



**To:
All members of the
Council**

Please reply to:

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Date: 19 February 2026

Supplementary Agenda

Council - Thursday, 26 February 2026

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the Council meeting to be held on Thursday, 26 February 2026:

- | | |
|---|-----------------|
| 14. Amendments to the Constitution | 3 - 92 |
| Report to follow | |
| 15. Counter Fraud, Bribery and Corruption Strategy | 93 - 118 |
| Report to follow | |

Yours sincerely

Karen Wyeth
Corporate Governance

To the members of the Council

Councillors:

J.T.F. Doran (Mayor)
S.A. Dunn
M. Arnold

T. Burrell
J.R. Boughtflower
J. Button

N. Islam
M.J. Lee
A. Mathur

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M.M. Attewell
L. Barker
C. Bateson
S.N. Beatty
M. Beecher
S. Bhadye
M. Bing Dong
H.S. Boparai
L.H. Brennan
M. Buck

J.P. Caplin
R. Chandler
D.C. Clarke
S.M. Doran
R.V. Geach
D.L. Geraci
M. Gibson
K.M. Grant
S. Gyawali
K. Howkins

S.C. Mooney
G. Neall
L. E. Nichols
K.E. Rutherford
D. Saliagopoulos
J.R. Sexton
J.A. Turner
B. Weerasinghe
H.R.D. Williams
P.N. Woodward

Substitute Members:

Councillors:



Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Y	26/01/26
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	N	
Relevant Group Head review	Y	18/02/26
MAT+ review (to have been circulated at least 5 working days before Stage 2)	N/A	
This item is on the Forward Plan for the relevant committee		
	Reviewed by	
Finance comments (circulate to Finance)	LH	18/02/26
Risk comments (circulate to Lee O’Neil)	LH	18/02/26
Legal comments (circulate to Legal team)	LH	18/02/26
HR comments (if applicable)	N/A	

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least 5 working days before MAT	L Heron	18/02/26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	18/2/26
Confirm final report cleared by MAT		

Council meeting

26 February 2026

Title	Changes to the Constitution
Purpose of the report	To make a decision
Report Author	Linda Heron, Group Head Corporate Governance and Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires Council decision.
Recommendations	<p>Council is asked to:</p> <ol style="list-style-type: none"> 1. Agree the proposed changes to the Constitution as set out in Appendices 1 and 2: <ul style="list-style-type: none"> - Updated Contract Standing Orders (part 4(e)) - Updated Terms of Reference for Audit Committee (part 3(b)) - Amendment to the Terms of Reference for Standards Committee (part 3(b)) - Amendment to Delegations to Officers (part 3(d)) - Amendment to Access to Information Rules (part 4(g)) 2. Authorise the Monitoring Officer to update the Constitution.
Reason for Recommendation	To ensure that the Council's Constitution supports good governance

1. **Executive summary of the report** *(expand detail in Key Issues section below)*

What is the situation	Why we want to do something
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<ul style="list-style-type: none"> Standards Committee is considering various proposed changes to the Constitution on 25 February 	<ul style="list-style-type: none"> To ensure that the Council's constitution supports good governance
<p>This is what we want to do about it</p>	<p>These are the next steps</p>
<ul style="list-style-type: none"> Consider the recommendation from the Standards Committee and the proposed changes to the Constitution 	<ul style="list-style-type: none"> If the proposed changes are agreed, the Council's Constitution will be updated

2. Key issues

- 2.1 This report seeks the Council's approval of the proposed changes to the Constitution which have been considered by the Standards Committee on 25 February.
- 2.2 All relevant key issues are set out in the respective reports for Standards Committee that accompany this report as Appendix 1 and 2.

3. Options appraisal and proposal

- 3.1 Agree the recommendation as set out in this report (recommended option).

This option ensures that the various changes required in order to facilitate the ongoing work to strengthen the Council's procurement function and to address matters raised by the internal auditor and the recommendations from external consultant within the context of changes to Audit Committee and are fully addressed.

