councils, fire and rescue authorities and national parks authorities in Wales.</p> <p>Financial Year: the period of 12 months commencing on 1 April.</p> <p>Local Government Funding Formula: The system through which the annual funding needs of each council is assessed at a national level and under which each council's Aggregate External Finance (AEF) is set. The revenue support grant is distributed according to that formula.</p> <p>Aggregate External Finance (AEF): The support for local revenue spending from the Welsh Government and is made up of formula grant including the revenue support grant and the distributable part of non-domestic rates.</p> <p>Provisional Local Government Settlement: The Provisional Settlement is the draft budget for local government published by the Welsh Government for consultation. The Final Local Government Settlement is set following the consultation.</p>

MEDIUM TERM FINANCIAL STRATEGY: COUNCIL FUND REVENUE BUDGET 2020/21**ANALYSIS BY HEAD OF DEMOCRATIC SERVICES ON THE FEEDBACK FROM CONSULTATION WITH OVERVIEW & SCRUTINY**

Consultation took place between 14th November and 10th December, with each of the six committees being provided with a generic report which was tailored to the appropriate portfolio(s). Where responses were made at meetings, these are shown *in italics*.

Overview & Scrutiny Committee and date of meeting	Resolution	Comments and Questions	Clarifications sought on pressures and efficiencies
<p>Corporate Resources (ordinary meeting) 14th November 2019 Medium term Financial Strategy: Council Fund revenue Budget 2020/21 item.</p>	<p>That the Committee notes the progress made</p>	<p>Positive outcome of Clwyd Pension Fund actuarial review.</p> <p>Work of the cross-party working group and work with WLGA and AMs to seek a positive settlement.</p> <p>Whether the social care pressures reported for 2020/21 included the significant increase for Out of county placements.</p> <p>Whether longer term projects such as the Digital Strategy and Theatr</p>	<p>Clarification on the annual licensing cost for Citrix, a key part of ICT security arrangements and agile working.</p> <p>Need for an additional enforcement post to increase capacity following legislative changes on Council Tax collection.</p>

		<p>Clwyd have a bearing on the 2020/21 budget.</p> <p>Whether the social services specific grant been included in the MTFS.</p>	
<p>Corporate Resources (ordinary meeting) 14th November 2019 Medium Term Financial Strategy: Council Fund Revenue Budget 2020/21 – Corporate Services/ Corporate Financing item .</p>	<p>(a) That the Committee endorses the Corporate Services and Corporate Finance efficiency proposals for 2020/21; and</p> <p>(b) That the Committee endorses the Corporate Services and Corporate Finance cost pressures recommended for inclusion in the budget for 2020/21.</p>	No comments or questions.	Clarification of revenue and capital implications of rental income shortfall from the disposal of properties.
<p>Social & Healthcare (ordinary meeting) 14th November 2019</p>	<p>(c) That the Committee endorses the Social Services efficiency proposals for 2020/21; and</p> <p>(d) That the Committee endorses the Social Services cost pressures recommended for inclusion in the budget for 2020/21.</p>	<p>Thanks expressed to all involved in the comprehensive update ahead of the WG Budget for 2020/21.</p> <p>Social Care pressures and the cost of out-of-county placements.</p> <p>Level of financial contributions received from BCUHB.</p>	

		The out of county budget split between is: Social Services £1.860 million and Education £638,000	
Education & Youth (special meeting) 22nd November 2019	<p>(e) That the Committee endorses the Education & Youth efficiency proposals for 2020/21; and</p> <p>(f) That the Committee endorses the Education & Youth cost pressures recommended for inclusion in the budget for 2020/21.</p>	<p>Thanks expressed for the degree of detail in the report.</p> <p>In response to a question about identifying additional service savings: the information has previously been shared with Members. There are no options of any scale left while ensuring that our services remain safe. No suggestions to look further were received and the timescale to do so for the 2020/21 budget has now passed.</p> <p>Concerns at school balances and deficits.</p> <p>Concerns at Youth Justice Service funding and the impact on which exclusions from schools have on their budgets.</p>	
Community & Enterprise (special meeting)	(g) That the Committee endorses the Community & Enterprise	No comments made or questions raised.	

22nd November 2019	<p>efficiency proposals for 2020/21; and</p> <p>(h) That the Committee endorses the Community & Enterprise cost pressures recommended for inclusion in the budget for 2020/21.</p>		
Organisational Change (ordinary meeting) 9th December 2019	<p>This meeting will take place after the agenda for 10th December County Council has been published. A verbal update will be given at Council if this is necessary.</p>		
Environment (ordinary meeting) 10th December 2019	<p>This meeting will take place after the agenda for 10th December County Council has been published. A verbal update will be given at Council if this is necessary.</p>		

Note: at three meetings (Corporate Resources, Community & Enterprise and Education & Youth) reference was made to a Welsh Government indicative percentage figure for a Council tax increase. On each occasion, it was explained that the County Council has not made any decision on any level of Council tax increase required for 2020/21.

Eitem ar gyfer y Rhaglen 8



COUNTY COUNCIL

Date of Meeting	Tuesday, 10 th December 2019
Report Subject	Overview and Scrutiny Annual Report 2018/19
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The Overview & Scrutiny Annual Report is drafted on an annual basis by the Officer team in consultation with the relevant Committee Chairs. The draft is then submitted to the Constitution & Democratic Services Committee for Member comment before being submitted to Council for formal approval.

The Constitution & Democratic Services Committee considered the Annual Report at its meeting on 27th November.

The Annual Report provides the Council with assurance that the Overview & Scrutiny function is fulfilling its constitutional role.

RECOMMENDATIONS

1	That the Council receives the Overview & Scrutiny Annual Report for 2018/19.
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REPORT DETAILS

1.00	THE OVERVIEW & SCRUTINY ANNUAL REPORT
1.01	Our Constitution requires the Overview & Scrutiny Committees to report annually to Council on their workings with recommendations for their future work programme and changing working methods if appropriate.
1.02	The Work Programmes for Overview & Scrutiny Committees are considered and amended where necessary at each ordinary meeting of each of the Committees. Any updates are then included in the Corporate Forward Work Programme which is published with the Agenda for the monthly meeting of Cabinet. During the year, Corporate Resources successfully trialled an action tracking approach for actions arising out of committee minutes. This was adopted for all Overview & Scrutiny committees for the 2019/20 municipal year.
1.03	Following consideration by the Constitution & Democratic Services Committee, the report was approved for submission to Council.

2.00	RESOURCE IMPLICATIONS
2.01	None.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The Constitution & Democratic Services Committee considered and approved the Annual Report at the meeting on 27 th November 2019.

4.00	RISK MANAGEMENT
4.01	No risks were identified during the preparation of the Report. Production of the report fulfils a constitutional requirement. No specific anti-poverty, environmental or equalities issues were identified.

5.00	APPENDICES
5.01	Overview & Scrutiny Annual Report for 2018/19

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Minutes of the Constitution & Democratic Services Committee 27 th November 2019. Contact officer: Robert Robins, Democratic Services Manager

	Telephone: 01352 702320 E-mail: robert.robins@flinshire.gov.uk
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7.00	GLOSSARY OF TERMS
7.01	None.

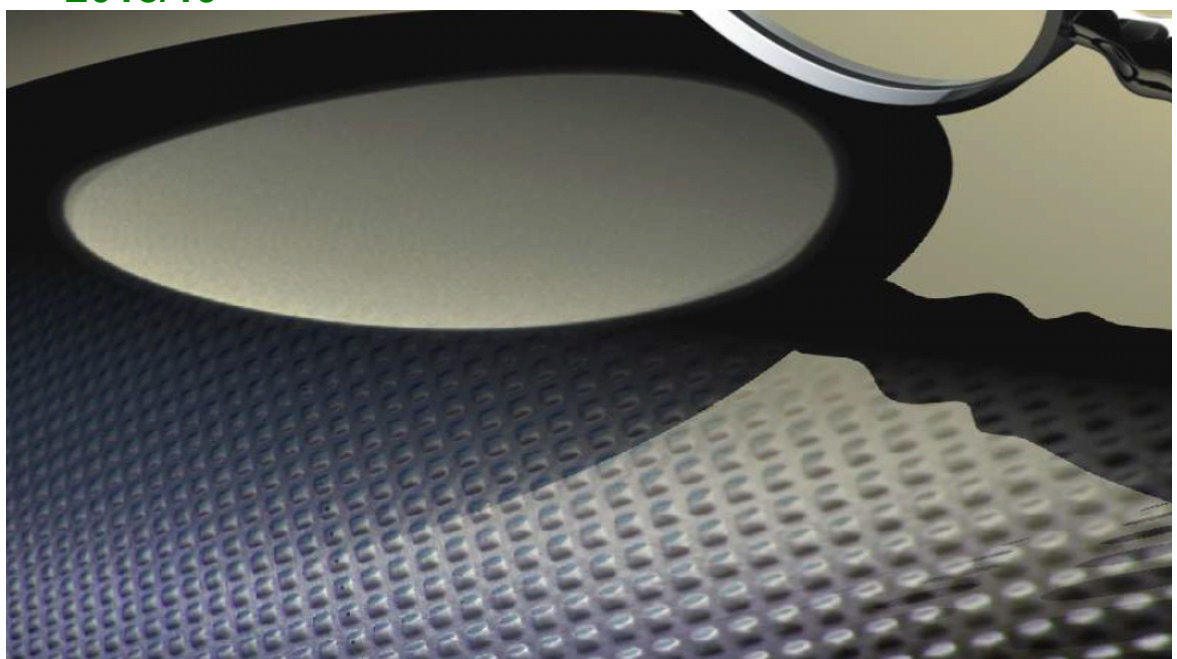
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Overview & Scrutiny

Annual Report

2018/19



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FOREWORD BY THE LEADER OF THE COUNCIL



As Leader, I am pleased to be able to contribute to the Overview & Scrutiny Annual Report.

For some seventeen years, I was actively involved as a scrutiny member, and so know the value which an effective Overview & Scrutiny function has for the Council. I also appreciate that scrutiny can be highly demanding in terms of member and officer time and effort.

Before I became the Cabinet Member for Education & Youth in 2017, I was a scrutiny chair, a role which I had held almost continuously since Flintshire introduced Overview & Scrutiny in 2000. Because of that, I am well aware of how Overview & Scrutiny works.

I had chaired the Co-ordinating Body at a time when it was responsible for setting up our overview & scrutiny arrangements, when the Local Government Act 2000 introduced executive arrangements, of which scrutiny is an essential part. I continued as the Chair of the Co-ordinating Committee for a number of years afterwards. My original scrutiny committee chair was the short-lived Finance & Audit Scrutiny Committee; that committee soon changed to become the dedicated Audit Committee which we still have. Following the 2002 Annual Meeting, I became the chair of the Lifelong Learning Overview & Scrutiny Committee, a position which I held until May 2008.

During the period 2008-2012, I chaired the Audit Committee, but continued as a member of the Lifelong Learning Overview & Scrutiny Committee. Seeing how things work as an ordinary member gave me a new perspective for when I returned to the chair of Lifelong Learning, or as it subsequently became, Education & Youth from 2012-2017.

I would like to take this opportunity to thank everyone who has a role within Overview & Scrutiny, whether as a committee member, a Cabinet Member, the chief and senior officers who attend meetings or the Overview & Scrutiny team which support the whole process. As my predecessors as Leader have no doubt commented in previous years; we need our overview & scrutiny function.

Councillor Ian Roberts
Leader of the Council

COLIN EVERETT, CHIEF EXECUTIVE: Perspective for the Overview & Scrutiny Annual Report 2018/19



Our Overview & Scrutiny function continues to make an important contribution to the corporate governance of the Council. The six Overview & Scrutiny Committees -Corporate Resources, Community & Enterprise, Education & Youth, Environment, Organisational Change and Social & Healthcare between them cover all of the Council's portfolios and business and now work increasingly with arm's length and external organisations. The role of the Organisational Change Overview & Scrutiny Committee in providing both support for the Council's relationship with Aura and Newydd, the community organisations which now run Holywell Leisure Centre and Cambrian Aquatics, and HFT, has been one of assurance during a time of change.

The involvement of the Overview & Scrutiny Committees in reviewing council service performance through the quarterly reporting process is operating rigorously. The Scrutiny Chairs now contribute to the Council's Corporate Governance Framework by giving their own personal insights into how effective their committees are and how they fulfil their 'calling to account' remit.

The use of 'call in' of the Cabinet's decisions continues to be used judiciously, with only one decision – the Single Access Route to Housing (SARTH) being called in. On that occasion, the Committee was satisfied with the explanation given by the decision makers, thus enabling the decision to be implemented immediately.

At the 2018 Annual Meeting, the Council adopted the 'three stage budget process' which had been worked on during the preceding few months. This formalised the more involved approach to the budget which had emerged over the previous couple of budget years.

The role of the Overview & Scrutiny committees becomes ever more challenging in demanding fiscal circumstances. The 2019/20 budget setting process was the most challenging yet. By working together we crafted a way to balance the budget whilst ensuring that services were protected at a safe level of resourcing.

To ensure the smooth running of scrutiny meetings, we trialled the use of an 'action tracking' approach to committee decisions and request for information. Once that had worked well at Corporate Resources, Group Leaders agreed to it being adopted for all Overview & Scrutiny committees from the 2019 Annual Meeting. Where possible, we will continue to innovate to make things work more effectively.

Colin Everett,
Chief Executive

The “Call In” Process

1. The Arrangements

The arrangements for calling in a decision are to be found in paragraph 16 of the Overview & Scrutiny Procedure Rules contained within the Council’s Constitution. The legal authority is derived from section 21 (3) of the Local Government Act 2000.

The ability to call in a Cabinet decision is a significant power for non-executive members. It is not something which should be considered unless there is no alternative: if the power is over-used, or used in such a way as to be thought of as frivolous, its significance or importance would be lost.

2. Decisions of the Cabinet

Following a meeting of the Cabinet, the record of the decisions made is published within two days. Copies are available at County Hall, and are sent to all Members of the County Council.

The decision record specifies that the decisions will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless it is called in.

3. Calling in a Decision

If the Chief Officer (Governance) or Democratic Services Manager receives a call in notice from the Chair of an Overview & Scrutiny Committee or at least four members of the Council, a call in meeting is arranged.

Either the Democratic Services Manager or one of the Overview & Scrutiny Facilitators notifies the decision takers (the relevant Cabinet members and Chief Officers) of the call-in, and then arranges a meeting of the appropriate committee within seven working days of the decision to call-in

4. The Call-in Meeting

Call-in meetings are held at short notice (i.e. within seven working days of the call-in decision) and generally be the only item of business on the agenda. However, from time to time it is expedient to consider a call in at a meeting which has already been convened.

There is a suggested procedure for dealing with a call in. This is intended to make the meeting as simple and transparent as possible. This procedure is part of the agenda at each call in meeting, and the officer advising the committee will take members through it during the meeting.

5. The Call in decision

At the end of a call in meeting, the committee must make a decision based on one of four options. Options 1 and 2 allow the decision to be implemented immediately Option 3 is to refer back to Cabinet for further consideration and Option 4 is to refer to Council. However, executive functions' are solely within the remit of the Cabinet. Thus Council can consider the issue, but not change the decision: it can only recommend to Cabinet that the decision be reconsidered.

6. Call in during 18/19

During the last municipal year, only one Cabinet decision was called in. This was the Single Access Route to Housing (SARTH) (Record of decision number 3560). The call in was heard by the Community & Enterprise Overview & Scrutiny Committee on 12th October 2018. The committee was satisfied with explanations given and thus the decision could be implemented immediately after the meeting

DRAFT

COMMUNITY & ENTERPRISE OVERVIEW & SCRUTINY COMMITTEE



Chair
Cllr Ian Dunbar



Vice Chair
Cllr Ted Palmer

The Committee has continued to receive regular update reports on the impact Universal Credit and other welfare reforms were having on Flintshire residents and the work ongoing to mitigate and support households. Following a detailed presentation to the Committee at the meeting in November 2018, where the impact of Universal Credit on rent arrears was referenced, the Committee has asked for regular update reports on Housing Rent Income and this has been built into our Forward Work Programme. The Committee has continued to support the new measures and interventions being taken to maximise rent income but which also support tenants to maintain sustainable tenancies.

On behalf of the Committee, I also wrote to the Department of Work and Pensions outlining our concerns around the possible risks to the Council in proposed changes to grant funding arrangements for Universal Support. This will also continue to be monitored by the Committee.

Below is a summary of some of the topics the committee have considered over the last 12 months.

Disabled Facilities Grant (DFG) Internal Audit Report 2017

In the autumn of 2017 an internal audit was undertaken into the operation of the Disabled Facilities Grants (DFG). A report summarising the findings of the Internal Audit Report and the management responses being put in place to address these findings, was presented to the Committee at its meeting in June 2018.

During consideration of the report a number of assurances were given to the Committee that processes were being put in place to strengthen controls and compliance which would enable a better understanding of timescales to help improve performance against targets. It was recognised that improvements were needed in the DFG service, which had been a long-standing issue, and the Cabinet Member gave a commitment that the Committee would receive the same update as the Audit Committee and that progress would continue to be monitored as part of the Quarterly Council Plan Monitoring updates.

It was also agreed that Members of the Social & Health Care Overview & Scrutiny Committee would be invited to contribute to future discussions on the DFG service due to the links between Housing and Social Services.

Single Access Route to Housing (SARTH) – Call-in meeting

Following the decision of Cabinet on 25 September, 2018 relating to the Single Access Route to Housing (SARTH) being called in, a special meeting of the Committee was held in October 2018 to consider the call in. In following the procedure for dealing with a call in, I invited the initiators to address the Committee and outline their concerns which were around the bedroom requirements by household type, the use of temporary/alternative accommodation, the lack of suitable housing available across Flintshire and local connections.

I then gave the decision makers the opportunity to respond to questions/concerns before Members of the Committee were given the opportunity to ask questions of the decision makers. Following the debate, the Committee resolved that it was satisfied and the decision of Cabinet to continue to support the management of the SARTH policy and to support the revised and updated policy document could be implemented.

Communities for Work

Following a request by the Committee, a detailed report, outlining the employment programmes to support participants within the community into employment and self-employment was presented at the meeting in December 2018. Also in response to a request from the Committee, prior to presenting the report, the Service Manager – Enterprise and Regeneration, provided a detailed breakdown of the number of functions which sit within the Enterprise and Regeneration Service area. The Committee found this extremely useful following the restructure of the service area.

Following a presentation on the Communities for Work, Communities for Work Plus, Legacy Fund and Business Entrepreneurship Network programmes, the Committee praised the Managers and their teams for their achievements and recommended that it continues to support the progress made in delivering the employment programmes.

Town Centre Regeneration

Following concerns raised by Members of the Committee around the viability of Flintshire town centres and the need for the Council to establish a proactive response, a report outlining a series of proposed responses to increase the diversity of uses in towns was considered at the meeting in May 2019.

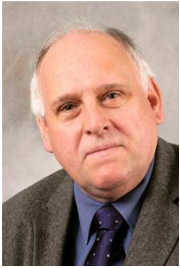
Whilst the Committee was pleased to see that the Council had given a commitment in the 2018/19 Council Plan to develop a response to the vitality of town centres, we remained concerned around public transport services and links for rural communities to town centres and the loss of high street banks.

Whilst we endorsed the approach to support the regeneration of town centres in Flintshire, the Committee has requested regular update reports and this has been built into our Forward Work Programme.

Councillor Ian Dunbar

Chair of the Community & Enterprise Overview & Scrutiny Committee

CORPORATE RESOURCES OVERVIEW & SCRUTINY COMMITTEE



Chair
Cllr Clive Carver



Vice-Chair
Cllr Paul Johnson

The Corporate Resources Overview and Scrutiny Committee is aligned to the Serving Council and Supportive Council priority themes in the Council Plan. The report below focuses on some of the relevant priority themes considered by the committee.

Below is a summary of some of the topics the committee have considered over the last 12 months.

Council Plan

The Council Plan sets out the priorities for 5 years. The Plan focuses on the objectives to be delivered during the year and is refreshed annually. The Council Plan informs directorate business plans and team business plans which in turn inform the appraisal process for staff across the Council.

The Committee considered the refreshed document which had taken on-board comments made at an all member workshop on the 29th of May. Some of the concerns raised by members included resources to drive through the ambition to regenerate and support town centres, equitable investment plans across the county for town centres, the lack of youth provision across the County and the quality of Houses in Multiple Occupation. The Committee's comments were fed into Cabinet for consideration prior to agreeing the final content of the Council Plan.

We considered the Mid-Year Monitoring Report at our December meeting and one area of concern raised was the impact of Brexit on the local economy and a suggestion that this should be identified as a strategic risk to the Council. The Committee also requested a further report in January with an illustration of the planning cycle for financial, business and performance planning, and information on the range of performance information available for Overview & Scrutiny Committees to draw upon for performance reporting.

Performance out-turn 2019/18

As the lead committee for performance monitoring across the organization, we received the performance out-turn report at our meeting in June. Overall performance was positive, with the majority of measures showing an improvement. The report gave details on performance measures which had a decline in performance. The committee receive quarterly reports

and monitor and review performance across the organization and refer to the other Overview & Scrutiny Committees when required.

Concern was expressed regarding the need for young people not in education, employment or training (NEETS) to be identified and tracked earlier. The Interim Chief Officer gave assurances that this was a priority moving forward. Assurances were given that the Organisational Change Overview & Scrutiny Committee would receive update reports on the performance of Aura Leisure in response to concerns raised.

The Committee emphasized the need performance reports to be written in plain English. It was agreed to invite Cabinet to publish an action plan to address any under-performance where the RAG status is Red or Amber with a downturn in performance trend.

Revenue Budget monitoring

The Committee received a report on the Revenue Budget Monitoring 2017/18 (outturn) and the Capital Programme Monitoring 2017/18 (Outturn). The overall spend was £2.107 lower than budget. The Corporate Finance manager reported on the main considerations and referred to the achievement of planned in-year efficiencies, the Council Fund, reserves and balances, requests for carry forward of funding and the Housing Revenue Account.

The Committee were content that there were no issues to report to Cabinet, but agreed that a letter was to be sent to the Welsh Government expressing concern at grant monies being made available late in the financial year.

The Committee received monthly monitoring reports on both the Revenue Budget and the Capital programme which enabled the committee to flag up any issues of concern with Cabinet at an early stage.

At the December meeting two areas of concern were highlighted that the Committee wished Cabinet to review: - Out of County Placements and Streetscene budgets.

Community Safety Partnership Annual Report

We received the annual report which provided an overview of the activities of the Community Safety Partnership over the past 12 months and reflected on regional work. We were pleased to welcome the Chief Inspector Jon Bowcott of North Wales Police; Ben Carter of the North Wales Substance Misuse Area Planning Board; Rhiannon Edwards, the Regional Domestic Abuse and Sexual Violence Advisor; and Richard Powell, Trading Standards Team Leader. The four local priorities for 2018/19 were outlined as Domestic Abuse and Sex Violence, Organised Crime Groups, Modern Day Slavery and Child Exploitation. The Chief Inspector advised that there had been a small rise in victim-based crime in Flintshire for 2017/18. In response to a question on the way in which all forms of anti-social behaviour crime was recorded together, the Chief Inspector gave an example of the complexities in crime recording and said there was a shift in statistics showing a reduction in reported anti-social behaviour and increase in crime.

Following comments about liaison with town and community councils, the Chief Inspector agreed to re-introduce quarterly consultations with representatives to provide an opportunity to discuss local issues.

People Strategy Performance Report

The Committee welcomed the positive report with a downward trend in sickness absence and good progress had been made on the delivery of the Apprenticeship Strategy. One area that remained a concern was the level of appraisals completed. The Committee requested that Chief Officers attend a future meeting to explain the reasons for not achieving the target of 100%. At the January meeting we received an update report with detailed completion levels of appraisals completed by services in addition to portfolios. Whilst welcoming the progress made, it was emphasized that the completion of appraisals was a key responsibility for managers and that failure to do so should be escalated to a more senior level. We continue to monitor the position and reserve the right to call to account those who fail to achieve 100% completion of appraisals.

Councillor Clive Carver

Chair of the Corporate Resources Overview & Scrutiny Committee



Chair
Cllr Dave Healey



Vice-Chair
Mr. David Hytch

During the year, the Committee has hosted two workshops where all Members of the Council have been invited to participate. Details of the workshops are listed below: -

Regional School Effectiveness and Improvement Service (GwE)

The first workshop arose following the Committee considering its annual Regional School Effectiveness and Improvement Service (GwE) report at its June, 2018 meeting. The Committee welcomed GwE representatives Arwyn Thomas, Managing Director and Alwyn Jones, Assistant Director who gave a detailed presentation which identified strength in standards, provision and leadership, along with areas for improvement and development. During the presentation, information was shared on preparations for education reform in Wales and the Committee welcomed the offer of a workshop in order to provide clarity for all Members on the changes as part of the education reform. The workshop was held in October 2018 and a detailed presentation from GwE representatives was provided, which covered, proposed changes to the Curriculum for Wales, Welsh in Education and the Additional Learning Needs and Educational Tribunal (Wales) Bill.

The Committee will continue to scrutinise and receive regular update reports from GwE moving forward with continued focus around support and learner outcomes within secondary education.

Post 16 Education Provision and Consultation on Post 16 Transport

In response to a request from the Committee, a workshop for all Members was held in February 2019. The purpose of the workshop was to provide an overview of the provision for post 16 learners in Flintshire; the funding mechanism for post 16 education and also gave Members the opportunity to be fully engaged in the review of post 16 transport prior to its launch.

The workshop was well attended and informative with information on the methodology for how Post 16 funding was provided to schools shared with Members following the workshop. We also agreed to take on board the comments made around proposals for Post 16 Transport when we consider the report following the consultation process.

Below is a summary of some of the other topics the Committee has considered over the last 12 months:-

Learner Outcomes 2018

In November 2018, the Committee received its annual Learner Outcomes 2018 (provisional) report which provided details of outcomes achieved by learners in Flintshire for 2018 across all phases of Education. The Committee welcomed GwE representatives David Edwards, Primary Core Lead for Flintshire, and Mr Martyn Froggett, Secondary Core Lead for Flintshire to the meeting to assist the Chief Officer (Education & Youth) in presenting the report.

Whilst considering the report, the Committee was concerned over the significant change to grade boundaries since Summer 2017 and November 2017 compared to Summer 2018, particularly at C grade in English and Mathematics which had made it difficult for schools to ensure accurate projections and target setting. We were particularly concerned that the performance of schools had been impacted by the timing of entry which also impacted on performance at level 2+ where English was a key component of the measure.

Following the meeting, I wrote to the WJEC on behalf of the Committee, outlining our disappointment that many children across Flintshire have been disadvantaged by the anomalies in setting the grade boundaries and that we were particularly disappointed to learn that because of this, many students would now be required to undertake an additional year in Post 16 education to make up this exam result. I invited a representative of WJEC to attend a meeting of the Committee to discuss our concerns, but given ongoing regional representations being made to WJEC we resolved at our meeting in December 2018 to explain that their attendance at a meeting with the Committee would not be required at this time, but that the Committee would continue to monitor the situation and invite representatives of the WJEC to a future meeting if appropriate.

Welsh in Education Strategic Plan (WESP)

In January 2019, the Committee considered a report on the Council's progress on its Welsh in Education Strategic Plan (WESP) to meet the targets and outcomes set by Welsh Government (WG) to promote Welsh-medium education.

The Committee welcomes the progress that had been made but raised concerns on the need for WG to provide additional funding for the growth and development of smaller emerging Welsh-medium schools as they were being established.

Following consideration of the report, the Committee recommended that I write to Kirsty Williams AM, Cabinet Secretary for Education, on their behalf, outlining the following concerns:-

- The need to ensure sufficient numbers of Welsh teachers in all curriculum subjects;
- The revenue costs involved in establishing new Welsh medium provision;
- Concerns around the limiting subject options for pupils if Welsh Language was made a mandatory GCSE; and
- A recognition that if WG were to meet their ambitious target of 1M Welsh speakers in Wales by 2050 then this would be realised by increasing the number of Welsh speakers in areas such as Flintshire.

I have, in the course of our meetings thanked officers for their resilience and the passion with which they have carried out their duties against a background of severe financial

challenges. I would like to take the opportunity provided by this report to extend these words of appreciation to the staff of schools across Flintshire.

Councillor Dave Healey

Chair of the Education & Youth Overview & Scrutiny

DRAFT

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE



Chair
Cllr Raymond Hughes



Vice-Chair
Cllr David Evans

The Environment Overview and Scrutiny is aligned to the GREEN Council priority theme in the Council plan. The report below focuses on the relevant priority themes considered by the committee. Below is a summary of some of the topics the committee have considered over the last 12 months.

Environmental Enforcement has been an ongoing challenge across Flintshire and has often been the subject of debate at our Overview & Scrutiny Committees.

We received a presentation from Kingdom Securities Limited who had been providing environmental enforcement solutions as a pilot within the County. As the current arrangement was coming to an end we received detailed options which were available for low level environmental enforcement within the County. Members welcomed the improvements which had been achieved in town centres in terms of street cleanliness. The Committee were also pleased with Flintshire's improvement in grading in the Keep Wales Tidy ranking table. Members agreed that whether enforcement services were delivered privately or by the Council, it was important for the Council to maintain a robust approach to littering, dog fouling etc.

The Committee were presented with a range of options and following discussion it was agreed to recommend to Cabinet to extend the in-house provision, through recruitment or regional working to provide the same level of enforcement coverage as the existing contractor, without maintaining a zero tolerance approach.

Bus Network Review

At our July meeting we received a report on the outcome of the public consultation on public transport which covered three areas – bus network review, school transport historical anomalies and concessionary fares. The report contained details of existing subsidised bus routes and the outcome of the bus network review consultation exercise to consider an affordable and sustainable public transport service going forward. The Committee considered a range of options and following discussions, recommended option 3 to cabinet which would support subsidised routes on the core bus network, and implement alternative, sustainable local travel arrangements in communities not on the core network within four geographical areas of Flintshire.

Natural Resources Wales

The Committee welcomed the opportunity to receive a presentation from Mr Nick Thomas, Operations Manager, North East Wales for Natural Resources Wales (NRW). He emphasized their role was to deliver sustainable management of natural resources and outlined the work carried out in a range of areas including waste regulation, flood risk management, conservation, climate change and the implications of the Wellbeing of Future Generations Act. In response to a question regarding fly-tipping Mr Thomas commented on the significant costs involved in clearing land of waste stored without a permit or exemption and the legal consequences of non-compliance. He urged members to report any incidents or concerns regarding the management or illegal tipping/storage of waste to the NRW.

Members raised a number of concerns around the ability of the sewerage system to cope with increased demand due to new and future property development in Flintshire. We were given an overview of the work being undertaken to slow and divert the flow of surface water into the sewerage system. The Chief Officer (Planning, Environment and Economy) explained that Welsh Water would make an assessment of its sewerage system to determine whether it could meet the additional demand of any new build in an area and, if necessary, further development would not take place until the sewerage system had been upgraded. Mr Thomas also responded to concerns and questions raised by Members regarding the Wales Coastal path, Dee Estuary, dredging and incident responses.

Budget proposals

At the October meeting we received a report on the stage 2 budget proposals. Members had previously attended a workshop which had provided members with the opportunity to understand portfolio budgets in more detail and the risk and resilience levels of service areas. The Chief Officers reported on the portfolio pressures, investments and business planning efficiencies. In response to a question regarding the reduction in income from waste recycling, the Chief Officer explained that the income from recycling waste had dropped significantly due to the loss of international markets. The committee endorsed the portfolio pressures, investments and efficiency options.

Review of Garden Waste Charges

Following the introduction of garden waste charges in Flintshire in 2018, Cabinet had agreed to review the charges at the end of the first full season. We were advised that take up for the service had been 40% which was better than expected. Some members felt that the bins were not big enough and that a second bin should be free. The Programme Manager, Ancillary & Waste services advised that 140 litre was a standard size across Wales and that both sizes had been trialled in the past but there had been operational problems together with a number of breakages and weight issues in relation to the bigger size. The Committee supported the continuation of the charging policy for 2019 and in subsequent years. The Committee also recommended to Cabinet for the service to explore alternative technology based systems to monitor payments.

Greenfield Valley Heritage Park

We continue to monitor the recommendations arising from the audit on the governance, funding and operating arrangements at Greenfield Valley. There had been a number of successful events and activities held and woodland management, development and maintenance works had been undertaken. The dependence of the Valley on volunteers was highlighted who assist with the management of the site. Members were pleased to hear that positive progress had been made and conveyed their congratulations to all involved.

Draft Rights of Way Improvement Plan 2018

We received a report on the new Rights of Way Improvement Plan 2018 - 2028 as part of a 3 month statutory consultation. We were advised that a Policy and Procedure booklet had been developed as a priority which would be made available to users of the Public Rights of Way network and to landowners to help them understand what Flintshire does and how in relation to Rights of Way in the County.

I would like to take this opportunity to thank everyone for their valuable input throughout the year.

Councillor Raymond Hughes

Chair of the Environment Overview & Scrutiny Committee



Chair
Cllr Dave Mackie



Vice-Chair
Cllr Sean Bibby

The Committee has had another busy year, with continued focus around the fundamental changes to how the Authority carries out some of its functions. As well as meeting at County Hall, the Committee has held a meeting at the Care & Repair North East Wales offices in Shotton, where a tour of the facility was undertaken. During the visit, Councillor Tudor Jones, a Member of the Committee and Treasurer of Care & Repair North East Wales drew attention to the information on display for the Committee showing the work undertaken.

Below is a summary of the work undertaken by the Committee over the last 12 months:-

Community Asset Transfers (CATs)

In September 2018, the Committee received a report detailing the status of all 30 CATs review of progress around CATs which were either transferred or close to completion. We were pleased that importance was being given to ensuring that those transferred were sustainable over the longer term in order to mitigate the risk of failure. We were also pleased to learn that none of the CATs which had been transferred were struggling and that work continued to be undertaken to 'health check' all social enterprises to support organisations through the CATs process.

At the September 2018 meeting the Committee also received a report on progress with key areas of work in relation to the Resilient Communities priority which was part of the 'Connected Council' theme in the Council Plan. Presentation slides were circulated which provided the Committee with information around the key principles and actions for each theme, which would be supported by the development of evaluation frameworks to help manage the delivery of community resilience across the County. We welcomed the action plan which we felt was a useful tool in monitoring progress and the introduction of the Holiday Hunger programme which would assist in tackling food poverty. We recommended support of the Community Resilience Action Plan and thanked officers for the detailed work undertaken to produce the report.

Alternative Delivery Models (ADM)

Annual Report on Aura Leisure and Libraries Limited and NEWydd Catering and Cleaning Limited

In June 2018 the Committee formally received the draft end of year reports (31 March 2018) that had been provided by Aura Leisure and Libraries Limited and NEWydd Catering and Cleaning Limited, to their respective Partnership Boards. We were pleased to see both

reports showing good progress and following a number of questions around the maintenance of all-weather sports pitches and the consistency of provision of youth services across the County, we welcomed the progress made during their first year of operation.

Social Care – Learning Disability Day Care and Work Opportunities Service

We considered an update report on progress with the Social Care Learning Disability Day and Work Opportunities Service ADM, including information on the delivery of the service post transfer to Hft in January 2019. We welcomed Mr. Andrew Horner, Director of Operational Projects, Hft Limited and Mr. Jordan Smith, Regional Manager, Hft Flintshire to the meeting, who provided a detailed presentation to the Committee. A number of comments were made by the Committee congratulating officers on the progress and achievements gained by Hft and suggestions were made around how activities provided could be extended and developed with other organisation who currently support disabled people. In conclusion, we resolved to express our satisfaction at the progress made through the service partnership with Hft following successful transition in February 2018.

We will continue to receive regular update reports on all ADMs which have been built into our Forward Work Programme.

Move from County Hall to Ty Dewi Sant

Following a request from the Committee, a report providing an update on progress of work on the move from County Hall to Ty Dewi Sant, the work taking place with services and staff moving and the interior design and layout of the building, was presented to our meeting in June 2018.

The Committee had initially raised concerns around the move to Ty Dewi Sant, as it was felt that some service users may have difficulty travelling to the new premises and also wanted to maintain 'face to face' contact with officers. Concerns were also raised around parking arrangements for staff and visitors. Officers responded to all of the concerns raised and as a Committee we resolved to support the planned move to Unity House. We also requested a site visit to Ty Dewi Sant for the Committee, and to also be extended to all Members if feasible.

Social Value Strategy and Digital Strategy

At our meeting in March 2019, we considered two reports, firstly the Social Value Strategy report, which set out the future approach to generating increased social value from Council expenditure, and secondly the Digital Strategy update report, which provided an update on progress to define and deliver the Digital Strategy which had been considered at an all Member workshop.

The proposals set out within the Social Value Strategy were positively supported by the Committee with a suggestion that the possibility of Glyndwr University acting as an academic partner for strategy impact evaluation purposes be pursued.

Whilst considering the Digital Strategy update, we raised some concerns around the increasing trend towards providing online services, which may exclude some people who did not feel that they had the confidence or skills to self-serve online. Following assurances that online services, telephone and face-to-face customer access would continue, together

with the options for home visits to be undertaken in exceptional personal circumstances being explored, the Committee approved the design principles and programme for the delivery of the Digital Strategy.

Councillor Dave Mackie

Chair of the Organisational Change Overview & Scrutiny Committee

DRAFT

SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE



Chair
Cllr Carol Ellis



Vice-Chair
Cllr Gladys Healey

The Social & Health Care Overview and Scrutiny Committee is aligned to the SUPPORTIVE Council priority theme in the Council Plan. The report below focuses on some of the relevant priority themes considered by the committee. Below is a summary of some of the topics the committee have considered over the last 12 months

Social Care Third Sector Services

At the May meeting we welcomed Mrs Ann Woods, Chief Officer, Flintshire Local Voluntary Council (FLVC). We considered the annual review of social care activity undertaken by the Third Sector in Flintshire. The report detailed the work carried out in reviewing services commissioned through the Third Sector and provided an overview of the wide range of services provided. It was pleasing to note that Flintshire continued to have a thriving voluntary/third sector which provides support and services to Flintshire residents. Mrs Woods advised that FLVC continue to work in partnership with Statutory and third Sector colleagues to promote, support and develop multi-agency approaches to Public Service Delivery.

Betsi Cadwaladr University Health Board and Welsh Ambulance Services

At our June meeting we were pleased to welcome a number of senior officers from BCUHB. Jane Bryant, Area Nurse Director provided an update on the range of nursing and community services available to support people who wished to be cared for at home. She outlined the support available to patients when coming out of hospital to enable them to receive care and treatment at home and remain in their community.

Dr Gareth Bowdler, Area medical Director East, provided an update on Primary Care services and updated the committee on the improved terms and conditions for employing GPs which was expected to address recruitment shortages. Members commented on a range of concerns including the staffing of Minor Injury Units, waiting times at Wrexham hospital A & E department and the limitations of the X-Ray department at Mold Hospital.

At the same meeting we received a presentation from Andrew Long, Area Manager North, and Richard Lee, Director of Operations, Welsh Ambulance Service. They explained the transformation which had taken place in ambulance services, highlighted some of the positive developments and explained where further work needed to be done. We were advised regarding the 'Frequent Callers' initiative to deal with repeat callers to the Ambulance Service. This innovative approach had resulted in reducing the number of

unnecessary ambulance call-outs by approximately 2000 a month across Wales. We were also told about the 'Come to See me' initiative which involved sending the right NHS service to treat a patient. Members were assured that Welsh Ambulance Services had good cross border arrangements with the Countess of Chester Hospital.

Double Click Social Enterprise

As a committee we have closely followed the progress of Double Click since it became a Social Enterprise. We were delighted to learn of the progress made as a fully independent social enterprise. Double Click now offers increased employment and training opportunities for all staff, including people with mental health issues. Double Click had also secured external lottery funding which had been used to purchase state of the art equipment to support the development of the business.

Safeguarding – Adults and Children

We received a report providing key statistical and performance information regarding the Joint adults and Children's safeguarding within Flintshire. We were given an overview of the work in relation to child protection, adult safeguarding, adults at risk, Deprivation of Liberty Safeguards and Look After Children. The Committee welcomed the multi-agency approach to information sharing.

Flintshire Foster Care Services

The Senior Manager – Children and Workforce provided a detailed report on the proposals for developing and enhancing Flintshire's approach to Fostering. We were told that the Council had a well-run and effective Fostering Service, with foster carers providing high quality care. He explained that the service faced significant challenges which included attracting and developing foster carers to support children with complex needs, older children and sibling groups. He also referred to the challenges of competing with independent fostering agencies which offered higher financial remuneration for foster care. The Senior Manager outlined a range of proactive and innovative approaches within the service and advised that the service had recently been awarded an innovation grant to research a new model of foster care.

Visit to Flint Extra Care

We held our November meeting at Llys Raddington, the newly opened extra care facility in Flint. We were given a tour and were very impressed with the facility. It was a pleasure speaking to the residents who had recently moved in and were delighted with their new homes. As a Committee we continue to support the development of Extra Care housing schemes in Flintshire and look forward to the completion of the Holywell scheme.

Rota Visits

Members of the Committee also undertake Rota Visits which gives an opportunity to visit social care establishments and are focused on the wellbeing of service users.

Councillor Carol Ellis

Chair of the Social & Health Care Overview & Scrutiny Committee

Appendix 1

Membership of Overview & Scrutiny Committees 2018/19

<p><u>Community & Enterprise</u></p> <p>Councillor Ian Dunbar (Chair) Councillor Sian Braun Councillor Dave Cox Councillor Jean Davies Councillor Ron Davies Councillor Adele Davies-Cooke Councillor Rosetta Dolphin, Councillor Mared Eastwood, Councillor George Hardcastle Councillor Ray Hughes Councillor Dennis Hutchinson Councillor Ted Palmer, Councillor Mike Reece Councillor Paul Shotton Councillor David Wisinger</p>	<p><u>Corporate Resources</u></p> <p>Councillor Clive Carver (Chair) Councillor Haydn Bateman Councillor Bob Connah Councillor Paul Cunningham Councillor Patrick Heesom Councillor Andrew Holgate Councillor Dave Hughes Councillor Paul Johnson (Vice Chair) Councillor Richard Jones Councillor Mike Lowe Councillor Hilary McGuill Councillor Michelle Perfect Councillor Vicky Perfect, Councillor Andy Williams Councillor Arnold Woolley</p>
<p><u>Education & Youth Overview & Scrutiny Committee</u></p> <p>Councillor David Healey (Chair) Councillor Janet Axworthy Councillor Sian Braun Councillor Geoff Collett Councillor Paul Cunningham Councillor Andy Dunbobbin Councillor Patrick Heesom Councillor Dave Hughes Councillor Kevin Hughes Councillor Tudor Jones Councillor Dave Mackie Councillor Ian Smith Councillor Martin White Councillor David Williams</p> <p>Co-opted Members: Lynne Bartlett David Hytch (Vice Chair) Rita Price Rebecca Stark</p>	<p><u>Environment</u></p> <p>Councillor Raymond Hughes (Chair) Councillor Mike Allport Councillor Haydn Bateman Councillor Sean Bibby Councillor Chris Dolphin Councillor Andy Dunbobbin Councillor David Evans (Vice Chair) Councillor Veronica Gay, Councillor Cindy Hinds Councillor Dave Hughes Councillor Joe Johnson Councillor Colin Legg Councillor Vicky Perfect Councillor Paul Shotton Councillor Owen Thomas</p>

<u>Organisational Change</u>	<u>Social & Health Care</u>
<p>Councillor Dave Mackie (Chair) Councillor Janet Axworthy Councillor Marion Bateman Councillor Sean Bibby (Vice Chair) Councillor Geoff Collett Councillor Ian Dunbar Councillor Mared Eastwood Councillor Dennis Hutchinson Councillor Tudor Jones Councillor Brian Lloyd Councillor Mike Reece Councillor Paul Shotton Councillor Ralph Small Councillor Andy Williams Councillor David Wisinger</p>	<p>Councillor Carol Ellis (Chair) Councillor Mike Allport Councillor Marion Bateman Councillor Jean Davies Councillor Andy Dunbobbin Councillor Gladys Healey (Vice-Chair) Councillor Cindy Hinds Councillor Kevin Hughes Councillor Rita Johnson Councillor Mike Lowe Councillor David Mackie Councillor Hilary McGill Councillor Martin White Councillor Ian Smith Councillor David Wisinger</p>

Key:		
C & E	=	Community & Enterprise Overview & Scrutiny Committee
CR	=	Corporate Resources Overview & Scrutiny Committee
E & Y	=	Education & Youth Overview & Scrutiny Committee
E	=	Environment Overview & Scrutiny Committee
OC	=	Organisational Change Overview & Scrutiny Committee
S&HC	=	Social and Health Care Overview & Scrutiny Committee

OVERVIEW & SCRUTINY OFFICER SUPPORT

The support which Overview & Scrutiny enjoys from officers across the Council is essential to ensure its smooth and effective running.

