



Northumberland County Council

## **Corporate Fraud Team**

# **Code of Conduct For Investigators**

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**30 October 2015**

## **1 Introduction**

2 The Corporate Fraud Team is part of the Corporate Resources Directorate within the Council. The Team's remit is to prevent, detect, investigate and deter all forms of fraud from being committed both internally and externally.

3 It is important to document a Code of Conduct so there can be no ambiguity in how the team operates and in its relationship with customers which will include members of the public and colleagues within the Council and other agencies.

## **4 Aims of the Code**

5 This Code of Conduct applies to all Corporate Fraud Team staff and should be read in conjunction with the general Code of Conduct that applies to all Council employees.

6 The purpose of this Code is to identify the minimum standards of conduct required and promote the uniform adoption of such standards by investigators in their dealings with customers and others. It is designed to set standards and to protect investigators from misunderstanding and/or criticism. It also covers how officers will deal with certain aspects of their investigations.

7 It is important that customers and others have faith in the integrity of the Corporate Fraud Team.

8 The Corporate Fraud Manager has a duty to observe the general principles of the Code and to ensure that staff understand and comply with the Code. It is the responsibility for each member of the Team to act in accordance with the Code.

## **9 The Council's Approach**

10 The Corporate Fraud Team is committed to combating fraud and corruption wherever it is found. The Team are determined to prevent, detect, investigate and deter fraud perpetrated by anyone in relation to internal fraud by employees or Members and external fraud by claimants for any form of benefit or financial assistance.

11 The Corporate Fraud Team recognises the importance of criminal prosecution and the use of administrative penalties and formal cautions in deterring fraud and the Council has its own policy for prosecuting offenders in appropriate cases.

12 The Corporate Fraud Team encourages the general public and other Council staff members to report concerns about fraud. There is the facility to report fraud through the main Contact Centre on 0345 600 6400 or through a fully confidential 24-hour telephone hotline on 01670 624359 or alternatively reports can be made online via the Council's website.

### **13 What the Council's Officers Will Do**

#### **14 General**

- 15 This Code applies to all Corporate Fraud Team members both during and outside working hours. The Code will be applied in a reasonable and objective manner.
- 16 There is a duty to investigate all suspected fraud thoroughly and to pursue all appropriate lines of enquiry to establish the facts.
- 17 Officers must report any incidence of fraud involving an elected member to the County Council's Monitoring Officer or the Section 151 Officer.
- 18 Feedback on all referrals will be made by the Corporate Fraud Team supported by findings, facts and evidence. Feedback will also be supplied to any staff member who made an allegation.
- 19 All investigations will be conducted in accordance with all relevant legislation and in accordance with recognised good practice, for example the Police and Criminal Evidence Act 1984 and the Criminal Procedure and Investigations Act 1996.

#### **20 Personal**

- 21 All activities undertaken by members of the Corporate Fraud Team will be conducted in a professional manner in accordance with the Council's standard policies on Equal Opportunities and Customer Care.
- 22 Corporate Fraud Team members will present themselves at all times in a professional manner that shows respect for the Council's image.
- 23 When conducting interviews and visits outside of the office Team members must identify themselves by producing their identification cards as well as verbally introducing themselves.
- 24 Corporate Fraud Team members must not abuse their authority and they must not act, or imply that they could act, in any way that is beyond the limit of their powers.
- 25 Information held and issued in relation to all investigations will be treated with strict confidentiality and in accordance with all relevant legislation, policies, guidelines and recognised good practice.
- 26 Corporate Fraud Team members will declare all cases of alleged fraud where they have an interest. Interest is defined as "ownership of or an association with a property involved in an alleged fraud, or a personal relationship with, or a personal friendship with, or personal knowledge of, any persons connected to any aspect of an investigation in any way".

- 27 Corporate Fraud Team members are required to maintain professional standards of conduct with customers, members of the public and colleagues within the Council whether or not they are engaged on official duty.
- 28 Corporate Fraud Team members must be aware that under the Bribery Act 2010 it is a serious criminal offence for them to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If such a reward is offered or received it must be declared to the Corporate Fraud Manager immediately.
- 29 Safety
- 30 Corporate Fraud Team members should recognise the limits of their abilities and should not undertake activities for which they are not adequately prepared or for which they lack the appropriate training or expertise.
- 31 Corporate Fraud Team members should be aware of the potential for violence from persons under investigation and should not place themselves in a situation where there is a risk of attack. Any incident of abuse or violence must be reported in accordance with the Council's Health and Safety procedures.
- 32 Corporate Fraud Team Members should exercise care to prevent loss of, or damage to, public and private property.
- 33 Any equipment or documents used whilst undertaking an investigation out of the office must not be left unattended. In particular, when undertaking visits such items should be locked out of sight in the boot of a car until they are needed. If they are retained overnight, any equipment or documents must be removed from the car and taken to secure accommodation.
- 34 Any loss, or damage to, any official equipment or documents must be reported to the Corporate Fraud Manager as soon as possible.
- 35 Corporate Fraud Team members will conduct visits in accordance with the safety policy.
- 36 Legal Requirements
- 37 Corporate Fraud Team members must at all times operate within the law and comply promptly with any legal obligations placed upon them by any current legislation or local authority instruction.
- 38 All evidence gathered in the course of an investigation must be recorded in accordance with the Criminal Procedure and Investigations Act 1996. Evidence must never be concealed or altered in any way from its original form.
- 39 Covert surveillance will only be undertaken in accordance with the Regulation of Investigatory Powers Act (RIPA) 2000 (as amended).

- 40 Corporate Fraud Team members will at all times follow the requirements of the Police and Criminal Evidence Act (PACE) 1984. All interviews must be carried out in accordance with the provisions of the Act.
- 41 Corporate Fraud Team members will at all times ensure that information held by the Council is treated as confidential and is only ever disclosed in line with the Data Protection Act 1998 and the Freedom of Information Act 2000. Such information must never be used for personal gain or coercion.
- 42 Corporate Fraud Team members will at all times treat any person(s) suspected or accused of committing alleged fraud with respect, courtesy and consideration. They must act openly and with complete impartiality. They must never condone or engage in, either directly or indirectly, any form of oppression, harassment, victimisation or discrimination.
- 43 At all times during an investigation the rights of any individual being interviewed or investigated must be considered and observed.

**44 Declaration**

I have read and understood the Code of Conduct for Investigators and I agree to work within the principles of the Code. I will advise the Corporate Fraud Manager immediately in writing should my circumstances change.

I am aware that any breach of this Code of Conduct may be subject to the Council's disciplinary procedures.

Signed:

Name:

Date: