



Finance and Corporate Resources

**Fraud Whistle Blowing for Third Parties
December 2011**

1 Introduction

- 1.1 South Lanarkshire Council is committed to ensuring probity and accountability in all its activities. The Council has a fraud and corruption prevention strategy that requires individuals and organisations with which the Council deals to behave towards the Council with integrity.
- 1.2 The Council is also committed to dealing, on a confidential basis, with any allegation of material fraud or malpractice brought to its attention by any contractor, supplier, organisation, or by the general public. Such allegations may concern the conduct of those acting in the name of the Council or contractors, suppliers, or members of the public, where they involve misuse of Council assets or budgets. Allegations may also include matters relating to housing benefit and council tax benefit fraud.
- 1.3 This Fraud whistle blowing Policy for third parties lays down the procedures whereby such matters can be brought to the attention of the Council. Disclosures by South Lanarkshire Council employees are dealt with under the confidential procedures for reporting of concerns at work.

2 *Handling reported incidents*

- 2.1 South Lanarkshire Council will take seriously, all material matters raised in good faith by third parties.
- 2.2 Once a concern has been raised, the Council will initially look into it and assess the action that should be taken. Within five working days the person raising the concern will be informed of how the matter is being handled, and whether further assistance will be required from them, provided that they have given their name and address. All concerns raised in good faith will be taken seriously, whether anonymous or not. However, it is more likely that an investigation will be effective if the person reporting a problem is able to answer questions of detail about it. Their identity will not be revealed outside the Audit Section, which will investigate the concern in accordance with the Council's defalcation procedures and the investigative protocols and procedures.
- 2.3 When a person raises a concern, they may be asked how they think the matter might best be resolved. However, the Council reserves the right to handle the concern as it thinks fit. If the person raising the concern has any personal interest in the matter they must tell the Council at the outset. If they do not, and the interest becomes apparent later, the failure to declare an interest may affect the Council's conclusions, and it will certainly affect the amount of feedback given to them.
- 2.4 While the purpose of this policy is to enable the Council to investigate possible malpractice and to take appropriate steps to deal with it, feedback will be given to the person raising the concern, provided their identity is known.
- 2.5 If requested, the Council will provide a written update within 21 days of the notification of the concern. This may indicate that the investigation has been completed or confirm that work is in progress. Notification will be given when the investigation has been completed.

2.6 Please be aware that the Council may not be able to divulge the precise action that it has taken, or give the detailed results of an investigation, where this might:

- infringe a duty of confidence owed by the Council to another person or organisation;
- prejudice the investigation; or
- result in a breach of either the Human Rights Act or the Data Protection Act.

3 *Raising a concern*

3.1 Concerns should be raised, either:

- in writing, addressed to the Executive Director of Finance & Corporate Resources, for the attention of the Audit Manager, Council Offices, Almada Street, Hamilton, ML3 0AB; or
- by telephoning the Council's Audit Section (01698 455972).
- by telephoning one of the councils whistleblowing lines, CRM (0303 123 1015) and Benefits Fraud (08000 328 999 24).

3.2 If a correspondent wishes their concern to be treated in confidence, this should be intimated at the outset, so that the appropriate arrangements for anonymity can be made.

4 *Further action*

4.1 The Council hopes that this policy gives assurance to anyone who has raised a concern in good faith that it has been fully and impartially investigated. While the Council cannot guarantee that it will respond to all matters in the way that the person raising it might wish, it will try to handle any concern expressed by a third party fairly and properly. However, should anyone be dissatisfied by the Council's response to their concerns they can take their concerns to:

The Local Authority Ombudsman	or	Audit Scotland
Freepost		18 George Street
Edinburgh		Edinburgh
EH3 0EE		EH2 2QU

For more information or if you want this information in a different format or language please phone 01698 454628 or email cecilia.mcgee@southlanarkshire.gov.uk