OVERVIEW & SCRUTINY SUPPORT

The Scrutiny Team are:-

- ❖ Robert Robins – Democratic Services Manager
(supporting the Corporate Resources Overview & Scrutiny Committees).
- ❖ Margaret Parry-Jones – Overview & Scrutiny Facilitator
(principally supporting the Environment, Social & Health Care and alternating of Organisational Change Overview & Scrutiny Committees)
- ❖ Ceri Shotton – Overview & Scrutiny Facilitator
(principally supporting the Community & Enterprise, Education & Youth and alternating of Organisational Change Overview & Scrutiny Committees).
- ❖ Janet Kelly – Democratic Services Support Officer
(supporting the Overview & Scrutiny Team and task & finish groups)

The team are an independent resource supporting the scrutiny function and its members:

Advising on the strategic direction and development of the scrutiny function;

- Co-ordinating the work programmes for the six Overview & Scrutiny Committees;
- Advising, supporting and assisting in the development of scrutiny members;
- Undertaking research and information analysis to help inform reviews;
- Producing reports and presentations on behalf of Members;
- Offering independent advice and guidance in relation to policy development and performance management;
- Acting as a key contact point to Members, officers, external organisations and the public in relation to scrutiny matters; and facilitating task & finish groups

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 9



COUNTY COUNCIL

Date of Meeting	Tuesday, 10 th December 2019
Report Subject	Anti-Fraud and Corruption Strategy and Fraud Response Plan
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The Corporate Anti-Fraud & Corruption Strategy is written for the benefit of employees, members, the public, organisations and businesses dealing with the Council who are also expected to act with integrity. The strategy outlines the Council's commitment to the prevention and detection of fraud and its zero tolerance of such acts of fraud and corruption.

The Fraud and Irregularity Response Plan underpins the Corporate Anti-Fraud & Corruption Strategy to provide guidance and outline the actions that should be taken if an individual suspects a fraud or corrupt act, what will happen after they have passed on their suspicion and the action that may be taken.

RECOMMENDATIONS

1	County Council is requested to consider and approve the revised Corporate Anti-Fraud and Corruption Strategy.
2	County Council is requested to consider and approve the revised Fraud Response Plan.

REPORT DETAILS

1.00	EXPLAINING THE CORPORATE ANTI-FRAUD AND CORRUPTION STRATEGY AND FRAUD RESPONSE PLAN
1.01	The Corporate Anti-Fraud & Corruption Strategy and Fraud & Irregularity Response Plan has been in use within the Council since 2002 and were last updated and approved by Audit Committee in 2014. There is a need to review them periodically to ensure they reflect any changes in working practice, legislation and other regulations. The two documents have been updated by Internal Audit and reviewed by Democratic Services, Chief Officers, Governance and People and Resources.
1.02	The Corporate Anti-Fraud & Corruption Strategy has been reviewed alongside CIPFA's Code of Practice on Managing the Risk of Fraud. Published strategies from other Councils have also been considered.
1.03	The Corporate Anti-Fraud & Corruption Strategy states the Council has a zero tolerance for fraud and corruption, defines fraud and corruption and outlines the culture within the Council to address this. It outlines prevention, deterrence, detection, and investigation measures in place and lists the roles and responsibilities of individuals and groups both within and external to the Council.
1.04	The Fraud and Irregularity Response Plan defines the responsibilities for action and provides guidance to the workforce, managers and third party individuals outside of the Council in the event a suspected fraud or other irregularity.
1.05	<p>The review of both the Corporate Anti-Fraud & Corruption Strategy and the Fraud and Irregularity Response Plan resulted in few changes being made; apart from bringing both documents up to date to reflect current terminology and positions within the Council.</p> <p>Both the Corporate Anti-Fraud & Corruption Strategy and the Fraud and Irregularity Response Plan were expanded to reflect the Council's commitment to Welsh Government's Ethical Procurement Practices ensuring there is an appropriate route for individuals to report any concerns they have and to reflect the comments made by the Audit Committee, Trade Unions and Constitution & Democratic services Committee. These changes can be found in:</p> <p>Corporate Anti-Fraud & Corruption Strategy</p> <ul style="list-style-type: none"> • Inclusion of third party individuals within the strategy (section 2.5); • Outlines the responsibilities of these individuals to report any concerns (section 7); • Enhance the policy to confirm members are included within the policy (section 2.5 of the policy); • Include 'Volunteers' as an example of a Third Party Individual (sections 2.5 and 7 of the policy); • Signpost to other related policies e.g. Whistleblowing Policy and Fraud & Irregularity Response Plan (sections 2.8 and 11.3 of the policy) and

	<ul style="list-style-type: none"> Define Irregularity (section 3.5 of the policy); <p>Fraud and Irregularity Response Plan</p> <ul style="list-style-type: none"> Inclusion of third party individual's responsibilities to report any suspicions of fraud or corruption whether this is against the Council or the supplier / contractor (section 4.10); Enhance the policy to confirm members are included within the policy (sections, 4.1, 4.8, and 4.9 of the policy); Include 'Volunteers' as an example of a Third Party Individual (sections 1.1 and 4.10 of the policy); Signpost to other related policies e.g. Whistleblowing Policy and Corporate Anti-Fraud & Corruption Strategy (section 9.2 of the policy); Define of Irregularity (section 4.2 of the policy); and Include adult and children safeguarding referral numbers (section 1.3 of the policy).
1.06	Both the Corporate Anti-Fraud & Corruption Strategy and Fraud & Irregularity Response Plan refers to the Whistleblowing Policy which has been updated alongside these policies.
1.07	<p>To aid clarity and transparency two copies of the Corporate Anti-Fraud & Corruption Strategy and Fraud & Irregularity Response Plan are included:</p> <ul style="list-style-type: none"> Appendix A – shows where the changes have occurred, with the tracked changes to the Corporate Anti-Fraud & Corruption Strategy; Appendix B – shows the revised Corporate Anti-Fraud & Corruption Strategy without the changes tracked; Appendix C – shows where the changes have occurred, with the tracked changes to the Fraud & Irregularity Response Plan; and Appendix D – shows the revised Fraud & Irregularity Response Plan without the changes tracked.
1.08	The Corporate Anti-Fraud & Corruption Strategy and the Fraud and Irregularity Response Plan both form part of Section 29 of the Council's Constitution. County Council is asked to consider the proposed changes to the Corporate Anti-Fraud & Corruption Strategy and the Fraud and Irregularity Response Plan, as agreed by the Audit Committee and the Constitution and Democratic Services Committee. If approved, the Council's Constitution will be updated.
1.09	It is intended to publicise the Strategy and Response Plan to all employees and members. The Strategy and Response Plan will also be made available on both the Council's website and Infonet and shared with suppliers and contractors as part of future procurement exercises.

2.00	RESOURCE IMPLICATIONS
2.01	None from the report itself.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation of the revised Corporate Anti-Fraud & Corruption Strategy and the Fraud and Irregularity Response Plan has been undertaken with Constitution and Democratic Services Committee, Audit Committee members, the Chief Executive, the Council's Monitoring Officer and Chief Officer, Governance, Trade Unions and the Senior Manager, Human Resources and Organisational Development.

4.00	RISK MANAGEMENT
4.01	None from the report itself.

5.00	APPENDICES
5.01	Appendix A – Corporate Anti-Fraud & Corruption Strategy (with changes tracked) Appendix B – Corporate Anti-Fraud & Corruption Strategy (without changes tracked) Appendix C – Fraud & Irregularity Response Plan (with changes tracked) Appendix D – Fraud & Irregularity Response Plan (without changes tracked).

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None. Contact Officer: Lisa Brownbill, Internal Audit Manager Telephone: 01352 702231 E-mail: Lisa.brownbill@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
	<p>Corporate Governance: the system by which local authorities direct and control their functions and relate to their communities. It is founded on the basic principles of openness and inclusivity, integrity and accountability together with the overarching concept of leadership. It is an inter-related system that brings together the underlying set of legislative requirements, governance principles and management processes.</p> <p>Risk Management: the process of identifying risks, evaluating tier potential consequences and managing them. The aim is to reduce the frequency of risk events occurring (wherever this is possible) and minimise the severity of their consequences if they occur. Threats are managed by a process of controlling, transferring or retaining the risk. Opportunities are managed by identifying strategies to maximise the opportunity or reward for the organisation.</p>

<p>Internal Control: appropriate procedures and processes are in place to mitigate any risk which may prevent the organisation from achieving its objectives and service delivery.</p>

<p>Financial Management: the planning, organising, directing and control of the financial activities of the Council to ensure sufficient resources are available to delivery its intended outcomes.</p>
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FLINTSHIRE COUNTY COUNCIL

Corporate Anti-Fraud and Corruption Strategy

DRAFT – Version 2 – December 2019
(with Tracked Changes)

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<u>Policy Owners</u>	<u>Internal Audit Manager</u>
<u>Date Implemented</u>	<u>April 2007</u>
<u>Date Last Reviewed</u>	<u>November 2014</u>
<u>Current Review:</u>	
<u>Approved by Audit Committee (Version 1.7)</u>	<u>February 2019</u>
<u>Approved by Constitution and Democratic Services Committee (Version 1.8)</u>	<u>June 2019</u>
<u>Approved by Council (Version 2)</u>	

CORPORATE ANTI-FRAUD AND CORRUPTION STRATEGY

1. Policy Statement

- Flintshire County Council (the Council) has a zero tolerance approach to fraud, bribery and corruption. This Policy outlines how the Council delivers an effective approach to managing the risk of fraud and corruption.
- The Council is committed to this policy and to maintaining high ethical standards.
- The Council is committed to the prevention, deterrence, detection and investigation of all forms of fraud or corruption within or against all its activities.
- The Council will support prosecutions or apply other relevant sanctions to those who commit acts of fraud or corruption.
- The Council encourages anyone who suspects fraud and corruption to report it, and the Council will support anyone who does this.

2. Introduction

2.1 Flintshire County Council has a workforce of around ~~7,000~~~~6,000~~ and spends in excess of £~~400m~~~~250~~ a year. The Council commissions and provides a wide range of services to individuals and households and works with many other private, public and voluntary sector organisations.

2.2 The size and nature of the Council's services means that there is an ongoing risk of loss due to fraud and corruption from both internal and external sources. The Council is continuously developing anti-fraud initiatives and remains committed to:

- The prevention, detection, deterring, investigation and correcting all forms of fraud and corruption, whether these are attempted from within or external to the organisation.
- Minimising losses caused by fraud, corruption and breaches of regulations.
- Embedding management of fraud risk throughout the organisation.
- Increasing awareness of counter-fraud responsibilities at all levels within and outside the Council.

2.3 The Council's commitment to the protection of public funds against fraud and corruption is set out in this strategy and supporting policies.

2.4 The strategy is structured to reflect the CIPFA code of practice on Managing the Risk of Fraud and Corruption. The five key elements of the code are to:

- Acknowledge the responsibility of the governing body for countering fraud and corruption
- Identify the fraud and corruption risks
- Develop an appropriate counter fraud and corruption strategy
- Provide resources to implement the strategy
- Take action in response to fraud and corruption

2.5 The Strategy applies to:

- All Officers and to all employees (including centrally employed teachers) of Flintshire County Council (as defined by the Employment Rights Act) and is commended to School Governing Bodies and other associated employers as best practice.
- All Members of the Council
- Partner Organisations, including Aura and NEWydd
- Third Party individuals such as Partners, Consultancy, Suppliers, Contractors, volunteers and employees of Council Suppliers and Contractors who are employed to deliver goods / services to the Council.
- General Public
- ~~Council Suppliers, Contractors and Consultants~~
- ~~General Public~~

2.6 The Council requires all individuals and organisations, with whom it deals in any capacity to behave toward the Council with integrity and without intent or actions not involving fraud or corruption. Members of the public are encouraged to report any concerns which they may have.

2.7 The Strategy has the full support of Members and the Council's Senior Accountable Officers. It is approved by Audit Committee and The Cabinet.

2.8 This policy should be read in conjunction with the Council's Whistleblowing Policy and the Fraud & Irregularity Response Plan.

3. Definitions

3.1 **Fraud:** For the purpose of this policy refers to where an individual has undertaken, or intends to undertake, actions in order to obtain gain for him/herself or another, or cause loss to another, or expose another to risk of loss. raud is when trickery is used to gain a dishonest advantage which is often financial over another person or organisation.

3.2 The Fraud Act 2006 came into force on 15th January 2007. It created a single offence of fraud which can be committed in three separate ways:

- Fraud by false representation;
- Fraud by failing to disclose information where there is a legal duty to do so; and
- Fraud by abuse of position.

~~Four new offences were also created:~~

- ~~• Possession of articles for use in fraud~~
- ~~• Making or supplying articles for use in fraud~~
- ~~• Obtaining services dishonestly~~
- ~~• Participating in fraudulent business~~

3.3 **Theft:** “A person shall be guilty of theft if he/she dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it” (Theft Act 1968).

3.4 **Corruption:** For the purpose of this policy corruption refers to an individual who has given or obtained advantage through means which are illegitimate, immoral, and/or inconsistent with their duty to the Authority or the rights of others. Examples include accepting bribes or incentives during procurement processes, seeking to influence others ~~orthrough the~~ The Council has defined corruption as “The offering of, giving, soliciting or acceptance of an inducement or reward. to influence others.., which may influence the action of any person”.

3.5 **Irregularity:** Any administrative or financial mistrust that comes about either by act or omission.

~~_____~~ The Bribery Act 2010 ~~created~~ creates criminal offences for any individual who either offers or receives a financial or other advantage intending the advantage to be rewarded by the improper performance of a function or activity. The Act also ~~created~~ creates an offence of directly or indirectly offering, promising or giving a bribe to a foreign public official so as to influence the actions of the ~~foreign public~~ said official. Any individual found guilty of any of these offences is liable to imprisonment for up to a maximum period of 10 years.

~~3.5 **Cyber Crime:** this occurs where any criminal act dealing with computers, networks over the internet.~~

~~3.6 **Computer Fraud:** occurs where information technology equipment has been used to manipulate programmes or data dishonestly (for example, by altering, substituting or destroying records or creating spurious records), or where the use of an IT system was a material factor in the perpetration of fraud. Detailed with the Computer Misuse Act 1990.~~

4. Adopting the Right Strategy

4.1 To reduce losses to fraud and corruption to an absolute minimum, a strategic approach is implemented encompassing a clear remit covering all areas of fraud and corruption affecting the organisation Council.

4.2 The approach adopted by the ~~organisation~~-Council involves a three stage process:

- 1) **Deter** by having a culture within the ~~organisation~~-Council which deters the committing of fraud.
- 2) **Prevent** by having measures in place to help prevent fraud occurring.
- 3) **Detect** by having measures in place to detect fraud should it occur.

The approach is covered in more detail in section 8 of this document.

4.3 The full range of ~~actions~~-actions for each stage of the process integrated actions-should be taken forward with the focus on outcomes (i.e. reduced losses) rather than activity (i.e. number of investigations).

5. Accurately Identifying the Risk of Fraud and Corruption

5.1 Fraud and corruption risks are considered as part of the Council's strategic risk management arrangements.

5.2 The nature and scale of losses to fraud and corruption are identified where they can be practically established. By measuring the scale of losses, and learning from where they are detected, knowledge is gained of where controls within systems should be strengthened or introduced to reduce the risk of fraud and corruption in the future.

6. Creating and Maintaining a Strong Structure

6.1 The Council is committed to the Nolan ~~P~~principles of ~~S~~standards in ~~P~~public ~~L~~ife, namely objectivity, openness, leadership, accountability, honesty, selflessness and integrity. High ethical standards should be adhered to and be demonstrated in all the Council's actions and decisions.

6.2 The Council's commitment to the highest standard of governance is supported by a strong framework including the Constitution, Code of Corporate Governance, Member and Officer's Codes of Conduct and specific counter fraud policies e.g. Whistleblowing Policy, and the Anti-Money Laundering Policy. The Annual Governance Statement includes reference to the measures taken to counter fraud and corruption.

6.3 The Council expects elected members and all ~~officers~~-employees to lead by example in demonstrating support for anti-fraud and corruption

measures by adhering to rules and regulations, and that all practices and operating procedures are beyond reproach.

- 6.4 Within the ~~County~~ Council those charged with countering fraud and corruption have the appropriate authority to pursue their remit effectively. In order for the Council to effectively deal with allegations of fraud those charged with investigating matters must receive full support from all ~~officers-employees~~ and members.
- 6.5 It is the responsibility of Service Teams and Senior Accountable Officers ~~management's responsibility~~ to establish sound systems of internal controls in order to prevent and detect fraud, ~~and designed to~~ reduce the risk posed by fraud within service areas. The Authority has a zero tolerance to acts of fraud and corruption.
- 6.6 The Accounts and Audit (Wales) Regulations require every local authority to maintain adequate and effective Internal Audit Service.
- 6.7 One of the roles of Internal Audit is to promote anti-fraud and corruption, best practice and to ensure management has effective systems in place to detect and prevent corrupt practices. The Internal Audit team are properly trained to gain the appropriate knowledge and skills in respect of fraud awareness, prevention, detection and investigation. In Flintshire a clear mandate has been provided to Internal Audit to investigate potential fraud and irregularities and this is specified in the Audit Charter and the Financial Procedure Rules (4.3).
- 6.8 Where appropriate, ~~t~~The Council will co-operate with other local authorities and public sector bodies in the prevention, detection and investigation of fraud and corruption e.g. participation in the National Fraud Initiative and liaison with the Police.

7. Responsibilities

Individual / Group	Role / Responsibility
Chief Executive	Ultimately accountable for the effectiveness of the Council's arrangements for countering fraud and corruption.
Chief Officer Governance (Monitoring Officer)	<ul style="list-style-type: none"> Advise members and officers-employees on ethical issues, standards and powers to ensure that the Council operates within the law and statutory Codes of Practice. Prepare a report to Council where it appears that the authority has or is about to do anything which would be in contravention of the law or which would constitute maladministration.
Corporate Finance Manager (Section 151 Officer)	<ul style="list-style-type: none"> Ensure proper arrangements are made for the Council's financial affairs. Maintain an adequately resourced internal audit team.
Chief Officer Team	Overseeing the corporate approach to counter-fraud activity, setting the tone to embed a culture of high standards and

	integrity.
Senior Accountable Officers	<ul style="list-style-type: none"> • Notify Internal Audit of all suspected fraud or corruption incidents in their area – see Fraud and Irregularity Response Plan, para 65. • Ensuring that adequate systems of internal control exist within their areas of responsibility, and that such controls, checks and supervision operate in such a way as to prevent or detect fraudulent activity. • Regularly need to assess the types of risks and scope for potential fraud associated with the operations in their area. • Ensure that officers <u>employees</u> receive fraud awareness training. The extent of this will depend on the work that individual officers carry out. • Remind officers <u>employees</u> who are an integral part of the control framework of fraud and risk issues. • Ensure this Strategy and the Fraud Response Plan are available to all officer <u>employees</u>.
Workforce	<ul style="list-style-type: none"> • A duty to act if they believe there is a possibility of fraud or corruption taking place or the rules are being breached – see Fraud and Irregularity Response Plan para 3. • Their own conduct and for contributing towards the safeguarding of corporate standards (including declaration of interest, private working, whistleblowing, etc.). • Acting with propriety in the use of official resources and in the handling and use of corporate funds. • Be alert to any financial transactions that may suggest money laundering.
Internal Audit	<ul style="list-style-type: none"> • Providing a pro-active corporate anti-fraud function to facilitate the identification and subsequent investigation of alleged acts of fraud or corruption. • Completion of any and all investigations of fraud and corruption that do not fall within the remit of other investigative bodies, such as Housing Benefit. • Receiving and reviewing notifications of all frauds reported within the Council and analysing fraud risk. • Making appropriate arrangements to co-ordinate the Council's work on the National Fraud Initiative. • Undertake internal data matching across Council systems. • Reporting to and liaising with the local police on individual cases. • Provide reports to the Audit Committee on incidents of fraud and corruption. • Issuing guidance to members and management in relation to fraud and corruption related legislation and procedures. • Provide advice and guidance on internal controls to prevent or detect fraud or corruption. • Promoting fraud awareness and training. • Acting as the Council's consultant on issues of fraud and

	corruption.
External Audit	Considering if the Council has adequate arrangements in place to prevent and detect fraud and corruption.
Trade Unions	<ul style="list-style-type: none"> • Notifying Officers the appropriate individuals if they believe there is a possibility of fraud or corruption taking place or the rules are being breached, see Fraud and Irregularity Response Plan para 4. • Support their members throughout the process.
Members	<ul style="list-style-type: none"> • Notifying the appropriate individuals Officers if they believe there is a possibility of fraud or corruption taking place or the rules are being breached, see Fraud and Irregularity Response Plan para 5. • Responsible for their own conduct. • Contributing towards the safeguarding of corporate standards, as detailed in the Members Code of Conduct.
Audit Committee	<ul style="list-style-type: none"> • Reviewing and monitoring policies for preventing and detecting fraud. • Reviewing reports relating to fraud from internal and external auditors.
Third Party Individuals - Partners, Suppliers, <u>volunteers</u>, Contractors (and <u>employees of</u>), Consultants and the Public	To be aware of the possibility of fraud and corruption within their organisation or against the Council and report any genuine concerns / suspicions.

