	Governance and Audit Committee	**Item**
		7

22 November 2022		
Report of	**Monitoring Officer**	**Author** **Andrew Weavers** ☎ **282213**
Title	**Review of the Council's Ethical Governance Policies**	
Wards affected	Not applicable	

1. Executive Summary

1.1 This report requests the Committee to review the Council's updated Ethical Governance policies. These are the key policies which set out the standards of conduct and integrity that the Council expects of councillors, staff, partners, suppliers and customers when conducting Council business. They contain procedures for dealing with breaches of the policies and processes to be followed.

1.2 The report also requests the Committee to recommend to Full Council to include the updated policies in the Policy Framework which comprises all of the Authority's key polices.

2. Recommended Decision

2.1 To recommend to Full Council that it adopts the statement of intent in relation to ethical governance.

2.2 To review the following revised policies:

- Anti-Fraud and Corruption Policy
- Whistleblowing Policy
- Anti-Money Laundering Policy
- Covert Surveillance Policy
- Data Protection Policy
- Acceptable Use Policy
- Information Security Policy
- Retention Policy
- Processing of Special Category & Criminal Convictions Personal Data Policy
- Password Policy
- Income and Debt Management Policy

and to recommend to Full Council that they be approved for inclusion in the Council's Policy Framework.

3. Background

3.1 The Council is committed to maintaining the highest standards of governance including the elimination of fraud and corruption and to ensuring that all activities are conducted ethically, honestly, openly and accountably in order to protect public safety and public money.

3.2 A varied range of policies and procedures form the Corporate Governance framework and a selection of these relate to Ethical Governance - those specifically regarding conduct and integrity.

3.3 The Ethical Governance policies set out the standards of conduct and integrity that it expects from staff, elected members, suppliers, partners, volunteers and the public. Breaches of the policies will be pursued, and procedures have been introduced to enable any person to raise genuine concerns they may have about the conduct of anybody acting for or on behalf of the Council.

3.4 At its meeting on 2 December 2021 Full Council adopted a statement of intent in relation to both Ethical and Corporate Governance which gave a high organisational commitment to zero tolerance of fraud, corruption and bribery. It is appropriate following the change of Administration and Leader and Chief Executive to refresh the statement of intent which is attached at Appendix 1. The Committee is recommended to refer this to Full Council for adoption.

4. Review of Ethical Governance Policies

4.1 The Anti-Fraud and Corruption, Whistleblowing, Anti-Money Laundering, Covert Surveillance, Information Security, Data Protection, Acceptable Use, Data Retention and Income and Debt policies were last reviewed by this Committee at its meeting on 23 November 2021. The Ethical Governance policies were subsequently adopted as part of the Council's Policy Framework by Full Council.

The following table indicates the number of times a policy was invoked in the past year and where appropriate whether it was effective.

Policy	No. of times invoked during 2017/18	No. of times invoked during 2018/19	No. of times invoked during 2019/20	No. of times invoked during 2020/21	No. of times invoked during 2021/22	Whether procedures effective
Anti-Fraud and Corruption	None	None	None	None	None	n/a
Whistleblowing	None	1	None	None	None	n/a
Anti-Money Laundering	None	None	None	None	None	n/a
Covert Surveillance	None	None	None	None	None	n/a
Information Security	None	None	None	None	None	n/a
Data Protection	None	None	None	None	None	n/a
Acceptable Use	-	-	None	None	None	n/a
Data Retention	-	-	None	None	None	n/a
Special Data Policy	-	-	-	-	None	n/a

4.2 The Anti-Fraud and Corruption, Whistleblowing, Anti-Money Laundering, Covert Surveillance, Information Security, Data Protection, Acceptable Use, Data Retention and Processing of Special Category & Criminal Convictions Personal Data policies have all been reviewed to ensure that they remain fit for purpose and no changes are proposed to these policies which are appended to this report. The ICT Password Policy has been included in the review this year and will form part of the Ethical Governance polices going forward.

4.3 The Monitoring Officer writes annually to both Members and Officers reminding them of their obligations regarding the Anti-Fraud and Corruption and Whistleblowing policies. Councillors and staff have recently received updated data protection and cyber security training from the Council's IT team.

4.4 The Income & Debt Management Policy has been reviewed and there are proposed changes which will support more efficient working as well as additional support for those in

financial difficulty. The processes are still relevant and meet legislative requirements, whist supporting strong collection rates. The changes include:

- Becoming a referral partner to the Money and Pension Services. This will help us to support customers in debt more effectively through impartial advice and support through the Money and Pension Service. The team will also be able to track progress with the service and adapt any recovery action accordingly.
- Compliance with the Government 'Breathing Space' scheme.
- Increasing write off limits for officers and managers.

4.5   The Council continues to achieve high collection rates for Council Tax and Business Rates. The focus for the teams during this year has been recovery from Covid-19 impacts, as well as implementing support schemes such as the Council Tax Rebate. The teams are working to support customers through the cost of living crisis and are adapting processes where necessary to support this.

4.6   The Council will continue to improve processes, making payment options simple for residents and businesses and encouraging customers to contact as soon as possible if they are suffering financial difficulties.

5.   Strategic Plan References

5.1   The manner in which the Council governs its business is an underpinning mechanism in the Council's Strategic Plan priorities to set out the direction and future potential for our Borough.

6.   Publicity Considerations

6.1   The Council's ethical governance polices will be published on the Council's website.

7.   Financial, Equality, Diversity and Human Rights, Consultation, Health, Wellbeing and Community Safety, Health and Safety, Risk Management and Environmental and Sustainability Implications

7.1   None.

Ethical Governance Statement 2022/23

Colchester Borough Council will not tolerate breaches of its ethical governance policies.

The Council is committed to maintaining the highest standards of governance including the elimination of fraud and corruption and to ensuring that all activities are conducted ethically, honestly, openly and accountably so as to protect public safety and public money.
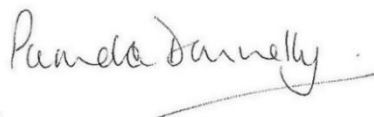
The Council expects the highest standards of conduct and integrity from all that have dealings with it including staff, elected members, suppliers, partners, volunteers and the public. Therefore, policies have been put in place to outline the standards required and procedures have been introduced to enable any person to raise genuine concerns they may have about the conduct of anybody acting for or on behalf of the Council.

The Ethical Governance policies form part of the Council's overall Corporate Governance framework and details of all the policies have been published on the Council's website at www.colchester.gov.uk.

We will take all reasonable steps to ensure that concerns are investigated, and appropriate action taken where necessary. There will be no distinction made in investigation between cases that generate financial benefits and those that do not.

David King
Leader of the Council

Pamela Donnelly
Chief Executive

Ethical Governance Framework

| Governance and Audit Committee / Scrutiny Panel | ↔ | **Ethical Governance Statement** | ↔ | Senior Management Team |

Policies

➤ Members Code of Conduct
➤ Officers Code of Conduct
➤ Anti-fraud and Corruption Policy
➤ Whistleblowing Policy
➤ Financial Regulations
➤ Contract Procedure Rules
➤ Procurement Policy
➤ Money Laundering Policy
➤ Gifts & Hospitality Policy
➤ NFI fair processing notice
➤ Planning protocols
➤ The Constitution

Records

➤ Fraud and Corruption Risk Assessment
➤ Protecting the Public Purse self assessment
➤ Whistleblowing Register
➤ Fraud & Corruption Register
➤ NFI results and matching exercise