This, in turn, ensures that the Council's Constitution is robust and fit for purpose and therefore this option delivers the best long-term benefit.

- 3.2 Approve the proposed constitutional changes in part as may be agreed by this Committee.

This option enables targeted amendments to be considered by the Council, providing the Council with the flexibility to prioritise and address those issues it identifies as the most immediate or high priority. -priority

The proposed changes in their entirety are required in order to address the issues identified in the current governance structure, therefore, this option is not recommended because it does not deliver improved governance.

- 3.3 Do not approve any changes and retain the existing Constitution.

This option is not recommended as it fails to address known issues and does not support continuous improvement in governance.

4. Risk implications

- 4.1 Please refer to risk section in the respective reports in Appendix 1 and 2.

5. Financial implications

5.1 Please refer to financial section in the respective reports in Appendix 1 and 2.

6. Legal comments

6.1 Please refer to legal comments in the respective reports in Appendix 1 and 2.

6.2 Changing the Constitution is a matter for Council pursuant to paragraph 4.2(a) of Article 4 of the Constitution.

Corporate implications

7. S151 Officer comments

7.1 The S151 Officer confirms that financial implications have been considered and that there are no direct financial implications arising.

8. Monitoring Officer comments

8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

9.1 There are no procurement implications arising directly from this report.

10. Equality and Diversity

10.1 Please refer to Equality and Diversity section in the respective reports in Appendix 1 and 2.

11. Sustainability/Climate Change Implications

11.1 None arising directly from this report.

12. Other considerations

12.1 No other considerations have been identified.

13. Timetable for implementation

13.1 If the recommendation is agreed, the Constitution will be updated accordingly as soon as practicable.

14. Contact

14.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer
l.heron@spelthorne.gov.uk

***Please submit any material questions to the Committee Chair and Officer
Contact by two days in advance of the meeting.***

Background papers: There are none.

Appendices:

**Appendix 1 – Report for Standards Committee 25 February 2026, agenda
item 4 Amendments to the Constitution**

**Appendix 2 – Report for Standards Committee 25 February 2026,
supplemental agenda item 7 Updated Contract Standing Orders**

Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Y	26/01/26
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	N	
Relevant Group Head review	Y	13/02/26
MAT+ review (to have been circulated at least 5 working days before Stage 2)	N/A	
This item is on the Forward Plan for the relevant committee	N	
	Reviewed by	
Finance comments (circulate to Finance)	LH	13/02/26
Risk comments (circulate to Lee O’Neil)	LH	13/02/26
Legal comments (circulate to Legal team)	LH	13/02/26
HR comments (if applicable)		

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least 5 working days before MAT	L Heron	13/02/26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	17/2/26
Confirm final report cleared by MAT		

Standards Committee

25 February 2026

Title	Amendments to the Constitution
Purpose of the report	To make a decision and a recommendation to Council
Report Author	Linda Heron, Group Head Corporate Governance and Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	<p>Committee is asked to:</p> <ol style="list-style-type: none"> 1. Approve the proposed changes to the Constitution; and 2. Recommend to Council that the Constitution be amended.
Reason for Recommendation	To ensure that the Constitution supports good governance.

1. Executive summary of the report (*expand detail in Key Issues section below*)

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • The Council’s internal auditor Southern Internal Audit Partnership (SIAP) identified areas of governance that require attention • Proposed updated risk management arrangements require changes to the Constitution 	<ul style="list-style-type: none"> • To ensure that the Council’s constitution supports good governance
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> Address matters raised by internal auditors and external consultant by amending the Council’s Constitution as necessary 	<ul style="list-style-type: none"> Seek Council approval to amend the Constitution as set out in this report
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2. Key issues