8. Taking Action to Tackle the Problem

Deterrence

- 8.1 The Council will publicise its counter fraud measures using all available means e.g. the press, newsletters, the Infonet and internet.
- 8.2 Publicised information makes ~~officers~~ **the workforces** aware that fraud and corruption are serious offences and that they may face disciplinary action if there is evidence that they have been involved in these activities.
- 8.3 The Authority has a suite of policies and procedures in place to manage the risk of fraud and corruption which are:
- Corporate Anti-Fraud and Corruption Strategy
 - Fraud **and Irregularity** Response Plan
 - Whistleblowing Policy
 - [Anti-Bribery Policy](#)
 - Anti-Money Laundering Policy
- 8.4 Where fraud and corruption is proved, and the Council has suffered a financial loss, the Council will seek to recover the full value of any loss.

In some cases, this may involve civil proceedings being instigated through the courts. As a deterrent to others the Council will seek to publicise such cases.

Prevention

- 8.5 Managers at all levels within the ~~County~~ Council have a responsibility for the prevention of fraud and corruption (within their own remit) and for implementing appropriate strategies to minimise the risk effectively. Such strategies include promoting fraud awareness, assessing compliance with Council policies (e.g. Financial Regulations) and ensuring sufficient levels of internal control are maintained within systems and procedures.
- 8.6 The internal audit plan includes time for audit involvement in the development of new systems. Involvement at this stage should help to ensure that controls are designed into the systems to help prevent the risk of fraud and corruption. The risk based annual plan also reviews the internal control framework of the Authority, ~~this is risk based~~ and includes reviews of all high risk areas of operation, ~~where~~ the potential for fraud is included as part of the review.

Detection

- 8.7 Managers play a key role in ensuring that systems and processes are in place to detect fraudulent activity.
- 8.8 In many cases, the diligence of ~~officers~~ individuals and the alertness and good citizenship of the public at large detect acts of fraud or corruption. Fraud and corruption may also be discovered by Internal Audit during routine audits, pro-active fraud audits or through the use of data matching. Frauds are also detected as a result of the Council's participation in the National Fraud Initiative exercise.
- 8.9 ~~Officers~~ Employees, elected members and external stakeholders (including third party individuals) are expected to report suspected fraud or corruption in accordance with Council's Financial Regulations and the ~~Council's~~ Whistleblowing procedures ~~policy~~.

Investigation

- 8.10 Reporting suspected cases of fraud and corruption by the above means will ensure that all reported incidents are considered by Internal Audit in accordance with the Fraud and Irregularity Response Plan. All referrals are logged and assessed with timescales being agreed for completion of the investigation taking into account any future loss of evidence or funds.
- 8.11 Not all referrals are fraud related and the investigation may be undertaken by departmental management or appointed investigating officers for cases of misconduct.

- 8.12 During the investigation, the Investigating Officer will contact any other relevant parties e.g. the Monitoring Officer, People and Resources or the Police, to ensure all allegations and evidence are properly investigated and reported upon. When referrals are passed to the Police, the Crown Prosecution Service will determine whether a prosecution will be pursued.
- 8.13 Internal Audit investigation reports identify the specific control weaknesses which were present at the time of the fraud and allowed it to be committed. Actions required to address these weaknesses and strengthen the control environment are included within investigation reports. Actions are graded depending upon their severity and the manager responsible must complete an action plan detailing dates for implementation and officer responsible.
- 8.14 Where necessary, the Council's Disciplinary policy will be used to facilitate a thorough investigation of any allegations of improper behaviour by ~~officers~~employees. The decision to invoke the Disciplinary policy will be a consideration of Chief Officers and ~~People and Resources~~Senior Manager, Human Resources & Organisational Development.
- 8.15 To prevent misuse of the investigation process, someone who maliciously raises a matter they know is untrue may be subject to disciplinary action(~~where applicable~~).

Sanctions and Redress

- 8.16 Where fraud or corruption has been identified the Council will recover any losses (where applicable) and prosecute or apply other sanctions as detailed within the Fraud Response Plan. Sanctions will be applied in a comprehensive, consistent and proportionate manner. Examples of the type of sanctions that could be considered are; disciplinary action (against ~~officers~~employees) and/or civil and criminal action.
- 8.17 Redress will be applied in accordance with the Investigation Outcome (Recovery and Sanctions) Recovery of Losses section detailed in Fraud and Irregularity Response Plan. Rates of recovery will be monitored as part of the quality process.

9. Defining Success

- 9.1 ~~Annually -annual report will be presented to~~ the Audit Committee will be informed on the performance against this strategy, this forms part of the Internal Audit annual report.

10. Awareness and Training

- 10.1 Training and guidance are vital to maintaining the effectiveness of the Anti-Fraud and Corruption Strategy. The Council supports induction and work related training and will ensure that fraud awareness training is provided to all Members, Senior Accountable Officers and the workforce and Senior Managers of the Council.
- 10.2 ~~Officers~~ ~~The within~~ Internal Audit team will receive specific training to ensure compliance with professional standards and relevant legislation.
- 10.3 In order to raise awareness of this strategy, and fraud and corruption in general, the Council will arrange periodic publicity campaigns and will issue advice encouraging fraud awareness.

11. Conclusion

- 11.1 Flintshire County Council has in place a clear framework of systems and procedures to deter, prevent, detect and investigate fraud and corruption.
- 11.2 The Council will monitor performance of the Anti-Fraud and Corruption Strategy through regular reports submitted to the Audit Committee. The Audit Manager will, in addition, keep this policy under review in order to take account of any changes in Council policy and government legislation.
- 11.3 Related policies such as Whistleblowing Policy and the Fraud Response Plan can be found on the Council's [Website and the](#) Infonet.

FLINTSHIRE COUNTY COUNCIL

Corporate Anti-Fraud and Corruption Strategy

DRAFT – Version 2 – December 2019
(with Tracked Changes)

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Policy Owners	Internal Audit Manager
Date Implemented	April 2007
Date Last Reviewed	November 2014
Current Review:	
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Approved by Council (<i>Version 2</i>)	

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- The prevention, detection, deterring, investigation and correcting all forms of fraud and corruption, whether these are attempted from within or external to the organisation.
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 - Embedding management of fraud risk throughout the organisation.
 - Increasing awareness of counter-fraud responsibilities at all levels within and outside the Council.
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- 2.4 The strategy is structured to reflect the CIPFA code of practice on Managing the Risk of Fraud and Corruption. The five key elements of the code are to:
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 - Identify the fraud and corruption risks
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 - Provide resources to implement the strategy
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- 2.7 The Strategy has the full support of Members and the Council's Senior Accountable Officers. It is approved by Audit Committee and The Cabinet.
- 2.8 This policy should be read in conjunction with the Council's Whistleblowing Policy and the Fraud & Irregularity Response Plan.

3. Definitions

- 3.1 **Fraud:** For the purpose of this policy refers to where an individual has undertaken, or intends to undertake, actions in order to obtain gain for him/herself or another, or cause loss to another, or expose another to risk of loss.
- 3.2 The Fraud Act 2006 came into force on 15th January 2007. It created a single offence of fraud which can be committed in three separate ways:
- Fraud by false representation;

- Fraud by failing to disclose information where there is a legal duty to do so; and
 - Fraud by abuse of position.
- 3.3 **Theft:** “A person shall be guilty of theft if he/she dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it” (Theft Act 1968).
- 3.4 **Corruption:** For the purpose of this policy corruption refers to an individual who has given or obtained advantage through means which are illegitimate, immoral, and/or inconsistent with their duty to the Authority or the rights of others. Examples include accepting bribes or incentives during procurement processes, seeking to influence others through the offering of, giving, soliciting or acceptance of an inducement or reward.
- 3.5 **Irregularity:** Any administrative or financial mistrust that comes about either by act or omission.

The Bribery Act 2010 creates criminal offences for any individual who either offers or receives a financial or other advantage intending the advantage to be rewarded by the improper performance of a function or activity. The Act also creates an offence of directly or indirectly offering, promising or giving a bribe to a foreign public official so as to influence the actions of the said official. Any individual found guilty of any of these offences is liable to imprisonment for up to a maximum period of 10 years.

4. Adopting the Right Strategy

- 4.1 To reduce losses to fraud and corruption to an absolute minimum, a strategic approach is implemented encompassing a clear remit covering all areas of fraud and corruption affecting the Council.
- 4.2 The approach adopted by the Council involves a three stage process:
- 1) Deter** by having a culture within the Council which deters the committing of fraud.
 - 2) Prevent** by having measures in place to help prevent fraud occurring.
 - 3) Detect** by having measures in place to detect fraud should it occur.
- The approach is covered in more detail in section 8 of this document.
- 4.3 The full range of actions for each stage of the process should be taken forward with the focus on outcomes (i.e. reduced losses) rather than activity (i.e. number of investigations).

5. Accurately Identifying the Risk of Fraud and Corruption

- 5.1 Fraud and corruption risks are considered as part of the Council's strategic risk management arrangements.
- 5.2 The nature and scale of losses to fraud and corruption are identified where they can be practically established. By measuring the scale of losses, and learning from where they are detected, knowledge is gained of where controls within systems should be strengthened or introduced to reduce the risk of fraud and corruption in the future.

6. Creating and Maintaining a Strong Structure

- 6.1 The Council is committed to the Nolan Principles of Standards in Public Life, namely objectivity, openness, leadership, accountability, honesty, selflessness and integrity. High ethical standards should be adhered to and be demonstrated in all the Council's actions and decisions.
- 6.2 The Council's commitment to the highest standard of governance is supported by a strong framework including the Constitution, Code of Corporate Governance, Member and Officer's Codes of Conduct and specific counter fraud policies e.g. Whistleblowing Policy and the Anti-Money Laundering Policy. The Annual Governance Statement includes reference to the measures taken to counter fraud and corruption.
- 6.3 The Council expects elected members and all employees to lead by example in demonstrating support for anti-fraud and corruption measures by adhering to rules and regulations, and that all practices and operating procedures are beyond reproach.
- 6.4 Within the Council those charged with countering fraud and corruption have the appropriate authority to pursue their remit effectively. In order for the Council to effectively deal with allegations of fraud those charged with investigating matters must receive full support from all employees and members.
- 6.5 It is the responsibility of Service Teams and Senior Accountable Officers to establish sound systems of internal controls in order to prevent and detect fraud, and reduce the risk posed by fraud within service areas. The Authority has a zero tolerance to acts of fraud and corruption.
- 6.6 The Accounts and Audit (Wales) Regulations require every local authority to maintain adequate and effective Internal Audit Service.
- 6.7 One of the roles of Internal Audit is to promote anti-fraud and corruption best practice and to ensure management has effective systems in place

to detect and prevent corrupt practices. The Internal Audit team are properly trained to gain the appropriate knowledge and skills in respect of fraud awareness, prevention, detection and investigation. In Flintshire a clear mandate has been provided to Internal Audit to investigate potential fraud and irregularities and this is specified in the Audit Charter and the Financial Procedure Rules (4.3).

- 6.8 Where appropriate, the Council will co-operate with other local authorities and public sector bodies in the prevention, detection and investigation of fraud and corruption e.g. participation in the National Fraud Initiative and liaison with the Police.

7. Responsibilities

Individual / Group	Role / Responsibility
Chief Executive	Ultimately accountable for the effectiveness of the Council's arrangements for countering fraud and corruption.
Chief Officer Governance (Monitoring Officer)	<ul style="list-style-type: none"> Advise members and employees on ethical issues, standards and powers to ensure that the Council operates within the law and statutory Codes of Practice. Prepare a report to Council where it appears that the authority has or is about to do anything which would be in contravention of the law or which would constitute maladministration.
Corporate Finance Manager (Section 151 Officer)	<ul style="list-style-type: none"> Ensure proper arrangements are made for the Council's financial affairs. Maintain an adequately resourced internal audit team.
Chief Officer Team	Overseeing the corporate approach to counter-fraud activity, setting the tone to embed a culture of high standards and integrity.
Senior Accountable Officers	<ul style="list-style-type: none"> Notify Internal Audit of all suspected fraud or corruption incidents in their area – see Fraud and Irregularity Response Plan, para 6. Ensuring that adequate systems of internal control exist within their areas of responsibility, and that such controls, checks and supervision operate in such a way as to prevent or detect fraudulent activity. Regularly need to assess the types of risks and scope for potential fraud associated with the operations in their area. Ensure that employees receive fraud awareness training. The extent of this will depend on the work that individual carry out. Remind employees who are an integral part of the control framework of fraud and risk issues. Ensure this Strategy and the Fraud Response Plan are available to all employees.
Workforce	<ul style="list-style-type: none"> A duty to act if they believe there is a possibility of fraud or corruption taking place or the rules are being breached – see Fraud and Irregularity

	<p>Response Plan para 3.</p> <ul style="list-style-type: none"> • Their own conduct and for contributing towards the safeguarding of corporate standards (including declaration of interest, private working, whistleblowing, etc.). • Acting with propriety in the use of official resources and in the handling and use of corporate funds. • Be alert to any financial transactions that may suggest money laundering.
Internal Audit	<ul style="list-style-type: none"> • Providing a pro-active corporate anti-fraud function to facilitate the identification and subsequent investigation of alleged acts of fraud or corruption. • Completion of any and all investigations of fraud and corruption that do not fall within the remit of other investigative bodies, such as Housing Benefit. • Receiving and reviewing notifications of all frauds reported within the Council and analysing fraud risk. • Making appropriate arrangements to co-ordinate the Council's work on the National Fraud Initiative. • Undertake internal data matching across Council systems. • Reporting to and liaising with the local police on individual cases. • Provide reports to the Audit Committee on incidents of fraud and corruption. • Issuing guidance to members and management in relation to fraud and corruption related legislation and procedures. • Provide advice and guidance on internal controls to prevent or detect fraud or corruption. • Promoting fraud awareness and training. • Acting as the Council's consultant on issues of fraud and corruption.
External Audit	<p>Considering if the Council has adequate arrangements in place to prevent and detect fraud and corruption.</p>
Trade Unions	<ul style="list-style-type: none"> • Notifying the appropriate individuals if they believe there is a possibility of fraud or corruption taking place or the rules are being breached, see Fraud and Irregularity Response Plan para 4. • Support their members throughout the process.
Members	<ul style="list-style-type: none"> • Notifying the appropriate individuals if they believe there is a possibility of fraud or corruption taking place or the rules are being breached, see Fraud and Irregularity Response Plan para 5. • Responsible for their own conduct. • Contributing towards the safeguarding of corporate standards, as detailed in the Members Code of Conduct.
Audit Committee	<ul style="list-style-type: none"> • Reviewing and monitoring policies for preventing and detecting fraud. • Reviewing reports relating to fraud from internal and external auditors.

Third Party Individuals - Partners, Suppliers, volunteers, Contractors (and employees of), Consultants and the Public	To be aware of the possibility of fraud and corruption within their organisation or against the Council and report any genuine concerns / suspicions.
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8. Taking Action to Tackle the Problem

Deterrence

- 8.1 The Council will publicise its counter fraud measures using all available means e.g. the press, newsletters, the Infonet and internet.
- 8.2 Publicised information makes the workforces aware that fraud and corruption are serious offences and that they may face disciplinary action if there is evidence that they have been involved in these activities.
- 8.3 The Authority has a suite of policies and procedures in place to manage the risk of fraud and corruption which are:
- Corporate Anti-Fraud and Corruption Strategy
 - Fraud and Irregularity Response Plan
 - Whistleblowing Policy
 - Anti-Money Laundering Policy
- 8.4 Where fraud and corruption is proved, and the Council has suffered a financial loss, the Council will seek to recover the full value of any loss. In some cases, this may involve civil proceedings being instigated through the courts. As a deterrent to others the Council will seek to publicise such cases.

Prevention

- 8.5 Managers at all levels within the Council have a responsibility for the prevention of fraud and corruption (within their own remit) and for implementing appropriate strategies to minimise the risk effectively. Such strategies include promoting fraud awareness, assessing compliance with Council policies (e.g. Financial Regulations) and ensuring sufficient levels of internal control are maintained within systems and procedures.
- 8.6 The internal audit plan includes time for audit involvement in the development of new systems. Involvement at this stage should help to ensure that controls are designed into the systems to help prevent the risk of fraud and corruption. The risk based annual plan also reviews the internal control framework of the Authority and includes reviews of all high

risk areas of operation where the potential for fraud is included as part of the review.

Detection

- 8.7 Managers play a key role in ensuring that systems and processes are in place to detect fraudulent activity.
- 8.8 In many cases, the diligence of individuals and the alertness and good citizenship of the public at large detect acts of fraud or corruption. Fraud and corruption may also be discovered by Internal Audit during routine audits, pro-active fraud audits or through the use of data matching. Frauds are also detected as a result of the Council's participation in the National Fraud Initiative exercise.
- 8.9 Employees, elected members and external stakeholders (including third party individuals) are expected to report suspected fraud or corruption in accordance with Council's Financial Regulations and the Whistleblowing policy.

Investigation

- 8.10 Reporting suspected cases of fraud and corruption by the above means will ensure that all reported incidents are considered by Internal Audit in accordance with the Fraud and Irregularity Response Plan. All referrals are logged and assessed with timescales being agreed for completion of the investigation taking into account any future loss of evidence or funds.
- 8.11 Not all referrals are fraud related and the investigation may be undertaken by departmental management or appointed investigating officers for cases of misconduct.
- 8.12 During the investigation, the Investigating Officer will contact any other relevant parties e.g. the Monitoring Officer, People and Resources or the Police, to ensure all allegations and evidence are properly investigated and reported upon. When referrals are passed to the Police, the Crown Prosecution Service will determine whether a prosecution will be pursued.
- 8.13 Internal Audit investigation reports identify the specific control weaknesses which were present at the time of the fraud and allowed it to be committed. Actions required to address these weaknesses and strengthen the control environment are included within investigation reports. Actions are graded depending upon their severity and the manager responsible must complete an action plan detailing dates for implementation and officer responsible.
- 8.14 Where necessary, the Council's Disciplinary policy will be used to facilitate a thorough investigation of any allegations of improper behaviour by employees. The decision to invoke the Disciplinary policy will be a

consideration of Chief Officers and Senior Manager, Human Resources & Organisational Development.

- 8.15 To prevent misuse of the investigation process, someone who maliciously raises a matter they know is untrue may be subject to disciplinary action.

Sanctions and Redress

- 8.16 Where fraud or corruption has been identified the Council will recover any losses (where applicable) and prosecute or apply other sanctions as detailed within the Fraud Response Plan. Sanctions will be applied in a comprehensive, consistent and proportionate manner. Examples of the type of sanctions that could be considered are disciplinary action (against employees) and/or civil and criminal action.
- 8.17 Redress will be applied in accordance with the Investigation Outcome (Recovery and Sanctions) section detailed in Fraud and Irregularity Response Plan. Rates of recovery will be monitored as part of the quality process.

9. Defining Success

- 9.1 Annually the Audit Committee will be informed on the performance against this strategy, this forms part of the Internal Audit annual report.

10. Awareness and Training

- 10.1 Training and guidance are vital to maintaining the effectiveness of the Anti-Fraud and Corruption Strategy. The Council supports induction and work related training and will ensure that fraud awareness training is provided to all Members, Senior Accountable Officers and the workforce of the Council.
- 10.2 The Internal Audit team will receive specific training to ensure compliance with professional standards and relevant legislation.
- 10.3 In order to raise awareness of this strategy, and fraud and corruption in general, the Council will arrange periodic publicity campaigns and will issue advice encouraging fraud awareness.

11. Conclusion

- 11.1 Flintshire County Council has in place a clear framework of systems and procedures to deter, prevent, detect and investigate fraud and corruption.

- 11.2 The Council will monitor performance of the Anti-Fraud and Corruption Strategy through regular reports submitted to the Audit Committee. The Audit Manager will, in addition, keep this policy under review in order to take account of any changes in Council policy and government legislation.
- 11.3 Related policies such as Whistleblowing Policy and the Fraud Response Plan can be found on the Council's Website and the Infonet.

FLINTSHIRE COUNTY COUNCIL

Fraud and Irregularity Response Plan

DRAFT – V1.4.2 – ~~December~~ June 2019

(with Tracked Changes)

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<u>Policy Owners</u>	<u>Internal Audit Manager</u>
<u>Date Implemented</u>	<u>April 2007</u>
<u>Date Last Reviewed</u>	<u>November 2014</u>
<u>Current Review:</u>	
<u>Approved by Audit Committee (Version 1.7)</u>	<u>February 2019</u>
<u>Approved by Constitution and Democratic Services Committee (Version 1.8)</u>	<u>June 2019</u>
<u>Approved by Council (Version 2)</u>	

1. Introduction

- 1.1 ~~This document provides guidance to all employees (including centrally employed teachers) of Flintshire County Council (as defined by the Employment Rights Act) and is commended to School Governing Bodies and other associated employers as best practice e.g. NEWydd, Aura. The document also applies to Third Party individuals (Partners, Consultants, Suppliers, Volunteers, Contractor and employees of Council suppliers and contractors, who are employed to deliver a service / goods to the Council). This document provides guidance to , and employees staff and management in the event of their becoming aware of, or suspecting a fraud or corrupt act being committed in Flintshire by a Council Member, member of staff, contractor or a supplier.~~
- 1.2 A one page flowchart is also included at the end of this document, to provide an at-a-glance summary of the process.
- 1.3 The plan is not intended for use where there is suspicion of child abuse. Where concerns are noted in relation to child protection, these should be referred in the first instance to the Duty and Assessment Team, Social Services on 01352 701000 for a preliminary discussion. Additionally if concerns raised relate to modern slavery and trafficking or any safeguarding issues please contact Social Services on 01352 701053 (Children) or 01352 702540 (Adults).

2. Objectives

- 2.1 The objectives of ~~this a fraud~~ Fraud and ~~irregularity~~ Irregularity response ~~Response plan~~ Plan are to ensure that timely and effective action can be taken to:
- ~~ensure~~ establish there is a clear understanding over who will lead any investigation and to ensure local managers, Internal Audit and People and Resources are involved as appropriate;
 - prevent further losses of funds or other assets where fraud has occurred and maximise recovery of losses;
 - ~~ensure~~ demonstrate there is substance and evidence to support any allegation against an employee before that employee is subject to disciplinary action;
 - minimise the risk of inappropriate action or disclosure taking place which would compromise an investigation or recovery of losses;
 - secure evidence and ~~ensure~~ containment of any information or knowledge of any investigation into the matter reported;
 - identify the perpetrators and maximise the success of any disciplinary / legal action taken. ~~;~~ and

3. Whistleblowing Policy

- 3.1 If you prefer to raise your concerns confidentially the Council has a Whistleblowing Policy (available on the infonet) in accordance with the provisions of the Public Interest Disclosure Act 1998. The policy provides the individual with a method of raising concerns about any financial or other malpractice in the Council.
- 3.2 Under that policy, if you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent apart from exceptional cases. For example this could be in cases when the person raising the concerns will need to provide a statement and potentially appear as a witness in subsequent legal proceedings, or may be required to give evidence in a disciplinary hearing. It is also possible that the investigation itself may serve to reveal the source of information, although this will be avoided where possible.
- 3.3 Subject to the constraints of Data Protection Legislation and the Council's duty of confidentiality to the workforce staff and Councillors, we will give you as much feedback as we properly can within an agreed timescale.

4. ~~Employee~~ Responsibilities

- 4.1 As an ~~employee~~individual (employee, member or third party individual of the Council), there are a number of actions you may be required to take depending on who is involved in the fraud or ~~irregularity~~corruption. You should remember, however, that when you know of or suspect a fraud or ~~irregular~~corrupt act, you must not discuss it with other individuals or work colleagues either before or after reporting it to the appropriate person so that the investigation is not compromised.
- 4.2 An irregularity is an administrative or financial mismanagement that comes about either by act or omission.
- 4.32 You should never confront the suspected individual or act in a manner which might draw their attention to your suspicions.
- 4.43 At the earliest opportunity you should clearly record all the activities you have witnessed and information you have received or are aware of. It is important to record as much information as possible to inform any subsequent management assessment or investigation, including dates, times and sequences of events.

Suspected Fraud by another Council Employee

- 4.54 As an employee if a work colleague is giving rise to suspicions that she / he is committing a fraudulent or corrupt act within the Authority, then under normal circumstances you should report it to your **line manager**. However, you may

not wish to report to your line manager, particularly if you suspect them of committing a fraud or corrupt act, or having an involvement in what you have observed. Therefore, the option exists to report your concerns to any of the following officers:

- **Your line Manager's Manager;**
- **Your Chief Officer;**
- **The Internal Audit Manager**

In addition, suspicions can be reported to your Trade Union, see Para 4.

Suspected Fraud by an Elected Member

4.65 If you need to report a suspicion, ~~or~~ an actual fraud or corrupt act by a Councillor, you should report this to one of the following officers in the Council:

- **The Chief Officer Governance, who is the Council's Monitoring Officer;**
- **The Internal Audit Manager**

Suspected Fraud by a ~~contractor~~Contractor, ~~supplier~~Supplier, Volunteer or a ~~member~~Member of the ~~public~~Public

4.76 If the fraud or corrupt act is being committed in your Service area, then under normal circumstances you should report your concerns to your **line manager**. If your suspicions do not relate directly to your area, then you should not ignore the information you have, but should report the matter directly to the **Internal Audit Manager**. This could include information that comes into your possession through your profession or social life.

Whistleblowing policy

~~3.1 If you prefer to raise your concerns confidentially the Council has a Whistleblowing policy (available on the intranet) in accordance with the provisions of the Public Interest Disclosure Act 1998. The policy provides employeesstaff with a method of raising concerns about any financial or other malpractice in the Council.~~

~~3.2 Under that policy, if you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent apart from exceptional cases. For example this could be in cases when the person raising the concerns will need to provide a statement and potentially appear as a witness in subsequent legal proceedings, or may be required to give evidence in a disciplinary hearing. It is also possible that the investigation itself may serve to reveal the source of information, although this will be avoided where possible.~~

~~3.3 Subject to the constraints of Data Protection legislation and the Council's duty of confidentiality to employeesstaff and Councillors, we will give you as much feedback as we properly can within an agreed timescale.~~

4.85 MembersTrade Union RoleResponsibilities

4.8 Where Members come into possession of information which may indicate that a fraudulent or corrupt act is being perpetrated against Flintshire County Council, they must report this to either the **Chief Executive, the Internal Audit Manager, the relevant Chief Officer, or the Council's Monitoring Officer (Chief Officer Governance)**. The officer in receipt of the report should ensure that any subsequent investigation follows the requirements of this fraud response plan.

4.9 Under no circumstances should a Member discuss a suspected fraud with other Members or the press

~~Should any employee who is a member of a recognised Trade Union have any concerns regarding their own behaviour, or that of others, in relation to any potential fraudulent activity then they can seek advice and assistance from their Trade Union.~~

~~5.2 Whilst discussions between the Trade Union members and their Trade Union are confidential, the disclosure of any potential fraudulent activity to a Trade Union Official will result in it being disclosed to the Organisation for them to investigate it fully. Disclosure of information to the Trade Unions will protect the identity of the individual making the disclosure and they will of course receive the full support of their Trade Union throughout the ensuing process.~~

~~4.96. Trade Union Members Responsibilities~~

~~6.1 Should any employee who is a member of a recognised Trade Union have any concerns regarding their own behaviour, or that of others, in relation to any potential fraudulent activity then they can seek advice and assistance from their Trade Union.~~

~~Whilst discussions between the Trade Union member and their Trade Union are confidential, the disclosure of any potential fraudulent activity to a Trade Union Official will result in it being disclosed to the Organisation for them to investigate it fully. Disclosure of information to the Trade Unions will protect the identity of the individual making the disclosure and they will receive the full support of their Trade Union throughout the ensuing process~~Where Members come into possession of information which may indicate that a fraudulent or corrupt act is being perpetrated against Flintshire County Council, they must report this to either the **Chief Executive, the Internal Audit Manager, the relevant Chief Officer, or the Council's Monitoring Officer (Chief Officer Governance)**. The officer in receipt of the report should ensure that any subsequent investigation follows the requirements of this fraud response plan.

~~6.2 Under no circumstances should a Member discuss a suspected fraud with other Members or the press.~~

~~4.107. Third Party Responsibilities (Partners, Consultants, Suppliers, Contractors, Volunteers and employees of these)~~

~~74.10 Where a Third Party comes into possession of information which may indicate that a fraudulent or corrupt act is being perpetrated against Flintshire County Council, they must report this to either the Chief Executive, the Internal Audit~~

Manager, the relevant Chief Officer, or the Council's Monitoring Officer (Chief Officer Governance).

4.118 Management's Senior Accountable Officers Role Responsibilities

~~68.14.11~~ As soon as a complaint or an allegation is received by a manager (including referrals made by Members as in 4.1), it is their responsibility to inform the **Internal Audit Manager** in accordance with Finance Procedure Rule ~~4.311.17(e)~~ and **People and Resources** (where the allegation relates to an employee member of staff) to undertake an initial risk assessment of the facts. This enquiry should be carried out as quickly as possible, with the objectives of either substantiating or repudiating the allegation that has been made.

~~68.2.4.12.~~ At no time during the preliminary investigation should the manager confront the alleged suspect, nor put evidence at risk. Under no circumstances should a manager discuss a suspected employee fraud with other staff members or peer managers.

~~4.13.68.3~~ If there are suspicions that similar frauds are or could be being committed the situation should be discussed with the **Internal Audit Manager**.

Trade Union Responsibilities

4.14 Should any employee who is a member of a recognised Trade Union have any concerns regarding their own behaviour, or that of others, in relation to any potential fraudulent activity then they can seek advice and assistance from their Trade Union.

4.15 Whilst discussions between the Trade Union member and their Trade Union are confidential, the disclosure of any potential fraudulent activity to a Trade Union Official will result in it being disclosed to the Organisation for them to investigate it fully. Disclosure of information to the Trade Unions will protect the identity of the individual making the disclosure and they will receive the full support of their Trade Union throughout the ensuing process

5

79. What will Hhappen nextNext?

~~795.1~~ After the initial assessment has been carried out and where evidence suggests there is a potential fraud or irregularity, a detailed investigation will need to be undertaken. Depending on the nature of the allegation the options for this will be:

- Appoint an Investigating Officer; this will usually be a senior officer in the relevant service and will be appointed ~~actioned~~ by People and Resources. He/she will carry out the investigation (for investigations under the disciplinary policy) in conjunction with People and Resources;

- Internal Audit carry out the investigation ([for all fraud related investigations](#)) in conjunction with the Investigating Officer;
- The matter is referred to the Police (in conjunction with Internal Audit where required);
- The matter is referred to an external agency for investigation ~~eg.e.g.~~ Housing Benefit fraud ~~or~~ [National Anti-Fraud Network \(NAFN\)](#).

610. How will the investigation ~~Investigation~~ proceed ~~Proceed~~?

~~6.110.4~~ Every case is unique. The Internal Audit Manager will work with the appointed Investigating Officer and People and Resources to ensure the most appropriate course of action is taken.

Considerations will include:

- The preparation of an investigation plan;
- The potential requirement to suspend a member of staff, in accordance with the Council's Disciplinary Procedure, while the investigation is undertaken;
- The need to secure evidence (including documents, computer records, CCTV ~~recordingstapes,~~ ~~eteetc.~~);
- The commissioning of specialist services from both within and outside the Council (e.g. surveillance experts, forensic IT specialists, specific service areas or subject matter experts);
- Carrying out interviews to gather information and witness statements (any interviews must be conducted fairly and will, where possible, be ~~tape~~-recorded);
- ~~Potential referral to other internal or external agencies, e.g. Housing Benefit Fraud team, the Department for Work & Pensions, the Police, Standards Committee,~~ [National Anti-Fraud Network](#);-
- [Consider whether RIPA \(Regulation of Investigatory Powers Act\) approval is required. This is usually where surveillance needs to be undertaken;- and](#)
- [Advise and assist management in implementing new procedures and internal controls where necessary.](#)

7.11. Investigation ~~outcomes~~ Outcomes (Recovery and Sanctions)

Allegations against an Employee

7.144.4 If an allegation is substantiated following an investigation, the disciplinary process will be instigated.

7.244.2 At the same time, if there is evidence that fraud has been committed against the Council, the Internal Audit Manager will formally consider referring the matter to the Police (if not already done so at initial assessment stage), and liaise with them over whether formal charges will be brought and an investigation taken forward to possible prosecution. A referral to the Police will be carried out, normally following consultation with the Head of Senior Manager, Human Resources and Organisational Chief Officers for People & Resources, and the Development, the Chief Officer Governance and the Chief Executive.

7.344.3 In appropriate circumstances the Council will consider taking civil action against the accused employee to recover any debt caused as a result of their actions.

Allegation against a Councillor

7.444.4 Any allegations which are substantiated against a Councillor will be considered under their ~~code~~ Code of ~~conduct~~ Conduct by the Council's Monitoring Officer and could result in a referral to the standards committee, Public Service Ombudsman for Wales or the Police.

Allegation against a Contractor or Supplier

7.544.5 If an allegation of fraud against the Council by a contractor or supplier is substantiated, it will be referred to the police and may result in prosecution.

7.644.6 In addition to the criminal route, wherever applicable, the action taken by the Council will also follow a civil route, in order to recover assets or monies obtained by the potential offender.

External Audit

744.7 In some cases it may be necessary to immediately inform the Council's External Auditor of the fraud or corruption. This will be the responsibility of the Internal Audit Manager.

Audit Committee

744.8 Except in special circumstances, after taking into consideration issues of confidentiality, fraud investigations will normally be reported in outline to the Audit Committee every quarter. Where it would be proper to do so, the Chair of

the Audit Committee will be briefed immediately with any sensitive/serious matters.

~~7.11.9~~ Any variation from the approved ~~F~~fraud ~~and irregularity response~~ ~~Response Plan~~, together with reasons for the variation, will be reported to the Audit Committee where it would be appropriate to do so.

Press and Publicity

~~7.11.10~~ The ~~Business and Corporate~~ Communications Team will deal with the press and publicity in all matters regarding fraud and corruption. Where appropriate, the details of all successful prosecutions for fraud will be released to the media through the ~~Business and Corporate~~ Communications Team. Such disclosures will maintain the confidentiality of the initial referral. Staff ~~and~~ Managers ~~or Members~~ must not directly disclose to the press the details of any cases suspected or under investigation.

~~7.11.11~~ Disclosure of details to the media without the express authority of the ~~Business and Corporate~~ Communications Team could be regarded as a disciplinary matter. The aim is to publicise the Council's intolerance of fraud or corruption both within the Council and by users of its services. It also serves to publicise our successes against those who would perpetrate such fraud or corruption against the Council.

812. Conclusion

~~8.112.4~~ The Fraud and Irregularity Response Plan for ~~the Council's Workforce, Service Teams and Senior Accountable Officers~~ ~~Employees~~ ~~Staff~~ ~~and Management, is part of a number of policies listed below (see appendix a) which in conjunction with the Anti-Fraud and Corruption Strategy, the Whistleblowing Policy, the Codes of Conduct (Employees and Members), the Prosecution Policy and the Employee Disciplinary Policy will supports~~ the Council's objectives in countering and investigating corporate fraud and corruption.

- Anti-Fraud and Corruption Strategy
- Whistleblowing Policy
- Codes of Conduct (~~Staff Officers~~ and Members)
- Prosecution Policy
- Employee Disciplinary Policy
- Code of Corporate Governance
- Financial Procedure Rules
- Contract Procedure Rules
- ~~Members Code of Conduct~~
- ~~Employees Code of Conduct~~

However no guidance such as this can be expected to cover all eventualities and, therefore, if you have any issues or are unsure of the action to take in a given situation you should immediately contact the Internal Audit Manager.

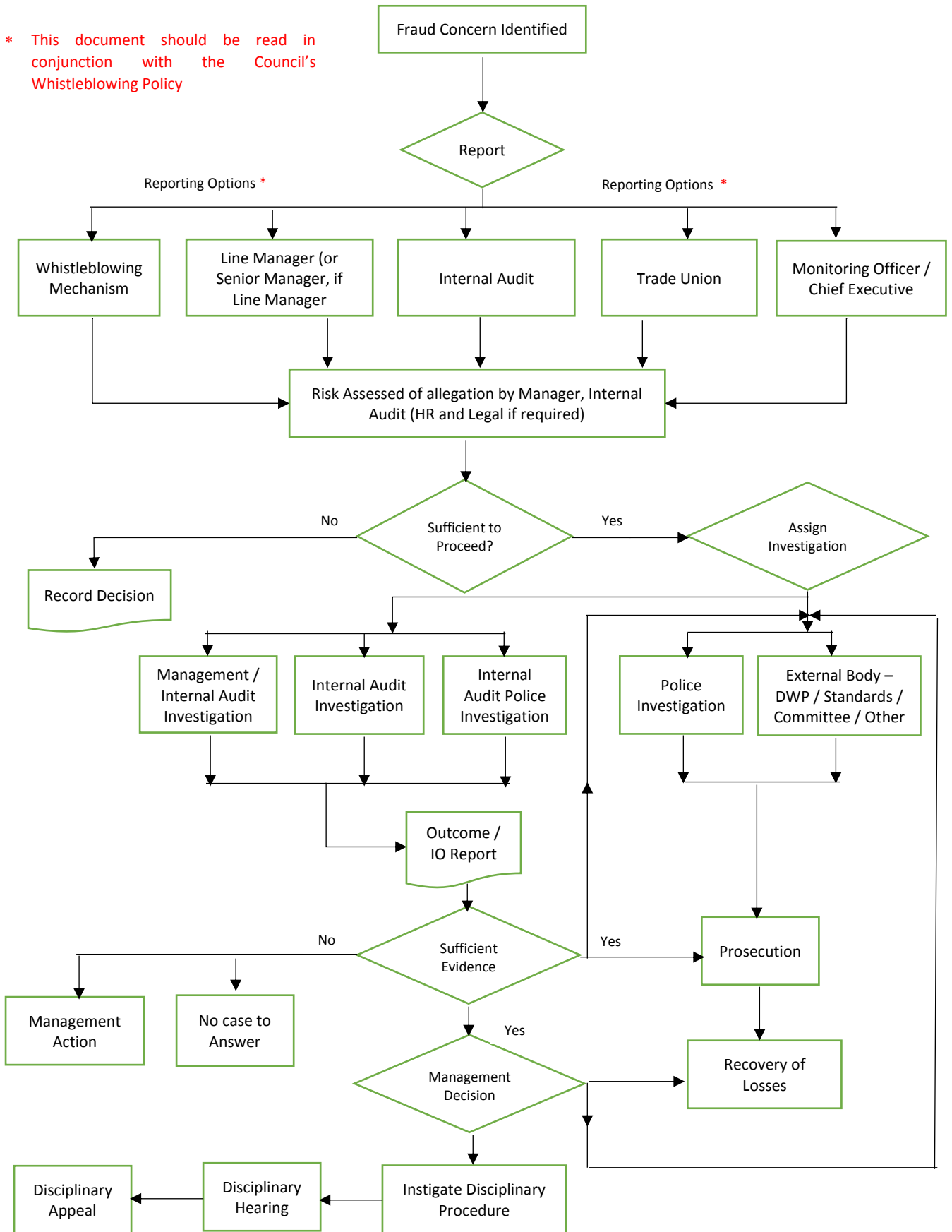
9.13. ~~Review of Fraud and Irregularity Response~~ Plan Monitoring

9.143.1 The Fraud and Irregularity Response Plan will be subject to annual review and update.

9.2 All related policies such as the Whistleblowing Policy and Anti-Fraud and Corruption Strategy can be found on the Council's [Website and the Infonet](#)

Response Plan

* This document should be read in conjunction with the Council's Whistleblowing Policy



FLINTSHIRE COUNTY COUNCIL

Fraud and Irregularity Response Plan

DRAFT – V2– December 2019

(with Tracked Changes)

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Policy Owners	Internal Audit Manager
Date Implemented	April 2007
Date Last Reviewed	November 2014
Current Review:	
Approved by Audit Committee (<i>Version 1.7</i>)	February 2019
Approved by Constitution and Democratic Services Committee (<i>Version 1.8</i>)	June 2019
Approved by Council (<i>Version 2</i>)	

1. Introduction

- 1.1 This document provides guidance to all employees (including centrally employed teachers) of Flintshire County Council (as defined by the Employment Rights Act) and is commended to School Governing Bodies and other associated employers as best practice e.g. NEWydd, Aura. The document also applies to Third Party individuals (Partners, Consultants, Suppliers, Volunteers, Contractor and employees of Council suppliers and contractors, who are employed to deliver a service / goods to the Council)
- 1.2 A one page flowchart is also included at the end of this document, to provide an at-a-glance summary of the process.
- 1.3 The plan is not intended for use where there is suspicion of child abuse. Where concerns are noted in relation to child protection, these should be referred in the first instance to the Duty and Assessment Team, Social Services on 01352 701000 for a preliminary discussion. Additionally if concerns raised relate to modern slavery and trafficking or any safeguarding issues please contact Social Services on 01352 701053 (Children) or 01352 702540 (Adults).

2. Objectives

- 2.1 The objectives of this Fraud and Irregularity Response Plan are to ensure that timely and effective action can be taken to:
 - establish there is a clear understanding over who will lead any investigation and to ensure local managers, Internal Audit and People and Resources are involved as appropriate;
 - prevent further losses of funds or other assets where fraud has occurred and maximise recovery of losses;
 - demonstrate there is substance and evidence to support any allegation against an employee before that employee is subject to disciplinary action;
 - minimise the risk of inappropriate action or disclosure taking place which would compromise an investigation or recovery of losses;
 - secure evidence and containment of any information or knowledge of any investigation into the matter reported;
 - identify the perpetrators and maximise the success of any disciplinary / legal action taken.

3. Whistleblowing Policy

- 3.1 If you prefer to raise your concerns confidentially the Council has a Whistleblowing Policy (available on the infonet) in accordance with the

provisions of the Public Interest Disclosure Act 1998. The policy provides the individual with a method of raising concerns about any financial or other malpractice in the Council.

- 3.2 Under that policy, if you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent apart from exceptional cases. For example this could be in cases when the person raising the concerns will need to provide a statement and potentially appear as a witness in subsequent legal proceedings, or may be required to give evidence in a disciplinary hearing. It is also possible that the investigation itself may serve to reveal the source of information, although this will be avoided where possible.
- 3.3 Subject to the constraints of Data Protection Legislation and the Council's duty of confidentiality to the workforce staff and Councillors, we will give you as much feedback as we properly can within an agreed timescale.

4. Responsibilities

- 4.1 As an individual (employee, member or third party individual of the Council), there are a number of actions you may be required to take depending on who is involved in the fraud or irregularity. You should remember, however, that when you know of or suspect a fraud or irregular act, you must not discuss it with other individuals or work colleagues either before or after reporting it to the appropriate person so that the investigation is not compromised.
- 4.2 An irregularity is an administrative or financial mismanagement that comes about either by act or omission.
- 4.3 You should never confront the suspected individual or act in a manner which might draw their attention to your suspicions.
- 4.4 At the earliest opportunity you should clearly record all the activities you have witnessed and information you have received or are aware of. It is important to record as much information as possible to inform any subsequent management assessment or investigation, including dates, times and sequences of events.

Suspected Fraud by another Council Employee

- 4.5 As an employee if a work colleague is giving rise to suspicions that she / he is committing a fraudulent or corrupt act within the Authority, then under normal circumstances you should report it to your **line manager**. However, you may not wish to report to your line manager, particularly if you suspect them of committing a fraud or corrupt act, or having an involvement in what you have observed. Therefore, the option exists to report your concerns to any of the following officers:

- **Your line Manager's Manager**
- **Your Chief Officer**
- **The Internal Audit Manager**

In addition, suspicions can be reported to your Trade Union, see Para 4.

Suspected Fraud by an Elected Member

- 4.6 If you need to report a suspicion, an actual fraud or corrupt act by a Councillor, you should report this to one of the following officers in the Council:
- **The Chief Officer Governance, who is the Council's Monitoring Officer**
 - **The Internal Audit Manager**

Suspected Fraud by a Contractor, Supplier, Volunteer or a Member of the Public

- 4.7 If the fraud or corrupt act is being committed in your Service area, then under normal circumstances you should report your concerns to your **line manager**. If your suspicions do not relate directly to your area, then you should not ignore the information you have, but should report the matter directly to the **Internal Audit Manager**. This could include information that comes into your possession through your profession or social life.

Members Responsibilities

- 4.8 Where Members come into possession of information which may indicate that a fraudulent or corrupt act is being perpetrated against Flintshire County Council, they must report this to either the **Chief Executive, the Internal Audit Manager, the relevant Chief Officer, or the Council's Monitoring Officer (Chief Officer Governance)**. The officer in receipt of the report should ensure that any subsequent investigation follows the requirements of this fraud response plan.
- 4.9 Under no circumstances should a Member discuss a suspected fraud with other Members or the press

Third Party Responsibilities (Partners, Consultants, Suppliers, Contractors, Volunteers and employees of these)

- 4.10 Where a Third Party comes into possession of information which may indicate that a fraudulent or corrupt act is being perpetrated against Flintshire County Council, they must report this to either the Chief Executive, the Internal Audit Manager, the relevant Chief Officer, or the Council's Monitoring Officer (Chief Officer Governance).

Senior Accountable Officers Responsibilities

- 4.11 As soon as a complaint or an allegation is received by a manager (including referrals made by Members as in 4.1), it is their responsibility to inform the **Internal Audit Manager** in accordance with Finance Procedure Rule 4.3 and **People and Resources** (where the allegation relates to an employee) to undertake an initial risk assessment of the facts. This enquiry should be carried

out as quickly as possible, with the objectives of either substantiating or repudiating the allegation that has been made.

- 4.12. At no time during the preliminary investigation should the manager confront the alleged suspect, nor put evidence at risk. Under no circumstances should a manager discuss a suspected employee fraud with other staff members or peer managers.
- 4.13. If there are suspicions that similar frauds are or could be being committed the situation should be discussed with the **Internal Audit Manager**.

Trade Union Responsibilities

- 4.14 Should any employee who is a member of a recognised Trade Union have any concerns regarding their own behaviour, or that of others, in relation to any potential fraudulent activity then they can seek advice and assistance from their Trade Union.
- 4.15 Whilst discussions between the Trade Union member and their Trade Union are confidential, the disclosure of any potential fraudulent activity to a Trade Union Official will result in it being disclosed to the Organisation for them to investigate it fully. Disclosure of information to the Trade Unions will protect the identity of the individual making the disclosure and they will receive the full support of their Trade Union throughout the ensuing process

5. What will Happen Next?

- 5.1 After the initial assessment has been carried out and where evidence suggests there is a potential fraud or irregularity, a detailed investigation will need to be undertaken. Depending on the nature of the allegation the options for this will be:
- Appoint an Investigating Officer; this will usually be a senior officer in the relevant service and will be appointed by People and Resources. He/she will carry out the investigation (for investigations under the disciplinary policy) in conjunction with People and Resources;
 - Internal Audit carry out the investigation (for all fraud related investigations) in conjunction with the Investigating Officer;
 - The matter is referred to the Police (in conjunction with Internal Audit where required);
 - The matter is referred to an external agency for investigation e.g. Housing Benefit fraud or National Anti-Fraud Network (NAFN).

6. How will the Investigation Proceed?

6.1 Every case is unique. The Internal Audit Manager will work with the appointed Investigating Officer and People and Resources to ensure the most appropriate course of action is taken.

Considerations will include:

- The preparation of an investigation plan;
- The potential requirement to suspend a member of staff, in accordance with the Council's Disciplinary Procedure, while the investigation is undertaken;
- The need to secure evidence (including documents, computer records, CCTV recordings etc.);
- The commissioning of specialist services from both within and outside the Council (e.g. surveillance experts, forensic IT specialists, specific service areas or subject matter experts);
- Carrying out interviews to gather information and witness statements (any interviews must be conducted fairly and will, where possible, be recorded);
- Potential referral to other internal or external agencies, e.g. Housing Benefit Fraud team, the Department for Work & Pensions, the Police, Standards Committee, National Anti-Fraud Network;
- Consider whether RIPA (Regulation of Investigatory Powers Act) approval is required. This is usually where surveillance needs to be undertaken; and
- Advise and assist management in implementing new procedures and internal controls where necessary.

7. Investigation Outcomes (Recovery and Sanctions)

Allegations against an Employee

7.1 If an allegation is substantiated following an investigation, the disciplinary process will be instigated.

7.2 At the same time, if there is evidence that fraud has been committed against the Council, the Internal Audit Manager will formally consider referring the matter to the Police (if not already done so at initial assessment stage), and liaise with them over whether formal charges will be brought and an investigation taken forward to possible prosecution. A referral to the Police will be carried out, normally following consultation with the Senior Manager, Human Resources and Organisational Development, the Chief Officer Governance and the Chief Executive.

- 7.3 In appropriate circumstances the Council will consider taking civil action against the accused employee to recover any debt caused as a result of their actions.

Allegation against a Councillor

- 7.4 Any allegations which are substantiated against a Councillor will be considered under their Code of Conduct by the Council's Monitoring Officer and could result in a referral to the standards committee, Public Service Ombudsman for Wales or the Police.

Allegation against a Contractor or Supplier

- 7.5 If an allegation of fraud against the Council by a contractor or supplier is substantiated, it will be referred to the police and may result in prosecution.
- 7.6 In addition to the criminal route, wherever applicable, the action taken by the Council will also follow a civil route, in order to recover assets or monies obtained by the potential offender.

External Audit

- 7.7 In some cases it may be necessary to immediately inform the Council's External Auditor of the fraud or corruption. This will be the responsibility of the Internal Audit Manager.

Audit Committee

- 7.8 Except in special circumstances, after taking into consideration issues of confidentiality, fraud investigations will normally be reported in outline to the Audit Committee every quarter. Where it would be proper to do so, the Chair of the Audit Committee will be briefed immediately with any sensitive/serious matters.
- 7.9 Any variation from the approved Fraud and Irregularity Response Plan, together with reasons for the variation, will be reported to the Audit Committee where it would be appropriate to do so.

Press and Publicity

- 7.10 The Business and Communications Team will deal with the press and publicity in all matters regarding fraud and corruption. Where appropriate, the details of all successful prosecutions for fraud will be released to the media through the Business and Communications Team. Such disclosures will maintain the confidentiality of the initial referral. Staff, Managers or Members must not directly disclose to the press the details of any cases suspected or under investigation.
- 7.11 Disclosure of details to the media without the express authority of the Business and Communications Team could be regarded as a disciplinary matter. The aim

is to publicise the Council's intolerance of fraud or corruption both within the Council and by users of its services. It also serves to publicise our successes against those who would perpetrate such fraud or corruption against the Council.

8. Conclusion

8.1 The Fraud and Irregularity Response Plan for the Council's Workforce, Service Teams and Senior Accountable Officers, is part of a number of policies listed below which supports the Council's objectives in countering and investigating corporate fraud and corruption.

- Anti-Fraud and Corruption Strategy
- Whistleblowing Policy
- Codes of Conduct (Officers and Members)
- Prosecution Policy
- Employee Disciplinary Policy
- Code of Corporate Governance
- Financial Procedure Rules
- Contract Procedure Rules

However no guidance such as this can be expected to cover all eventualities and, therefore, if you have any issues or are unsure of the action to take in a given situation you should immediately contact the Internal Audit Manager.

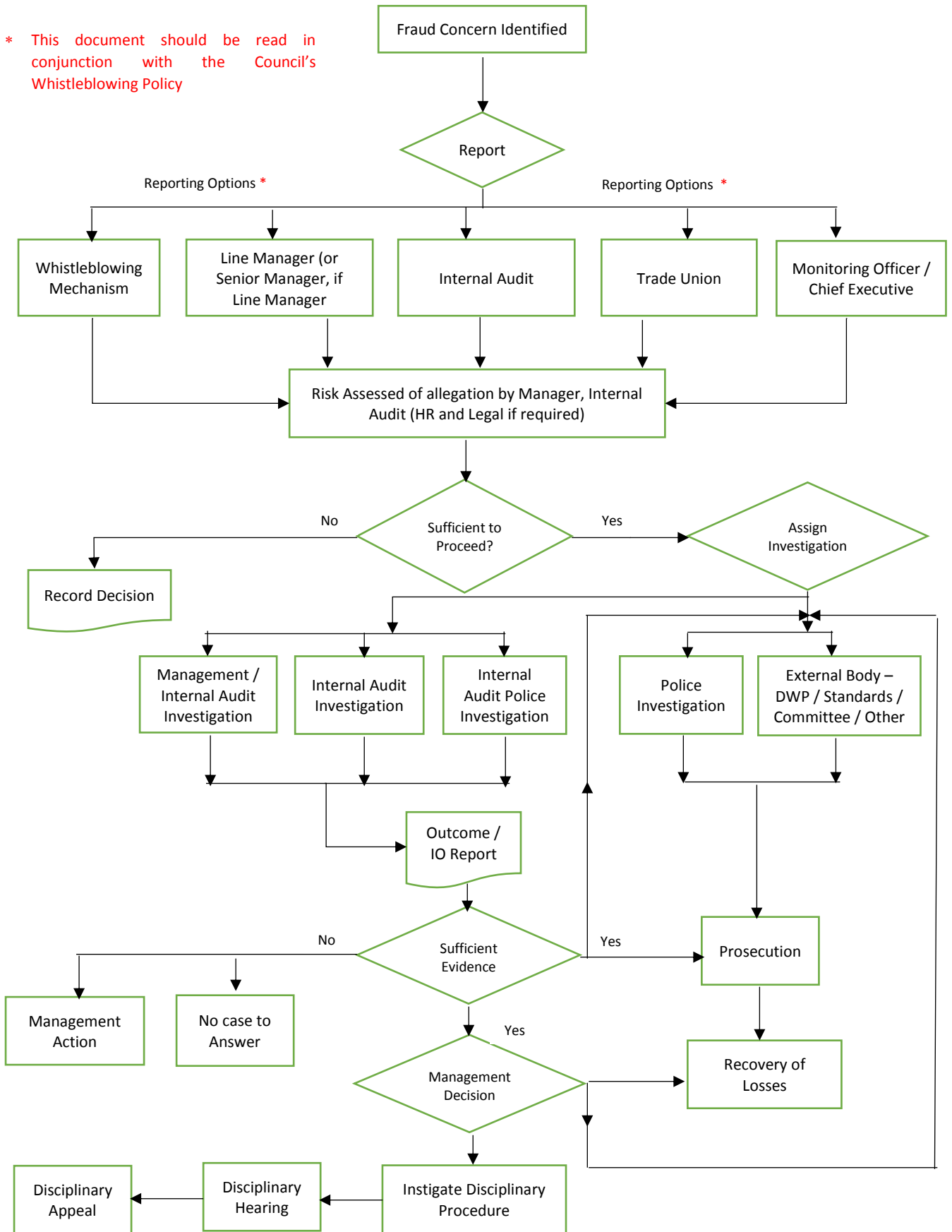
9. Monitoring

9.1 The Fraud and Irregularity Response Plan will be subject to annual review and update.

9.2 All related policies such as the Whistleblowing Policy and Anti-Fraud and Corruption Strategy can be found on the Council's Website and the Infonet

Response Plan

* This document should be read in conjunction with the Council's Whistleblowing Policy



Eitem ar gyfer y Rhaglen 10



COUNTY COUNCIL

Date of Meeting	Tuesday, 10 th December 2019
Report Subject	Whistleblowing Policy
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The Whistleblowing Policy enables employees, members, and third party individuals (partners, consultants, volunteers, suppliers, contractors, including their employees) of the Council to raise any concerns that they have and gives assurance about confidentiality and protection. It details the procedure to follow in raising a concern and details how the Council will respond. The policy provides examples of the types of concerns that can be raised.

RECOMMENDATIONS

1	Council is requested to consider and approve the revised Whistleblowing Policy.
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REPORT DETAILS

1.00	EXPLAINING THE WHISTLEBLOWING POLICY
1.01	Flintshire County Council has had a Whistleblowing Policy since 2002 and it was last reviewed and approved by Audit Committee in 2015. There is a need to review the policy periodically to ensure that it reflects any changes in working practices, legislations and other regulations.
1.02	This document has been reviewed and updated by Internal Audit in conjunction with Chief Officer, Governance, Democratic Services, and Human Resources and Organisation Development.
1.03	<p>The 2015 review of the Whistleblowing policy brought it in line with the requirements of the Enterprise and Regulatory Reform Act 2013. As a result, there have been very few changes to the policy from the 2019 review, apart from bringing it up to date with current terminology, contact details and the movement of some sections within the policy.</p> <p>One aspect of the policy that has been expanded on is to reflect the actions the Council has committed to regarding Welsh Government's Ethical Procurement Practices.</p> <p>The policy clearly informs third party individuals (partners, consultants, suppliers, volunteers, contractors and employees of Council suppliers and contractors, who are employed to deliver a service / goods to the Council) of:</p> <ul style="list-style-type: none"> • their responsibilities to report any concerns whether this is against the Council or the supplier / contractor (sections 5.5, 5.7, and 13.3 of the policy); • the process to follow to raise any concerns (section 8.2 of the policy); and • examples of the types of concerns that may be raised e.g. unethical employment practices. (Appendix A of the policy). <p>Following discussions with the Audit Committee, Trade Union and Democratic Services Committee further amendments were made to the policy. These include:</p> <ul style="list-style-type: none"> • signpost to other related policies e.g. Corporate Anti-Fraud & Corruption Strategy and Fraud & Irregularity Response Plan (section 3.4 of the policy); • incorporate 'Volunteers' as an example of a Third Party Individual (sections 1.2, 5.5 and 13.3 of the policy); • provide a definition for Irregularity (section 4.5 of the policy); • enhance the policy to confirm members are inclusive of the policy (sections 5.3, 5.4, 8.2, 12.3 and 13.2); • reference to adult and children safeguarding referral numbers (section 5.8 and appendix B of the policy); • clarified the internal / external reporting procedures (section 8 and Appendix D of the policy); • inclusion of Assembly Members (Appendix C of the policy) and

	<ul style="list-style-type: none"> introduction of a Flow Chart (Appendix D of the policy). <p>Since attending the Constitution and Democratic Services Committee, Appendix C of the policy has been updated to include Local Members as a 'prescribed person' for reporting a concern. This change has been made to respond to the recommendations set out in the 'Local Governments Ethical Standards – A review by the Committee on Standards of Public Life' report (January 2019).</p>
1.04	To aid clarity and transparency, two copies of the Whistleblowing Policy are included. Appendix A shows where the changes have occurred, using tracked changes, whilst Appendix B shows the revised Whistleblowing Policy without tracked changes, which is an easier read.
1.05	The Whistleblowing Policy has been shared with the Chief Executive, Chief Officer - Governance, Senior Officer – Human Resources & Organisational Development and the Trade Union for review.
1.06	This policy forms part of the Council's Constitution. The County Council is asked to consider the proposed changes to the Whistleblowing Policy, as agreed by the Audit Committee and the Constitution and Democratic Services Committee. If approved, the Constitution will be updated.
1.07	It is intended to publicise the Whistleblowing Policy to all employees, members. The Policy will also be made available on both the Council's website and Infonet and shared with suppliers and contractors as part of future procurement exercises.

2.00	RESOURCE IMPLICATIONS
2.01	None from the report itself.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation of the revised Whistleblowing Policy has been undertaken with Constitution and Democratic Services Committee, Audit Committee members, the Chief Executive, the Council's Monitoring Officer and Chief Officer, Governance, Trade Unions and the Senior Manager, Human Resources and Organisational Development.

4.00	RISK MANAGEMENT
4.01	None from the report itself.

5.00	APPENDICES
5.01	Appendix A – Whistleblowing Policy (with tracked changes) Appendix B – Whistleblowing Policy (without tracked changes)

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None. Contact Officer: Lisa Brownbill, Internal Audit Manager Telephone: 01352 702231 E-mail: Lisa.brownbill@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
	<p>Corporate Governance: the system by which local authorities direct and control their functions and relate to their communities. It is founded on the basic principles of openness and inclusivity, integrity and accountability together with the overarching concept of leadership. It is an inter-related system that brings together the underlying set of legislative requirements, governance principles and management processes.</p> <p>Risk Management: the process of identifying risks, evaluating tier potential consequences and managing them. The aim is to reduce the frequency of risk events occurring (wherever this is possible) and minimise the severity of their consequences if they occur. Threats are managed by a process of controlling, transferring or retaining the risk. Opportunities are managed by identifying strategies to maximise the opportunity or reward for the organisation.</p> <p>Internal Control: appropriate procedures and processes are in place to mitigate any risk which may prevent the organisation from achieving its objectives and service delivery.</p> <p>Financial Management: the planning, organising, directing and control of the financial activities of the Council to ensure sufficient resources are available to delivery its intended outcomes.</p>

FLINTSHIRE COUNTY COUNCIL

(Excluding staff employed by School Governing Bodies)

Whistleblowing Policy

Version 2 – December 2019
(with tracked changes)

Policy owners	Internal Audit Manager and Chief Officer People and Resources
Date implemented	April 2007
Date last reviewed	April 2014 October 2010
Date of last amendment	December 2018 April 2014
Date of next review	

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<u>Policy Owners</u>	<u>Internal Audit Manager and Senior Manager, Human Resources & Organisational Development</u>
<u>Date Implemented</u>	<u>April 2007</u>
<u>Date Last Reviewed</u>	<u>April 2014</u>
Current Review:	
<u>Approved by Audit Committee</u> (Version 1.9)	<u>February 2019</u>
<u>Approved by Constitution and Democratic Services Committee</u> (Version 1.10)	<u>June 2019</u>
<u>Approved by Council</u> (Version 2)	

1. Introduction

1.1 Flintshire County Council (the Council) encourages a free and open culture in dealings between its managers, employees and all people with whom it engages in business and legal relations. In particular, ~~FCG~~the Council recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the organisation's success ensured.

1.2 ~~FCG~~The Council aims to create an environment where an individual (employees or member) or a third party (supplier / contractor/volunteers) ~~employees~~ feels able to share their concerns internally in confidence and ~~Employees~~ does not suffer any detriment or victimisation as a result of making a protected disclosure.

1.3 ~~The Chief Executive and the~~Flintshire County Council are committed to this policy and to maintaining high ethical standards. If you raise a genuine concern under this policy, your concerns will be taken seriously and you will not be at risk of losing your job or suffering any form of retribution as a result, even if the concern proves to be unfounded.

2. The Council's Commitment

- ~~1. Employees~~ Individuals who reasonably believe that the disclosure they are making is true will not face sanctions.
- ~~2.~~ Anybody attempting to deter ~~employees~~ individuals from raising concerns or victimising them for doing so may be subject to disciplinary action.
- ~~3.~~ At the same time someone who maliciously raises a matter they know is untrue may also be subject to disciplinary action (where applicable).

3. Aims of the Policy

3.1 This policy sets out how to make a disclosure under the Public Interest Disclosure Act 1998. This policy is designed to provide guidance to all those who work with or within ~~Flintshire the County~~ Council, who may from time to time feel that they need to raise certain issues relating to the organisation with someone in confidence.

3.2 This Policy ensures that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.

3.3 Procedures for raising concerns internally (within the Council), members and externally are given. When raising concerns internally ~~w~~We would encourage you to follow ~~the internal~~ procedures 1 and 2 but if you feel you cannot do so, please follow the ~~external~~ procedure 3 rather than doing nothing. For members and concerns raised externally procedure 3 should be followed.

3.4 This policy should be read in conjunction with the Council's Anti-Fraud and Corruption Strategy and the Fraud and Irregularity Response Plan which can be found on the Council's website and Infonet.

