

Procedural Guidance**Fraud and Corruption Procedural
Guidance**Security Marking:
Marked

Not

Protectively

Please click on the hyperlink for related Policy Statements

1. Introduction

This Procedural Guidance sets out the various procedures related to fraud and corruption of all types in order to:

- Encourage its prevention
- Promote its detection
- Establish clear pathways for its investigation.

Please also refer to Appendix A – ‘Avon and Somerset Constabulary Fraud and Corruption Reporting Protocol’ for further information.

2. Reporting and Responsibilities

- 2.1 All staff have a responsibility to report wrong doing, which includes allegations of fraud and corruption. For further details on reporting options and information on protected disclosures please refer to the Professional Standards Reporting Procedural Guidance.

3. Prevention

- 3.1 Police Officers and Police Staff will be recruited in accordance with ACPO National Vetting Policy.
- 3.2 All officers and staff must abide by their respective standards of professional behaviour.
- 3.3 The Financial affairs of the Constabulary will be conducted in accordance with Financial Regulations and Police Authority Standing Orders.
- 3.4 Staff alleged to have committed disciplinary offences will be dealt with in accordance with Police Misconduct and Complaints Against Members of Staff Policy and Procedural Guidance and Disciplinary Procedure for Police Staff

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4. Systems

- 4.1 Police Officers and Police Staff should refer to the Chief Constable's Data Protection policy and Information Security policy for information on the use of IT systems, including misuse of assets, illegal use or disclosure of data and fraud perpetrated through the improper use of IT systems.

5. Detection and Investigation

- 5.1 The Professional Standards Department will investigate all allegations of fraud and corruption, unless the ACC (Professional Standards) believes that the seriousness or nature of the allegation necessitate being investigated by another department or agency.
- 5.2 Alleged criminal conduct will be investigated as such in accordance with Investigative Standards.
- 5.3 Allegations of misconduct will be investigated in a proportionate manner, and all reasonable steps taken to secure and preserve evidence that might tend to prove or disprove the allegation.
- 5.4 The suspension of staff who are subject of allegations of fraud or corruption will be considered in accordance with the Suspension Procedural Guidance.
- 5.5 Allegations of fraud and corruption will be reported to the Police Authority in accordance with Appendix A.

11. Tactics

- 11.1 There are no tactical issues related to this document.

Procedural Guidance Information	
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Appendix A

Avon and Somerset Constabulary Fraud and Corruption Reporting Protocol

1. This protocol defines the types of corruption and fraud allegations that will be brought to the attention of the Director of Finance and the mechanisms by which reporting will take place.
2. For the purposes of this protocol:

“Fraud” will be defined as a dishonest act intended to make a gain to any person or cause a loss to any person. (Based on Fraud Act 2006)

“Corruption” is defined as the abuse of one's role or position held in the Service for personal gain or the gain of others (Based on ACPO)
3. The protocol covers:
 - Members of the Police Authority
 - Employees of Avon and Somerset Police Authority
 - Staff who work in a voluntary capacity
4. Allegations of fraud and corruption will come to the attention of the Professional Standards Department by either:
 - Criminal intelligence submissions
 - Internal allegation of misconduct
 - Anonymous referral
 - Public complaint
 - Proactive investigation
5. Where the information suggests a criminal offence may have been committed it will be investigated as a crime in line with the Force Investigative Standards and the techniques and methodology taught within Investigative Training for Detectives.
6. Where the intelligence suggests a misconduct offence (but no criminal offence) may have been committed it will be investigated in accordance with Police Regulations and the Police Misconduct and Complaints Against Members of Staff Policy.
7. These investigations will usually be carried out by members of the Professional Standards Department (including the Internal Investigations Unit). If an allegation is of a particularly serious or sensitive nature the Head of PSD, ACC (Professional Standards) or Independent Police Complaints Commission (IPCC) may direct that the matter be investigated by other members of the constabulary or an external agency.

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8. Any allegation of corruption that is "serious professional misconduct" must be referred to the IPCC. This is not defined but Avon and Somerset Constabulary interpret it as meaning a case where the member of staff is likely to face corruption related criminal charges in the Crown Court. The point for referral to the IPCC is when the misconduct/criminality becomes "probable" rather than "possible".
9. Where an allegation of probable fraud or corruption has a financial impact on Avon and Somerset Constabulary or Avon and Somerset Police Authority it will be brought to the attention of the Director of Finance (DF) at the earliest opportunity, unless this would compromise the investigation. It will then be reported to the DF when there is no longer a risk of compromise.
10. The details of the case may need to be sanitised or restricted to protect sources of intelligence or operational tactics. However, enough information will be disclosed to enable the DF to assess the financial impact and instigate any procedural or systemic changes to prevent a recurrence.
11. Cases involving a small monetary value will not be reported to the DF individually unless they identify a systemic problem that will enable the DF to take remedial action. The PSD will provide a regular summary of such cases to the DF.
12. The report to the DF will be made in the form of a personal briefing by the head of PSD or the officer in the case.
13. The DF will brief the Police Authority Treasurer on any outstanding Fraud and Corruption investigations and internal control issues highlighted by such investigations, at least quarterly but as soon as possible should there be a significant issue or breakdown in control.
14. Fraud Reports will be submitted to the Audit Commission if in excess of £10,000 or in any case of corruption as per standing guidance.

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