- 2.1 This report seeks a recommendation to Council to approve amendments to the Constitution.
- 2.2 The Committee System Working Group (CSWG) is responsible for considering whether any amendments are required to the Constitution and making recommendations on these to the Standards Committee.
- 2.3 The proposed changes to the Constitution were discussed with, and received the support of, the Committee System Working Group on 26 January 2026.
- 2.4 The proposed amendments relate to the following provisions:
- the terms of reference for Audit Committee in Part 3(b);
 - the terms of reference for Standards Committee in Part 3(b);
 - Delegations to officers in Part 3(d); and
 - Access to Information Rules in Part 4(g).
- 2.5 The proposed revised terms of reference for Audit Committee have been considered in detail by the Audit Committee on 27 November 2025 under [agenda item 8 – Review of Effectiveness of Audit Committee](#) and the supporting report sets out all pertinent detail. The Committee resolved to agree the revised terms of reference for consideration by the Committee System Working Group (minute 71/25). The proposed new terms of reference for Audit Committee are appended to this report as Appendix 1.
- 2.6 In November 2025 the Council’s internal auditor SIAP undertook an audit of the Council’s Decision Making and Accountability. This audit returned overall Reasonable Assurance, but made certain observations which necessitate changes to the Constitution in order to address the points made. These are as follows:
- Part 3 section b – Terms of Reference for Standards Committee: erroneous reference to “Hearing Panels” instead of "Sub-Committee" (please see Appendix 2 for ease of reference);
 - Part 3 section d – Delegations to officers, more specifically para 3.3 authority to sign and seal documents. In order to bring this provision in line with the current and the proposed new Contract Standing Orders, and generally offer a degree of future proof, it is proposed that the following wording is deleted "... including legal advice being obtained for contracts over £20,000". The revised delegation is set out in full in Appendix 3 and will read as follows:

“3.3 Authority to sign all contracts and agreements (unless under seal) for expenditure within their service budget or for no value within their service area PROVIDED that Contract Standing Orders have been followed”;

- Part 4 section g – Access to Information Rules, more specifically para 11 The Forward Plan. In order to reflect standard operational practice and align ourselves with other authorities in Surrey, it is proposed to delete sub-paras (d)-(g) inclusive in para 11.2 as shown in Appendix 4.

3. Options appraisal and proposal

- 3.1 Approve the proposed constitutional changes as set out in this report and recommend to Council for approval (recommended option).

This option ensures that the various matters raised by the internal auditor and the recommendations from external consultant within the context of changes to Audit Committee are fully addressed. This, in turn, ensures that the Council's Constitution is robust and fit for purpose and therefore this option delivers the best long term benefit.

- 3.2 Approve the proposed constitutional changes in part as may be agreed by this Committee.

- 3.3 This option enables targeted amendments to be considered and recommended to Council, providing the Committee with the flexibility to prioritise and address those issues it identifies as the most immediate or high-priority

The proposed changes in their entirety are required in order to address the issues identified in the current governance structure, therefore, this option is not recommended because it does not deliver improved governance.

- 3.4 Do not approve any changes and retain the existing Constitution.

This option is not recommended as it fails to address known issues and does not support continuous improvement in governance.

4. Risk implications

- 4.1 The proposed Constitutional changes are intended to strengthen the Council's governance framework and ensure transparency and fitness for purpose.

These also reflect observations from the Council's internal auditor and recommendation from external consultant.

- 4.2 Failure to give these proposals due consideration and not recommending for approval may result in compliance risks (continuous ambiguity, reduced transparency in decision making and increased likelihood of challenge) and reputational risks (concerns about reduced accountability, fairness and transparency).

5. Financial implications

- 5.1 None arising directly from this report.

6. Legal comments

- 6.1 The Council has a statutory obligation to prepare a constitution and keep it up to date (Section 9P of the Local Government Act 2000).
- 6.2 The procedure for making changes to the Council's Constitution is set out in Article 13 of the Constitution.
- 6.3 The amendments set out in the body of this report is a matter for full Council.

Corporate implications

7. S151 Officer comments

- 7.1 The S151 Officer confirms that all financial implications have been taken into account, as stated above there are no direct financial implications arising from the recommendations set out in the report.

8. Monitoring Officer comments

- 8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

- 9.1 There are no procurement implications arising directly from this report.