4. Definitions

4.1 Whistleblowing is the raising of concern, either within the workplace or externally, about a danger, risk, malpractice, ~~or~~ wrongdoing or unethical practices which affects others. It is primarily for concerns where the interests of others or the organisation itself are at risk.

4.2 **Fraud:** for the purpose of this policy fraud refers to where an individual has undertaken, or intends to undertake, actions in order to obtain gain for him/herself or another, or cause loss to another, or expose another to risk of loss. The term 'fraud' encompasses:

- Fraud by false representation;
- Fraud by failing to disclose information; and
- Fraud by abuse of position.

Descriptions of the above can be found within the Fraud Act 2006.

4.3 **Corruption:** for the purpose of this policy corruption refers to an individual who has given or obtained advantage through means which are illegitimate, immoral, and/or inconsistent with their duty to the Authority/GO or the rights of others. Examples include accepting bribes or incentives during procurement processes and/or seeking to influence others.

4.4 **Malpractice:** for the purpose of this policy malpractice refers to actions which may be:

- illegal, improper, negligent or unethical;
- in breach of a professional code and ethics;
- possible maladministration, fraud or misuse of public funds; or
- acts which are otherwise inconsistent with the Officers Code of Conduct and Members Code of Conduct.

4.5 **Irregularity:** Any administrative or financial mismanagement that comes about either by act or omission.

4.65 This policy ~~it~~ does not include grievances about your personal position. If you have a complaint that relates to personal disputes or your own terms and conditions of employment, this should be raised initially with your line manager and if the issue is not resolved by your line manager, the Grievance Policy should be followed.

5. Scope of the Policy

5.1 This policy applies to all ~~worker~~employees (including centrally employed teachers) of Flintshire County Council (As defined by the Employment Rights Act) and is commended to School Governing Bodies and other associated employers as best practice e.g. NEWydd, Aura. The policy also applies to Members and Third Party individuals who works with the Council.

5.2 Workers are defined as employees, agency workers, people that are training with Flintshire County Council but are not employed and self-employed workers.

5.3 Members must, under the Model Code of Conduct (Wales) Order 2008, report through the Council's confidential reporting procedure, any conduct by another member or anyone who works for, or on behalf of, the Council which they believe involves or is likely to involve criminal behaviour.

5.4 **Members should follow Procedure 3 of the Reporting Procedure detailed in Section 8 of this policy.**

5.5 Third party individuals are defined as partners, consultants, suppliers, contractors, volunteers and employees of Council suppliers and contractors (who are employed to deliver a service / goods to the Council).

5.6 The Public Interest Disclosure Act 1998 applies to all workers within the Council. The Council is also committed to ensuring that any third party or contractor who raises a concern under this Policy will not be harassed or victimised as a result.

5.7 **Third party individuals should follow Procedure 3 of the Reporting Procedure detailed in Section 8 of this policy.**

5.8 Additionally if concerns raised relate to modern slavery and trafficking or any safeguarding issues Social Services should be contacted on 01352 701053 (Children) or 01352 702540 (Adults).

5.9 This procedure applies to, but is not limited to, allegations about any of the following:

- Conduct which is an offence or breach of the law;

- Alleged miscarriage of justice;
- Serious Health and Safety risks;
- The unauthorised use of public funds;
- Possible fraud, corruption or malpractice;
- Sexual, physical or verbal abuse, or bullying or intimidation of employees, customers or service users. This includes concerns relating to modern day slavery and human trafficking;
- Abuse of authority;
- Other unethical conduct e.g. Criminal activity within supply chains, employment practices within the Council or of suppliers / contractors of the Council.

5.6. Independent Advice

6.1 If you are unsure whether to use this policy or you want independent advice at any stage you should contact:

- The HR Department.
- Your Trade Union representative.
- The independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

6.7. Confidentiality

7.1 We recognise that you may want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent apart from exceptional cases. For example, this could be in cases when the person raising the concerns will need to provide a statement and potentially appear as a witness in subsequent legal proceedings, or may be required to give evidence in a disciplinary hearing. In such as case the matter will be discussed with you in the first instance. It is also possible that the investigation itself may serve to reveal the source of information, although this will be avoided where possible.

7.2 This policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. However, we would prefer that you raised serious concerns anonymously than not at all. Anonymous allegations will be considered at the discretion of the Council.

7.8. Internal Reporting Procedure

8.1 ~~As an employee or member of the Council, w~~When raising a concern about ~~malpractice at work*~~, you follow the reporting PROCEDURES described in 8.3 below and as detailed in Appendix D.

~~8.2 For Members and third party individuals (and their employees) you go directly to~~ **PROCEDURE 3** of the reporting procedure and contact any one of those listed in the first instance. ~~(As stated previously Members must, under the Model Code of Conduct (Wales) Order 2008, report through the Council's confidential reporting procedure, any conduct by another member or anyone who works for, or on behalf of, the Council which they believe involves or likely to involve criminal behaviour).~~

8.3 Reporting Procedures:

Procedure 1 Raise the issue first with your line manager in order for practices to be modified before they reach the point where problems are created or harm is caused. These issues will initially be dealt with informally where possible. This may be done orally or in writing.

Procedure 2 If you feel unable to raise the matter with your line manager, for whatever reason, please raise the matter with the next immediate line manager whom you trust, or with someone outside line management within the ~~Directorate~~Portfolio. Please say if you want to raise the matter in confidence so that they can make appropriate arrangements.

Procedure 3 If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, or you are a Member or third party please contact one of the following:

- the Internal Audit Manager;
- ~~the Senior Manager, Human Resources & Organisational Development the Chief Officer (People and Resources);~~
- the Chief Officer (Governance) and Council's Monitoring Officer; and
- a Member of the Council, who will refer to the appropriate officer.

~~Additionally if concerns raised relate to modern slavery and trafficking or any safeguarding issues please contact Social Services on 01352 701053 (Children) or 01352 702540 (Adults).~~

~~For third parties or contractors you should contact any one of the above in the first instance.~~

~~For third parties or contractors you should contact any one of~~

~~the above in the first instance.~~

8.9. The Council's Response

9.1 The Council will assess the concern once it is raised, which may involve an internal inquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact them and whether further assistance may be needed. If you request it, we will write to you summarising your concern and how we propose to handle it. Some concerns may be resolved by agreed action without the need for investigation.

9.2 While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can within an agreed timescale. The length of time will depend on the nature of the concern. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe upon a duty of confidence owed by us to someone else or being in breach of any statutory requirement.

9.3 The Council will ensure that an Officer with knowledge and experience of this procedure will be given the responsibility for obtaining initial information from the referrer. A trained and suitable Officer will also conduct any initial meetings that are required.

9.4 At an appropriate stage in any investigation due consideration will need to be given to informing the subject of the concerns raised. It will be necessary to do this to comply with the Council's duties under the Human Rights legislation. However, all efforts will be made to ensure that the source of the concerns remains confidential where possible. The source of the concern will not be disclosed without their consent apart from exceptional cases. For example, this could be in cases when the person raising the concerns will need to provide a statement and potentially appear as a witness in subsequent legal proceedings, or may be required to give evidence in a disciplinary hearing. In such as case the matter will be discussed with you in the first instance.

9.10. Appeals

10.1 If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this Policy.

10.2 Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly. By using this policy you will help us to achieve this.

10.11. External Alternative Reporting Procedure

11.1 If all internal reporting channels have been followed or you do not feel you can raise your concerns within the Council, you can contact a relevant prescribed body. Examples of prescribed bodies which are relevant to FCG the Council are shown at Appendix 2C.

11.2 You 11.2 You can also raise your concerns with other external persons such as a Minister of the Crown and the Press or Media.

11.12. Legal Protection

12.1 Providing that you reasonably believe the disclosure you are making is in the public interest and you follow the procedures outlined in this policy then whistleblowing legislation protects you from detriment.

12.2 As an employee, you have a right not to be demoted, suspended, unfairly dismissed or victimised and you will be protected from suffering a detriment, bullying or harassment. Disclosures will be protected if the employee or worker discloses;

- in the course of obtaining legal advice;
- to the employer
- to any Member of Parliament (a prescribed person)
- in certain circumstances to a Minister of the Crown
- to a prescribed body (see Appendix 2B for list of prescribed bodies)
- to another non prescribed person or body eg. the press or media

12.3 If As a Member you have a right not to be unfairly treated or victimised and you will be protected from suffering a detriment, bullying or harassment. Disclosure will be protected if the Member discloses.

- in the course of obtaining legal advice;
- to the employer
- to any Member of Parliament (a prescribed person)
- in certain circumstances to a Minister of the Crown
- to a prescribed body (see Appendix 2B for list of prescribed bodies)
- to another non prescribed person or body e.g. the press or media

12.4 If you are a third party individual raising concerns with the Council you will not suffer any detriment providing you reasonably believe the disclosure is being made in the public interest.

12.5 It should be noted that if disclosures are made to a non-prescribed external body then a number of detailed conditions need to be met. These include a requirement that you do not make the disclosure for personal gain and that it is reasonable to make the disclosure in the circumstances.

- 12.6 Where a concern is raised directly with the Flintshire County Council by an employee of a third party or contractor, the employee should not suffer any detriment from the employing third party or contractor.

Scope

~~This policy applies to all workers within the Council with the exception of teachers and those employed by School Governing Bodies. This policy is commended to schools as good practice.~~

~~Workers are defined as; employees, agency workers, people that are training with Flintshire but are not employed and self employed workers.~~

~~The Public Interest Disclosure Act 1998 applies to all workers within the Council, the Council is also committed to ensuring that any third party or contractor who raises a concern under this Policy will not be harassed or victimised as a result. Third parties/contractors should follow Step 3 of the internal procedure.~~

~~This procedure applies to, but is not limited to, allegations about any of the following:~~

- ~~— Conduct which is an offence or breach of the law~~
- ~~— Alleged miscarriage of justice~~
- ~~— Serious Health and Safety risks~~
- ~~— The unauthorised use of public funds~~
- ~~— Possible fraud, corruption or malpractice~~
- ~~— Sexual, physical or verbal abuse, or bullying or intimidation of employees, customers or service users~~
- ~~— Abuse of authority~~
- ~~— Other unethical conduct eg. Criminal activity within supply chains~~

Definitions

~~**Fraud;** for the purpose of this policy refers to where an individual has undertaken, or intends to undertake, actions in order to obtain gain for him/herself or another, or cause loss to another, or expose another to risk of loss. The term 'fraud' encompasses:~~

- ~~i) Fraud by false representation;~~
- ~~ii) Fraud by failing to disclose information; and~~
- ~~iii) Fraud by abuse of position.~~

~~Descriptions of the above can be found within the Fraud Act 2006.~~

~~**Corruption;** for the purpose of this policy refers to an individual who has given or obtained advantage through means which are illegitimate, immoral, and/or inconsistent with their duty to the IGO or the rights of others. Examples include accepting bribes or incentives during procurement processes, seeking to influence others~~

~~**Malpractice;** for the purpose of this policy refers to actions which may be:~~

- ~~i) illegal, improper, or unethical;~~
- ~~ii) in breach of a professional code;~~

- ~~iii) possible maladministration, fraud or misuse of public funds; or~~
- ~~iv) acts which are otherwise inconsistent with the Staff Code of Conduct.~~

13 Responsibilities

13.1 Role of the Employee

- Employees are expected to raise concerns they become aware of.
- Employees must reasonably believe the disclosure of information is in the public interest.
- Employees must **not** act maliciously or make false allegations.
- Employees must **not** seek any personal gain.

13.2 Role of the Member

- Members are expected to raise concerns they become aware of.
- Members must reasonably believe the disclosure of information is in the public interest.
- Members must **not** act maliciously or make false allegations.
- Members must **not** seek any personal gain.

13.32 Role of a Third Party Individuals (Partner, Consultant, Supplier, Contractor, volunteers and employees of Council Suppliers and Contractors)

- The Third Party is expected to raise concerns they become aware of.
- The Third Party must reasonably believe the disclosure of information is in the public interest.
- The Third Party must **not** act maliciously or make false allegations.
- The Third Party must **not** seek any personal gain.

13.43 Role of the Manager

- To deal with and respond to any complaints raised under this policy if within their area of control.
- If necessary to escalate the concern to one of the contacts listed under ~~the internal procedure~~ Step procedure 3.
- To ensure employees are protected from suffering a detriment as a result of raising an issue under this policy.

~~13.4~~ Role of the Employee

- ~~• Employees are expected to raise concerns they become aware of.~~
- ~~• Employees must reasonably believe the disclosure of information is in the public interest.~~
- ~~• Employees must **not** act maliciously or make false allegations.~~
- ~~• Employees must **not** seek any personal gain.~~

~~13.40~~13.4 Monitoring and Evaluation

- The policy will be reviewed regularly to ensure compliance with changes in employment legislation or recommended best practice. Any future amendments to the policy will be considered by the Audit Committee.
- A central log of concerns reported under this Policy will be kept by Internal Audit.
- An annual summary of the number and outcomes of whistleblowing cases will also be reported to the Audit Committee, whilst respecting confidentiality.

13.4413.5 Training and Development

Training will be provided to ensure that those with management responsibility for employees are clear about the policy and the procedures contained within it.

14 Other Related Policies

14.1 The Council's Anti-Fraud and Corruption Strategy and the Fraud Response Plan can be found on the Council's [website](#) and ~~the~~ [the Infonet](#).

Appendix 1A

Examples of concerns which could be raised-

This policy will apply in cases where employees reasonably believe that the disclosure they are making is in the public interest. Examples of this are:

- a criminal offence has been committed, is being committed or is likely to be committed.
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject to.
- a miscarriage of justice has occurred, is occurring or is likely to occur.
- the health and safety of any individual has been, is being or is likely to be endangered.
- the environment has been, is being or is likely to be damaged.
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- the unauthorised use of public funds.
- possible fraud and corruption e.g. [Recent data hacking incidents to obtain payment card information](#).
- other unethical conduct e.g. [not acting with](#) –[honesty, fairness, equality, dignity and diversity](#).
- where a criminal act takes place dealing within computers, network or over the internet (Cyber Crime).
- computers are used to manipulate programmes or data dishonestly (e.g. by altering, substituting or destroying records or creating spurious records), or where the use of an IT system was a material factor in the perpetration of fraud (Computer Fraud).
- where unlawful and or unethical employment practices exists [such as the unethical treatment of workers by a supplier or contractor of the Council as a result of undue cost and time pressures](#).
- undue cost and time pressures are not applied to any of our suppliers if this is likely to result in unethical treatment of workers.
- concerns relating to procurement can also be raised directly with Value Wales (supplier feedback service) online on the following websites listed in [Appendix 2B](#);

<https://gov.wales/topics/improving-services/better/vfm/supplier-feedback-service/?skip=1&lang=cy> – (Welsh version)

Where concerns may relate to modern slavery and trafficking issues. If this is the case, any concerns should be reported on the numbers listed in [Appendix 2B](#)

[please contact one of the following phone numbers; Childrens 10352 701053 or Adults 01352 702540](#)

Appendix 2B

Initial Contacts for Reporting a Concern

<p><u>Internal Audit Manager</u> Flintshire County Council, County Hall Mold, CH7 6NA Lisa.brownbill@flintshire.gov.uk</p> <p><u>Tel: 01352 702231</u></p>	<p><u>Council's Monitoring Officer</u> Flintshire County Council, County Hall Mold, CH7 6NA Gareth.legal@flintshire.gov.uk</p>
<p><u>Senior Manager, Human Resources & Organisational Development</u> Flintshire County Council, County Hall Mold, CH7 6NA Sharon.carney@flintshire.gov.uk</p>	
<p><u>Modern Day Slavery & Human Trafficking</u></p> <p><u>Children - 01352 701053</u> <u>Adults 01352 702540</u></p> <p><u>Safeguarding</u></p> <p><u>Senior Safeguarding Manager-01352 702503</u></p>	<p><u>Value You Wales (Procurement)</u></p> <p><u>https://gov.wales/topics/improvingservices/better/vfm/supplier-feedback-service/?lang=en</u></p> <p><u>https://gov.wales/topics/improvingservices/better/vfm/supplier-feedback-service/?skip=1&lang=cy</u> (Welsh version)</p>

Appendix C

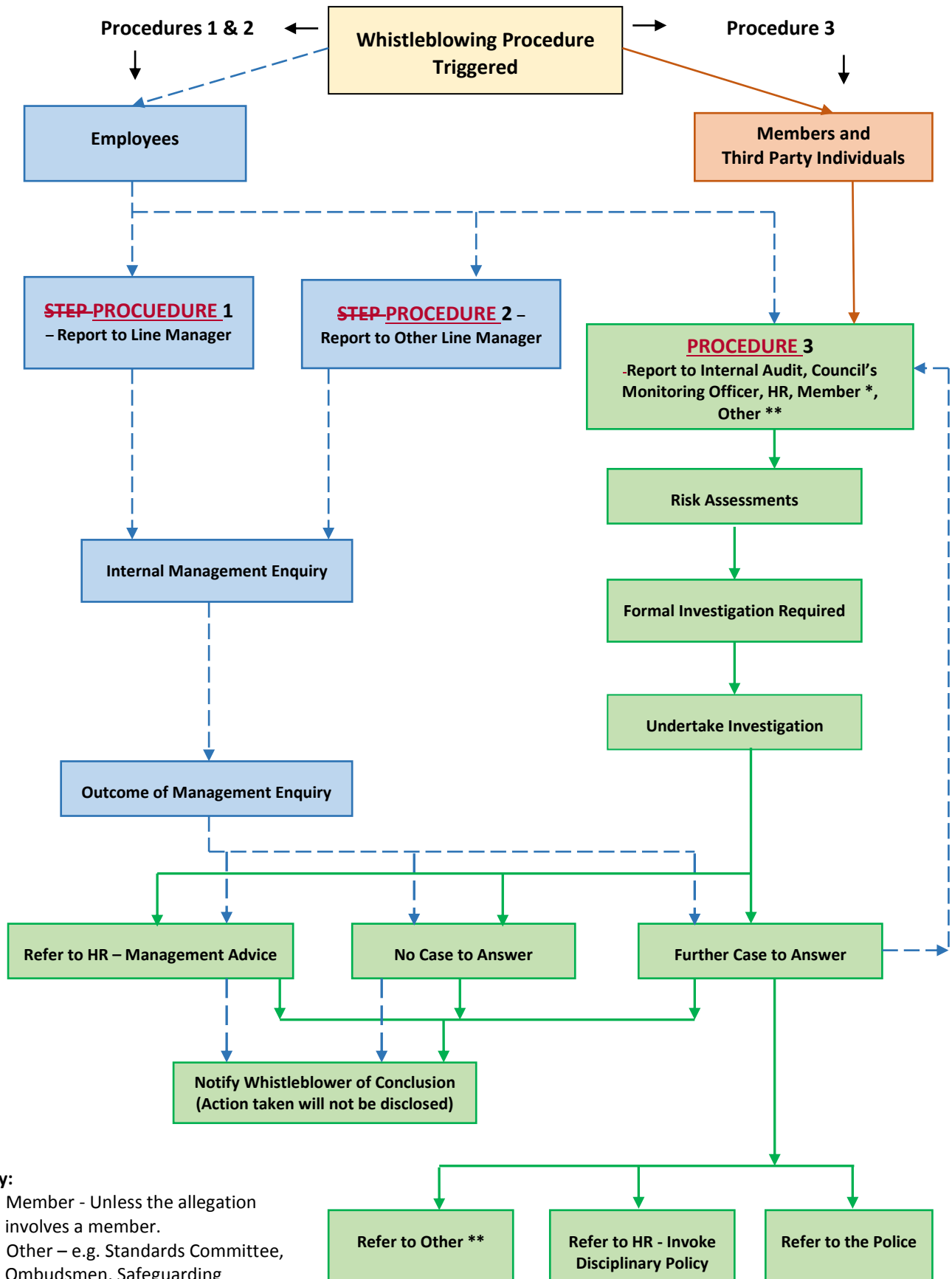
Alternative Relevant Organisations

Relevant organisations (prescribed regulators) you can contact to make a protected disclosure.

<p>Auditor General Wales 24 Cathedral Road Cardiff, CF11 9LJ Tel: 01244 525980 whistleblowing@wao.gov.uk</p>	<p>Health & Safety Executive Rose Court 2 Southwark Bridge London SE1 9HS Tel: 0300 0031647 www.hse.gov.uk (online form)</p>
<p>Information Commissioner Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Tel: 01625 545745 mail@ico.gsi.gov.uk</p>	<p>The Director of the Serious Fraud Office 2-4 Cockspur Street London SW1Y 5BS Tel: 020 7239 7272 confidential@sfo.gsi.gov.uk</p>
<p>The Environmental Agency Horizon House Deanery Road Bristol BS1 5AH Tel: 03708 506506</p>	<p><u>Your Local Council Member</u> <u>http://committeemeetings.flintshire.gov.uk/mgMemberIndex.aspx?bcr=1</u></p>
<p>Any Members of Parliament. Local Members are:</p>	
<p>David Hanson 01352 763159 David.hanson.mp@parliament.uk</p>	<p>Mark Tami 01244 819854 tamim@parliament.uk</p>
<p><u>Any Assembly Member for Alyn & Deeside or Delyn</u></p>	
<p><u>Jack Sargeant</u> <u>0300 200 6565</u> <u>Jack.sargeant@assembly.wales</u> <u>Mandy Jones</u> <u>0300 200 7387</u> <u>mandy.jones@assembly.wales</u> <u>Michelle Jones</u> <u>Michelle.Brown@assembly.wales</u></p>	<p><u>Hannah Blythyn</u> <u>0300 200 7132</u> <u>Hannah.Blythyn@assembly.wales</u> <u>Mark Isherwood</u> <u>0300 200 7217</u> <u>Mark.Isherwood@assembly.wales</u> <u>Llyr Gruffydd</u> <u>01824 703 593</u> <u>Llyr.Gruffydd@assembly.wales</u></p>

There are many other prescribed regulators who can be contacted to raise a concern, they can be found at <http://www.direct.gov.uk/>.

Flow Chart – Whistleblowing Procedures



Key:

- * Member - Unless the allegation involves a member.
- ** Other – e.g. Standards Committee, Ombudsmen, Safeguarding

FLINTSHIRE COUNTY COUNCIL

**(Excluding staff employed by School Governing
Bodies)**

Whistleblowing Policy

Version 2 – December 2019
(with tracked changes)

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Policy Owners	Internal Audit Manager and Senior Manager, Human Resources & Organisational Development
Date Implemented	April 2007
Date Last Reviewed	April 2014
Current Review:	
Approved by Audit Committee (<i>Version 1.9</i>)	February 2019
Approved by Constitution and Democratic Services Committee (<i>Version 1.10</i>)	June 2019
Approved by Council (<i>Version 2</i>)	

1. Introduction

- 1.1 Flintshire County Council (the Council) encourages a free and open culture in dealings between its managers, employees and all people with whom it engages in business and legal relations. In particular, the Council recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the organisation's success ensured.
- 1.2 The Council aims to create an environment where an individual (employees or member) or a third party (supplier / contractor/volunteers) feels able to share their concerns internally in confidence and does not suffer any detriment or victimisation as a result of making a protected disclosure.
- 1.3 Flintshire County Council are committed to this policy and to maintaining high ethical standards. If you raise a genuine concern under this policy, your concern will be taken seriously and you will not be at risk of losing your job or suffering any form of retribution as a result, even if the concern proves to be unfounded.

2. The Council's Commitment

- Individuals who reasonably believe that the disclosure they are making is true will not face sanctions.
- Anybody attempting to deter individuals from raising concerns or victimising them for doing so may be subject to disciplinary action.
- At the same time someone who maliciously raises a matter they know is untrue may also be subject to disciplinary action (where applicable).

3. Aims of the Policy

- 3.1 This policy sets out how to make a disclosure under the Public Interest Disclosure Act 1998. This policy is designed to provide guidance to all those who work with or within the Council, who may from time to time feel that they need to raise certain issues relating to the organisation with someone in confidence.
- 3.2 This Policy ensures that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- 3.3 Procedures for raising concerns internally (within the Council), members and externally are given. When raising concerns internally we would encourage you to follow procedures 1 and 2 but if you feel you cannot do

so, please follow the procedure 3 rather than doing nothing. For members and concerns raised externally procedure 3 should be followed.

- 3.4 This policy should be read in conjunction with the Council's Anti-Fraud and Corruption Strategy and the Fraud and Irregularity Response Plan which can be found on the Council's website and Infonet.

4. Definitions

- 4.1 Whistleblowing is the raising of concern, either within the workplace or externally, about a danger, risk, malpractice, wrongdoing or unethical practices which affects others. It is primarily for concerns where the interests of others or the organisation itself are at risk.

- 4.2 **Fraud:** for the purpose of this policy fraud refers to where an individual has undertaken, or intends to undertake, actions in order to obtain gain for him/herself or another, or cause loss to another, or expose another to risk of loss. The term 'fraud' encompasses:

- Fraud by false representation;
- Fraud by failing to disclose information; and
- Fraud by abuse of position.

Descriptions of the above can be found within the Fraud Act 2006.

- 4.3 **Corruption:** for the purpose of this policy corruption refers to an individual who has given or obtained advantage through means which are illegitimate, immoral, and/or inconsistent with their duty to the Authority or the rights of others. Examples include accepting bribes or incentives during procurement processes and/or seeking to influence others.

- 4.4 **Malpractice:** for the purpose of this policy malpractice refers to actions which may be:

- illegal, improper, negligent or unethical;
- in breach of a professional code and ethics;
- possible maladministration, fraud or misuse of public funds; or
- acts which are otherwise inconsistent with the Officers Code of Conduct and Members Code of Conduct.

- 4.5 **Irregularity:** Any administrative or financial mismanagement that comes about either by act or omission.

- 4.6 This policy does not include grievances about your personal position. If you have a complaint that relates to personal disputes or your own terms and conditions of employment, this should be raised initially with your line manager and if the issue is not resolved by your line manager, the Grievance Policy should be followed.

5. Scope of the Policy

- 5.1 This policy applies to all workers (including centrally employed teachers) of Flintshire County Council (As defined by the Employment Rights Act) and is commended to School Governing Bodies and other associated employers as best practice e.g. NEWydd, Aura. The policy also applies to Members and Third Party individuals who work with the Council.
- 5.2 Workers are defined as employees, agency workers, people that are training with Flintshire County Council but are not employed and self-employed workers.
- 5.3 Members must, under the Model Code of Conduct (Wales) Order 2008, report through the Council's confidential reporting procedure, any conduct by another member or anyone who works for, or on behalf of, the Council which they believe involves or is likely to involve criminal behaviour.
- 5.4 **Members should follow Procedure 3 of the Reporting Procedure detailed in Section 8 of this policy.**
- 5.5 Third party individuals are defined as partners, consultants, suppliers, contractors, volunteers and employees of Council suppliers and contractors (who are employed to deliver a service / goods to the Council).
- 5.6 The Public Interest Disclosure Act 1998 applies to all workers within the Council. The Council is also committed to ensuring that any third party or contractor who raises a concern under this Policy will not be harassed or victimised as a result.
- 5.7 **Third party individuals should follow Procedure 3 of the Reporting Procedure detailed in Section 8 of this policy.**
- 5.8 Additionally if concerns raised relate to modern slavery and trafficking or any safeguarding issues Social Services should be contacted on 01352 701053 (Children) or 01352 702540 (Adults).
- 5.9 This procedure applies to, but is not limited to, allegations about any of the following:
- Conduct which is an offence or breach of the law;
 - Alleged miscarriage of justice;
 - Serious Health and Safety risks;
 - The unauthorised use of public funds;
 - Possible fraud, corruption or malpractice;

- Sexual, physical or verbal abuse, or bullying or intimidation of employees, customers or service users. This includes concerns relating to modern day slavery and human trafficking;
- Abuse of authority;
- Other unethical conduct e.g. Criminal activity within supply chains, employment practices within the Council or of suppliers / contractors of the Council.

6. Independent Advice

6.1 If you are unsure whether to use this policy or you want independent advice at any stage you should contact:

- The HR Department.
- Your Trade Union representative.
- The independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

7. Confidentiality

7.1 We recognise that you may want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent apart from exceptional cases. For example, this could be in cases when the person raising the concerns will need to provide a statement and potentially appear as a witness in subsequent legal proceedings, or may be required to give evidence in a disciplinary hearing. In such as case the matter will be discussed with you in the first instance. It is also possible that the investigation itself may serve to reveal the source of information, although this will be avoided where possible.

7.2 This policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. However, we would prefer that you raised serious concerns anonymously than not at all. Anonymous allegations will be considered at the discretion of the Council.

8. Reporting Procedure

8.1 As an employee of the Council, when raising a concern you follow the reporting **PROCEDURES** described in **8.3** below and as detailed in Appendix D.

8.2 For Members and third party individuals (and their employees) you go directly to **PROCEDURE 3** of the reporting procedure and contact any one of those listed in the first instance. (As stated previously Members must, under the Model Code of Conduct (Wales) Order 2008, report through the Council's confidential reporting procedure, any conduct by another member or anyone who works for, or on behalf of, the Council which they believe involves or likely to involve criminal behaviour).

8.3 Reporting Procedures:

Procedure 1 Raise the issue first with your line manager in order for practices to be modified before they reach the point where problems are created or harm is caused. These issues will initially be dealt with informally where possible. This may be done orally or in writing.

Procedure 2 If you feel unable to raise the matter with your line manager, for whatever reason, please raise the matter with the next immediate line manager whom you trust, or with someone outside line management within the Portfolio. Please say if you want to raise the matter in confidence so that they can make appropriate arrangements.

Procedure 3 If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, or you are a Member or third party please contact one of the following:

- the Internal Audit Manager;
- the Senior Manager, Human Resources & Organisational Development ;
- the Chief Officer (Governance) and Council's Monitoring Officer; and
- a Member of the Council, who will refer to the appropriate officer.

9. The Council's Response

9.1 The Council will assess the concern once it is raised, which may involve an internal inquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact them and whether further assistance may be needed. If you request it, we will write to you summarising your concern and how we propose to handle it. Some concerns may be resolved by agreed action without the need for investigation.

- 9.2 While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can within an agreed timescale. The length of time will depend on the nature of the concern. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe upon a duty of confidence owed by us to someone else or being in breach of any statutory requirement.
- 9.3 The Council will ensure that an Officer with knowledge and experience of this procedure will be given the responsibility for obtaining initial information from the referrer. A trained and suitable Officer will also conduct any initial meetings that are required.
- 9.4 At an appropriate stage in any investigation due consideration will need to be given to informing the subject of the concerns raised. It will be necessary to do this to comply with the Council's duties under the Human Rights legislation. However, all efforts will be made to ensure that the source of the concerns remains confidential where possible. The source of the concern will not be disclosed without their consent apart from exceptional cases. For example, this could be in cases when the person raising the concerns will need to provide a statement and potentially appear as a witness in subsequent legal proceedings, or may be required to give evidence in a disciplinary hearing. In such as case the matter will be discussed with you in the first instance.

10. Appeals

- 10.1 If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this Policy.
- 10.2 Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly. By using this policy you will help us to achieve this.

11. Alternative Reporting Procedure

- 11.1 If all reporting channels have been followed or you do not feel you can raise your concerns within the Council, you can contact a relevant prescribed body. Examples of prescribed bodies which are relevant to the Council are shown at Appendix C.
- 11.2 You can also raise your concerns with other external persons such as a Minister of the Crown and the Press or Media.

12. Legal Protection

- 12.1 Providing that you reasonably believe the disclosure you are making is in the public interest and you follow the procedures outlined in this policy then whistleblowing legislation protects you from detriment.
- 12.2 As an employee, you have a right not to be demoted, suspended, unfairly dismissed or victimised and you will be protected from suffering a detriment, bullying or harassment. Disclosures will be protected if the employee or worker discloses:
- in the course of obtaining legal advice
 - to the employer
 - to any Member of Parliament (a prescribed person)
 - in certain circumstances to a Minister of the Crown
 - to a prescribed body (see Appendix B for list of prescribed bodies)
 - to another non prescribed person or body e.g. the press or media
- 12.3 As a Member you have a right not to be unfairly treated or victimised and you will be protected from suffering a detriment, bullying or harassment. Disclosure will be protected if the Member discloses.
- in the course of obtaining legal advice
 - to the employer
 - to any Member of Parliament (a prescribed person)
 - in certain circumstances to a Minister of the Crown
 - to a prescribed body (see Appendix B for list of prescribed bodies)
 - to another non prescribed person or body e.g. the press or media
- 12.4 If you are a third party individual raising concerns with the Council you will not suffer any detriment providing you reasonably believe the disclosure is being made in the public interest.
- 12.5 It should be noted that if disclosures are made to a non-prescribed external body then a number of detailed conditions need to be met. These include a requirement that you do not make the disclosure for personal gain and that it is reasonable to make the disclosure in the circumstances.
- 12.6 Where a concern is raised directly with the Council by an employee of a third party or contractor, the employee should not suffer any detriment from the employing third party or contractor.

13 Responsibilities

13.1 Role of the Employee

- Employees are expected to raise concerns they become aware of.
- Employees must reasonably believe the disclosure of information is in the public interest.

- Employees must **not** act maliciously or make false allegations.
- Employees must **not** seek any personal gain.

13.2 Role of the Member

- Members are expected to raise concerns they become aware of.
- Members must reasonably believe the disclosure of information is in the public interest.
- Members must **not** act maliciously or make false allegations.
- Members must **not** seek any personal gain.

13.3 Role of a Third Party Individual (Partner, Consultant, Supplier, Contractor, volunteers and employees of Council Suppliers and Contractors)

- The Third Party is expected to raise concerns they become aware of.
- The Third Party must reasonably believe the disclosure of information is in the public interest.
- The Third Party must **not** act maliciously or make false allegations.
- The Third Party must **not** seek any personal gain.

13.4 Role of the Manager

- To deal with and respond to any complaints raised under this policy if within their area of control.
- If necessary to escalate the concern to one of the contacts listed under procedure 3.
- To ensure employees are protected from suffering a detriment as a result of raising an issue under this policy.

13.4 Monitoring and Evaluation

- The policy will be reviewed regularly to ensure compliance with changes in employment legislation or recommended best practice. Any future amendments to the policy will be considered by the Audit Committee.
- A central log of concerns reported under this Policy will be kept by Internal Audit.
- An annual summary of the number and outcomes of whistleblowing cases will also be reported to the Audit Committee, whilst respecting confidentiality.

13.5 Training and Development

Training will be provided to ensure that those with management responsibility for employees are clear about the policy and the procedures contained within it.

14 Other Related Policies

14.1 The Council's Anti-Fraud and Corruption Strategy and the Fraud Response Plan can be found on the Council's website and the Infonet.

Appendix A**Examples of concerns which could be raised**

This policy will apply in cases where employees reasonably believe that the disclosure they are making is in the public interest. Examples of this are:

- a criminal offence has been committed, is being committed or is likely to be committed.
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject to.
- a miscarriage of justice has occurred, is occurring or is likely to occur.
- the health and safety of any individual has been, is being or is likely to be endangered.
- the environment has been, is being or is likely to be damaged.
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- the unauthorised use of public funds.
- possible fraud and corruption e.g. Recent data hacking incidents to obtain payment card information.
- other unethical conduct e.g. not acting with honesty, fairness, equality, dignity and diversity.
- where a criminal act takes place dealing within computers, network or over the internet (Cyber Crime).
- computers are used to manipulate programmes or data dishonestly (e.g. by altering, substituting or destroying records or creating spurious records), or where the use of an IT system was a material factor in the perpetration of fraud (Computer Fraud).
- where unlawful and or unethical employment practices exists such as the unethical treatment of workers by a supplier or contractor of the Council as a result of undue cost and time pressures.
- undue cost and time pressures are not applied to any of our suppliers if this is likely to result in unethical treatment of workers.
- concerns relating to procurement can also be raised directly with Value Wales (supplier feedback service) online on the following websites listed in **Appendix B**

Concerns may relate to modern slavery and trafficking issues. If this is the case, any concerns should be reported on the numbers listed in **Appendix B**

Appendix B

Initial Contacts for Reporting a Concern

<p>Internal Audit Manager Flintshire County Council, County Hall Mold, CH7 6NA Lisa.brownbill@flintshire.gov.uk Tel: 01352 702231</p>	<p>Council’s Monitoring Officer Flintshire County Council, County Hall Mold, CH7 6NA Gareth.legal@flintshire.gov.uk</p>
<p>Senior Manager, Human Resources & Organisational Development Flintshire County Council, County Hall Mold, CH7 6NA Sharon.carney@flintshire.gov.uk</p>	
<p>Modern Day Slavery & Human Trafficking</p> <p>Children - 01352 701053 Adults 01352 702540</p> <p>Safeguarding</p> <p>Senior Safeguarding Manager-01352 702503</p>	<p>Value You Wales (Procurement)</p> <p>https://gov.wales/topics/improvingservices/bettervfm/supplier-feedback-service/?lang=en</p> <p>https://gov.wales/topics/improvingservices/bettervfm/supplier-feedback-service/?skip=1&lang=cy (Welsh version)</p>

Appendix C

Alternative Relevant Organisations

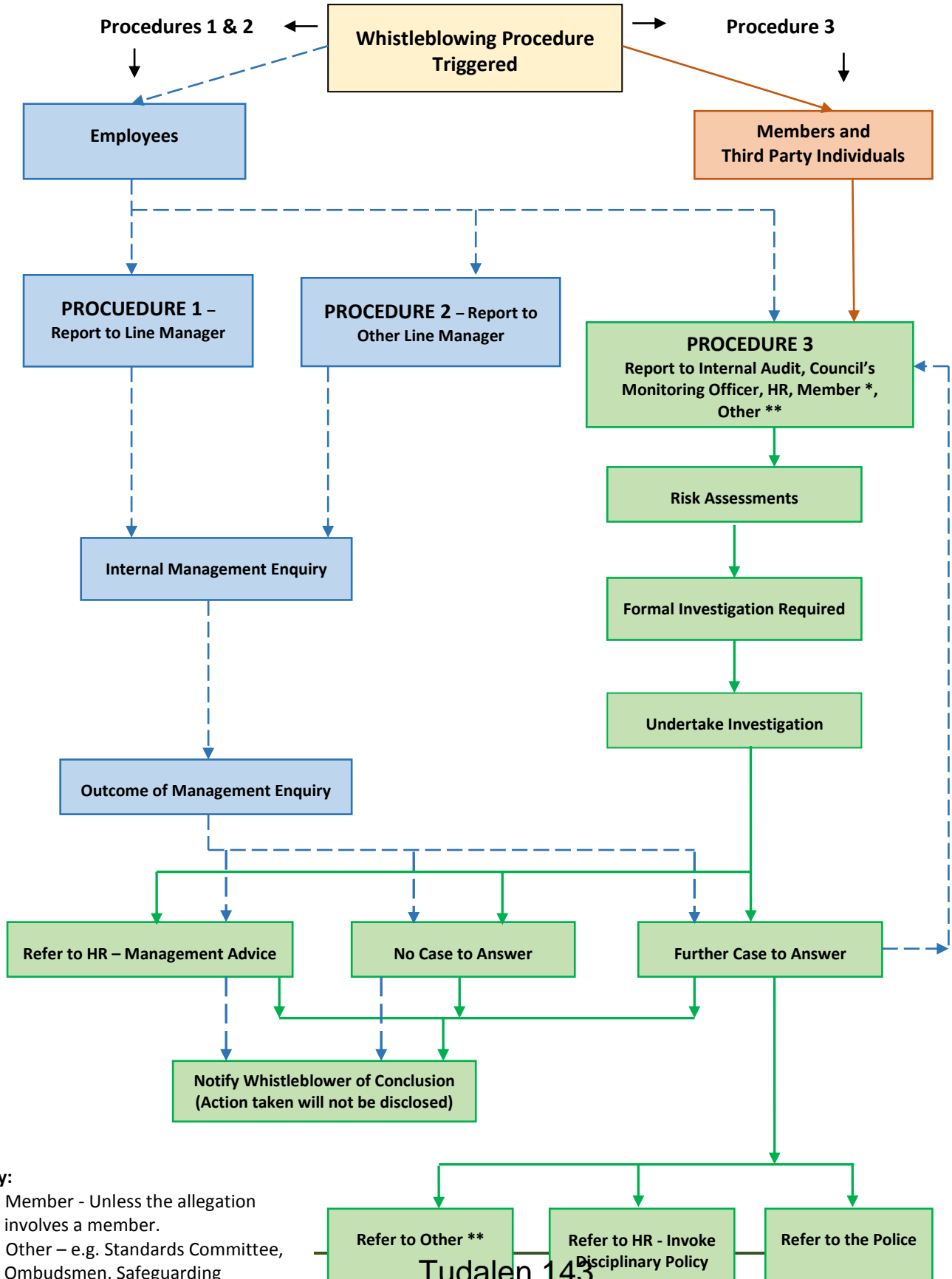
Relevant organisations (prescribed regulators) you can contact to make a protected disclosure.

<p>Auditor General Wales 24 Cathedral Road Cardiff, CF11 9LJ Tel: 01244 525980 whistleblowing@wao.gov.uk</p>	<p>Your Local Council Member http://committeemeetings.flintshire.gov.uk/mgMemberIndex.aspx?bcr=1</p>
<p>Information Commissioner Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Tel: 01625 545745 mail@ico.gsi.gov.uk</p>	<p>Health & Safety Executive Rose Court 2 Southwark Bridge London SE1 9HS Tel: 0300 0031647 www.hse.gov.uk (online form)</p>
<p>The Environmental Agency Horizon House Deanery Road Bristol BS1 5AH Tel: 03708 506506</p>	<p>The Director of the Serious Fraud Office 2-4 Cockspur Street London SW1Y 5BS Tel: 020 7239 7272 confidential@sfo.gsi.gov.uk</p>
Any Members of Parliament	
<p>David Hanson 01352 763159 David.hanson.mp@parliament.uk</p>	<p>Mark Tami 01244 819854 tamim@parliament.uk</p>
Any Assembly Member for Alyn & Deeside or Delyn	
<p>Jack Sargeant 0300 200 6565 Jack.sargeant@assembly.wales</p>	<p>Hannah Blythyn 0300 200 7132 Hannah.Blythyn@assembly.wales</p>
<p>Mandy Jones 0300 200 7387 mandy.jones@assembly.wales</p>	<p>Mark Isherwood 0300 200 7217 Mark.Isherwood@assembly.wales</p>
<p>Michelle Jones Michelle.Brown@assembly.wales</p>	<p>Llyr Gruffydd 01824 703 593 Llyr.Gruffydd@assembly.wales</p>

There are many other prescribed regulators who can be contacted to raise a concern, they can be found at <http://www.direct.gov.uk/>.

Appendix D

Flow Chart – Whistleblowing Procedures



Key:

* Member - Unless the allegation involves a member.

** Other – e.g. Standards Committee, Ombudsmen, Safeguarding

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 11

Notice of Motion – Councillor Rosetta Dolphin

This Council resolves

To require all public firework displays within Flintshire to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.

To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people. Including the precautions that can be taken to mitigate risks.

To write to the Welsh government urging them to utilise any powers at their disposal to mitigate any negative impacts of the hosting of fireworks displays on animals and vulnerable people.

To encourage local displays to use quiet fireworks for public displays, Ban the Bang.

Mae'r dudalen hon yn wag yn bwrpasol