10. Equality and Diversity

- 10.1 The proposed constitutional changes are in line with the Council's obligations under the Public Sector Equality Duty. It is not anticipated that the proposed changes will have a negative impact on groups with protected characteristics. The revised Constitution will continue to ensure that the decision making process remains transparent, inclusive and fully accessible.
- 10.2 The Council will monitor the impact and will address any issues identified through further amendments as appropriate.

11. Sustainability/Climate Change Implications

- 11.1 None arising directly from this report.

12. Other considerations

- 12.1 No other considerations have been identified.

13. Timetable for implementation

- 13.1 A recommendation from Standards Committee will be considered by Council at its meeting on 26 February 2025.

14. Contact

14.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer
l.heron@spelthorne.gov.uk

***Please submit any material questions to the Committee Chair and Officer
Contact by two days in advance of the meeting.***

Background papers:

**Audit Committee meeting on 27 November 2025, agenda item 8 – Review of
Effectiveness of Audit Committee**

Appendices:

Appendix 1 – revised Terms of Reference for Audit Committee

Appendix 2 – revised Terms of Reference for Standards Committee

**Appendix 3 – revised Part 3(d) of the Constitution: Delegations to officers (in
track change)**

**Appendix 4 – revised Part 4(g) of the Constitution: Access to information
rules (in track change)**

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Appendix 1

Suggested revised terms of reference for the Audit Committee

7 councillors reflecting political balance and two independent non-voting members

The quorum for this Committee is 4 members and 1 independent member

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
A General Remit				
1 To provide independent assurance of the adequacy of the risk management framework and the associated control environment.	Receive the Risk Management Strategy and Framework for periodic review.	Deputy CX	Annually	Review the Risk Management Strategy and Framework and consider the assurances it provides that appropriate and effective arrangements for the management of risk are in place.
	Receive an annual Risk Management report.	Deputy CX	Annually	Review the annual report and consider the assurances it provides regarding risk management activity during the year and that it aligns with the Annual Governance Statement.
	Receive update reports and presentations on the Council's strategic and other key risks.	Deputy CX / Relevant Senior Officers	At each meeting	Receive presentations from the relevant Senior Officers on their strategic risks and consider the assurances they provide that the strategic risks are being managed effectively.

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
2 To provide independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment.	Receive regular reports demonstrating the Council's financial and performance arrangements.	Chief Finance Officer / Deputy CX / Relevant Senior Officers	Quarterly	Review the financial and performance monitoring reports (considered by CP&R) and consider the assurances they provide that the arrangements are fit for purpose and effective.
3 To oversee the financial reporting process.	To receive the draft and final statement of accounts in accordance with statutory requirements.	Chief Finance Officer	As per the statutory timescales	Review the draft and final accounts and consider the degree of assurance provided that they meet professional accounting standards and statutory timeframes, commenting as necessary and referring them for formal approval to full Council.
4 To promote the application of and compliance with effective governance arrangements across the Council.	To receive reports regarding the Council's governance arrangements (assurance reports) and particularly the preparation of the statutory Annual Governance Statement.	Chief Finance Officer / Monitoring Officer	As per the statutory timescales	Review the periodic governance assurance reports and reports regarding the preparation of the Annual Governance Statement and consider the assurances they provide that the Council's governance arrangements are in place and effective.
B Internal Control incorporating Risk Management, Financial Probity and Stewardship				
To consider the overall adequacy and effectiveness of the system of internal control and the arrangements for risk management, control and governance processes	Through a programme of reports and presentations covering the Authority's risk, control, and governance arrangements.	Deputy CX	At each meeting / Annually	Review the Committee's workplan and consider whether it covers the necessary areas to fulfil the Committee's terms of reference and therefore provide the necessary information and assurances.

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
and securing economy, efficiency, and effectiveness (value for money).				
To ensure that the highest standards of financial probity and stewardship are maintained throughout the Authority, within policies set by the Council from time to time.	Receive for consideration and recommendation for approval the Council's Financial Regulations and supporting policies. Receive and consider relevant Corporate Assurance reports	Chief Finance Officer Deputy CX	As per review cycle or as required. Quarterly, within Corporate Assurance update reports.	Review the Council's Financial Regulations (and related policies) and consider whether they are fit for purpose and therefore provide assurances to the Committee and to recommend to CP&R Committee / Council (as appropriate) for formal approval. Consider the assurances provided within the quarterly Corporate Assurance reports such that the Committee is assured of appropriate management action being taken to address any control weaknesses identified.
To consider policies not reserved to other service committees for consideration and approval by the Council.	Receive relevant draft policies for consideration and recommendation for approval.	Relevant Senior Officer	As required	Review the draft policies and consider whether they are fit for purpose and will therefore provide the necessary control, risk, and governance framework.
To promote effective internal control by the systematic appraisal of the Council's internal control mechanisms and by the development of an anti-fraud culture.	Receive regular Corporate Assurance reports (incorporating anti-fraud reports) and other governance assurance reports.	Head of Internal Audit and Relevant Senior Officers	At each meeting	Review the various reports and consider the degree of assurance they provide regarding the effectiveness of internal control arrangements.
To promote effective risk management throughout the Council in accordance with	Receive the Risk Management Strategy and	Deputy CX	Every 2 years	Review the Risk Management Strategy and Framework and consider the assurances it provides that appropriate and effective

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
the Council's Risk Management Policy Objectives Statement.	Framework for periodic review.			arrangements for the management of risk are in place.
To periodically review the Council's strategic risk register and to invite, when appropriate, a Member of the extended Management Team (MATplus) to meetings to discuss strategic risks within their specific service area.	Receive update reports and presentations on the Council's strategic and key other risks.	MAT+	At each meeting	Receive presentations from the relevant senior officers on their strategic risks and consider the assurances they provide that the strategic risks are being managed effectively.
To consider, challenge and comment on the Annual Governance Statement.	Receive the draft and proposed final Annual Governance Statement.	Chief Finance Officer / Chief Executive / Monitoring Officer	Annually as per statutory timescales	Review the draft and proposed final Annual Governance Statement and consider (and comment as required) that it has been prepared in accordance with recommended practice and adequately reflects the governance issues and areas for improvement determined through the annual governance review process. Recommend the Final Annual Governance Statement to Full Council for formal approval and publication.
To receive reports on additional corporate functions contributing to overall assurance against the corporate priorities and specifically in relation to:	Receive governance assurance reports	Relevant Senior Officer	Each governance area at least annually.	Review the governance assurance report and consider the extent to which assurances are provided that the arrangements in place are effective and efficient.

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
<ul style="list-style-type: none"> • Human Resources • Health & Safety • Business Continuity and Emergency Resilience • Information Governance • Strategic Procurement and contract management • Asset Management • Ethical Framework • Equality and Inclusion • Environmental Governance. 				
<p>To encourage wider dialogue with members of the extended Management Team (MATplus) by inviting them to meetings on a periodic basis to give assurance about issues identified within reports relating to various Council activities and in particular those which are subject to reported Corporate Assurance implications.</p>	<p>Invite relevant senior management to provide assurances regarding and control, risk or governance issues identified in Corporate Assurance (Internal Audit) or other audit or inspection reports.</p>	<p>Relevant Senior Officer</p>	<p>As and when required</p>	<p>To consider the explanations provided and the assurances they provide that suitable improvements have been made regarding any weaknesses or issues raised in Corporate Assurance reports.</p>
C Internal Audit				
<p>To oversee, in consultation with the Head of Internal Audit (“the HoIA”), the preparation</p>	<p>Receive the corporate IA plan preparation</p>	<p>HoIA</p>	<p>Annually (January)</p>	<p>Review the methodology for the preparation of the annual IA plan and consider the assurance it provides that an appropriate and risk-informed</p>

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
and approval of an annual Internal Audit (IA) plan for the Council and to receive periodic reports from the HoIA on performance against the plan.	methodology. Receive the proposed corporate assurance (internal audit) plan.	HofIA	Annually (March)	plan of work is prepared. Review the proposed IA plan and consider the assurance it provides that an appropriate plan of work has been determined that will support the HoIAs annual opinion.
To monitor compliance with IA reports following their consideration by management.	Receive quarterly IA progress reports that include details of management's compliance.	HofIA	Quarterly	Review the quarterly IA progress reports and consider the assurances they provide regarding management's compliance.
To review the performance of the IA Team by way of quarterly performance management reports.	Receive quarterly IA progress reports that include details of the function's performance.	HofIA	Quarterly	Review the quarterly IA progress reports and consider the assurances they provide regarding the function's performance.
To consider the HofIA annual audit report and opinion, and a summary of activity (actual and planned) and the level of assurance it can give over the Council's corporate governance arrangements.	Receive the HofIA annual reports covering internal control, risk and governance assurance, and anti-fraud activity.	HofIA	Annually	Review the various Head of IA annual reports and consider the assurances they provide regarding the effectiveness and efficiency of the Council's internal control, risk and governance arrangements and arrangements for anti-fraud.
To enhance the profile, status and authority of the IA function and demonstrate its independence.	Have a private meeting with the HofIA as part of the Committee's workplan. Ensure the HofIA has unfettered access to the	HofIA Chief Finance	Throughout the year Throughout the	Hold a private meeting with the HofIA at least annually to be assured of their independence and unfettered access to the Committee. Review the HofIA annual report and the preparation and delivery of the IA plan and

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
	Committee. Support the work of the IA Team in being assured it has sufficient resources and skills to discharge its professional responsibilities.	Officer HofIA	year Throughout the year	consider the assurances they give that the function is adequately resourced.
To approve and periodically review the IA Charter.	Receive the IA Charter.	HofIA	Annually	Review the IA Charter and consider the assurances it provides that it has been prepared in accordance with professional standards and can be delivered.
D External Audit and other Inspectorates or Regulatory Bodies				
To oversee, in consultation with external auditors, the preparation of the annual audit plan for the Council and to receive periodic reports from the external auditor on performance against the plan.	Receive the External Audit proposed plan of work and periodic progress / update reports on the delivery of the plan.	External Audit Engagement Lead	Annually and at each meeting.	Review the plan proposals and consider the assurances it will provide. Review the progress reports and consider the progress made against the plan.
To consider and report to Corporate Policy & Resources Committee and the Council the annual audit and inspection letter.	Receive the External Auditor's ISA260 Report and Annual report.	External Audit Engagement Lead	Annually	Review the External Auditor's annual reports and consider the assurances they provide regarding the Council's statutory accounts and consider External Audit's assessment of the Council's value for money arrangements.

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
To consider the appointment of the Council's external auditor.	Receive a report on the Council's arrangements to appoint the External Auditor.	Chief Finance Officer	As per the required timescales	Review the Director of Finance's recommendation regarding the method of appointing the Council's external auditor and consider whether the proposal will ensure an appropriate appointment.
To monitor compliance with external audit, external inspectorate and Ombudsman reports following their consideration and resolution by the Corporate Policy & Resources Committee and/or Council.	Receive relevant reports.	Deputy CX / Chief Finance Officer	As and when required	Review the reports and consider if any additional action or recommendations are required and monitor any subsequent progress.
E Other				
To consider general issues and statistics in relation to the Council's Confidential Reporting (Whistleblowing Policy) "Whistleblowing" Policy.	Receive an annual report.	Monitoring Officer	Annually	Review the report and consider the assurance it provides that the Council's Whistleblowing / Confidential Reporting arrangements are fit for purpose and that appropriate action has been taken in relation to any concerns raised.
To review the Authority's use of the Regulation of Investigatory Powers Act	To receive an annual report on RIPA (Regulation of Investigatory Powers Act) activity.	Monitoring Officer	Annually	Review the report and consider the assurance it provides that the Council has utilised the Regulation of Investigatory Powers Act appropriately and that appropriate action has been taken in relation to any concerns raised.
To review the Authority's arrangements for establishing	Receive draft framework documents.	Deputy CX	Annually	Review the draft framework documents and consider the assurances they provide that they

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
an appropriate anti-fraud framework.				will ensure effective anti-fraud arrangements are in place.
To monitor compliance with and the effectiveness of anti-fraud and corruption policies and procedures.	Receive periodic reports and an annual report on anti-fraud activities.	Deputy CX	Annually and mid-year	Review the reports and consider the assurances they provide that the Council's anti-fraud arrangements are effective.
To consider and review compliance with the Authority's Treasury Management policy.	Receive relevant reports regarding the Council's treasury management responsibilities	Chief Accountant	Annually / periodically throughout the year	Review the reports and consider the assurances they provide that the Council is meeting its treasury management responsibilities.
F Accounts				
To review the financial statements, external auditor's opinion, and reports to Members, and monitor management action in response to the issues raised by External Audit	Receive the draft and final statutory financial statements and the External Auditor's opinion.	Chief Accountant / External Audit Engagement Lead	As per the statutory timescales	Review the draft and final financial statements and consider whether they have been prepared in accordance with professional accounting standards and be assured of management's response to any issues / recommendations raised by External Audit. Recommend the presentation of the financial statements to Full Council.
To contribute to the annual review, consideration, and challenge of the financial statements.	Receive the draft and final statutory financial statements and the External Auditor's opinion. Receive any necessary briefings / training regarding	Chief Accountant / External Audit Engagement Lead Chief Accountant	As per the statutory timescales As required	Review the draft and final financial statements and consider whether they have been prepared in accordance with professional accounting standards. Participate in the training provided.

Function	How Discharged	Lead Officer	Frequency	Audit Committee Action / Output
	the preparation of the financial statements.			

Appendix 3

STANDARDS COMMITTEE

Membership

9 councillors reflecting political balance + 2 Independent non-voting Members

Functions

Promoting the maintenance of high standards of conduct by councillors and any co-opted members of the Council.

In addition to the broad functions of the Committee set out in Article 8 it is also delegated to undertake the following work on behalf of the Council:

- to keep an overview on the arrangements for dealing with complaints under the code of conduct, making alterations and publishing them where it considers necessary;
- to devise such further protocols and procedures as are necessary for the efficient management of complaints which have to be considered by a hearings panel;
- to consult with the Independent Person on any matters which have broad implications for the promotion of high standards by the Council;
- to make recommendations to Council on standing orders for the registration and declaration of Disclosable Pecuniary Interests and other interests; and,
- to make recommendations to Council on any revisions to the Members' Code of Conduct and the registration of interests.
- to consider any issues referred by the Monitoring Officer under the Disclosure and Barring Service Checks for Members Protocol (Part 5m).
- to establish the Committee System Working Group with the Terms of Reference set out below.
- to monitor and review the operation of the Constitution in accordance with Article 13.
- to promote, manage and agree a programme of member development.

~~Hearings Panels Sub-Committee~~ (comprising three councillors drawn from the membership of the Standards Committee and chaired by an independent member) established under the Council's published arrangements for dealing with complaints may:

- require the Member to apologise either privately or in public;
- require the Member to attend training;
- censure the Member;
- send a report to Council to censure the Member;
- require the Monitoring Officer to publish a report in the newspaper or on the Council's website about the councillor's conduct;
- withdraw privileges provided by the Council such as computer equipment, internet or email access;
- recommend to the councillor's group leader that the councillor be removed from a Committee, or an outside body (as appropriate); or,
- a combination of any of the above.

Working Groups' Terms of Reference

Committee System Working Group

Membership

The membership to comprise one councillor from each political group and any non-aligned members.

Responsibilities

Monitoring of objectives

To consider whether the system is meeting the Council's objectives. To recommend any amendments to the system to the Standards Committee where such is required to meet those objectives.

Recommendation of amendments

To consider whether any adjustments or amendments are required to ensure the smooth operation of the system and to make recommendations to the Standards Committee where required.

Decision Making

This working group has no formal decision-making powers. Any matters which require a Councillor decision will require a report to the Standards Committee for their decision.

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DELEGATIONS TO OFFICERS	
Column 1 – Function	Column 2 – Authorised Officer
1. GENERAL	
<p>1.1 To carry out responsibilities for any function which the Council has not reserved to itself or delegated to a Committee or Sub Committee in this Constitution and which Council has not authorised another officer to carry out in this Scheme of Delegation.</p> <p>Decisions taken in accordance with this delegation will be reported to the next available ordinary Council meeting.</p>	<p>Chief Executive or a Deputy Chief Executive or a Group Head in consultation with the relevant Chair and Vice-Chair.</p>
<p>1.2 To enter land and premises for the purpose of inspections, surveys, testing and examinations as required pursuant to any powers or functions of the Council under any enactment</p>	<p>Any Group Head, the Medical Advisor, the Property Inspector for Council Tax and Business Rates, the Senior Environmental Health Manager or such other officer who maybe authorised in writing by the above named</p>
<p>1.3 To serve notices to obtain particulars of a person's interest in land</p>	<p>Group Head of Corporate Governance, Senior Environmental Health Manager or Planning Development Manager or other such officer who may be authorised in writing by the above named</p>
<p>1.4 To serve notice under any enactment (not separately authorised under this scheme of delegations) and to take follow up action</p>	<p>Group Head of Corporate Governance Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager</p>
<p>1.5 To authorise officers to conduct directed surveillance or the use of covert human intelligence sources in accordance with the Regulation of Investigation Powers Act 2000</p>	<p>Strategic Planning Manager, Planning Development Manager and Senior Environmental Health Manager</p>
<p>1.6 To administer simple cautions</p>	<p>Strategic Planning Manager, Planning Development Manager or Senior Environmental Health</p>

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	Manager
1.7 To respond to routine and technical consultations from the Local Government Association, the MHCLG, other Government bodies or departments and any other bodies	Chief Executive, Deputy Chief Executive. Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager or such officer who may be authorised in writing by the above named
1.8 Under the provisions of the Children Act 1989 and the Council's Safeguarding Children and Vulnerable Adults Policy and Procedures, to undertake responsibility for making contact with Social Services and for making decisions and referrals, including making Disclosure and Barring Service (DBS) checks on officers or other persons seeking employment with children, young people or vulnerable adults	Deputy Chief Executive responsible for Safeguarding
1.9 To undertake the function of Company Secretary for Knowle Green Estates Limited and any subsidiary companies	Group Head of Corporate Governance
1.10 To invite members: a) of the Licensing Committee to participate in meetings of Licensing Sub-Committees convened to determine various applications within the responsibility of the Licensing Committee; and b) of the Standards Committee to participate in meetings of Assessment Panels.	Group Head of Corporate Governance
1.11 To amend the membership of a political group's seats on any particular committee, at the request of the Group Leader.	Chief Executive
1.12 To be designated the Council's 'Appointed person' in accordance with s10(8) of the Party Wall Act 1996.	Building Control Manager
1.13 To authorise grant funding for the	Group Head Place, Protection and

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Spelthorne Business Forum on an annual basis, to ensure value for money.	Prosperity
2 LEGAL AND LEGAL PROCEEDINGS	
Column 1 – Function	Column 2 – Authorised Officer
2.1 To instigate, conduct and settle proceedings, complaints, or disputes (administrative, criminal or civil) on the Council's behalf in any Court, Tribunal or other body or by way of local resolution, and/or in relation to any matters associated thereto, but in respect of settlements this is limited to £50,000 and anything above this level be referred to the Corporate Policy and Resources Committee.	Group Head of Corporate Governance
2.2 To instigate and conduct legal proceedings for any offence or any matter arising under: <ul style="list-style-type: none"> a. legislation which gives the Council a right or duty to prosecute b. any order notice or licence issued in pursuance to any legislation under which the Council has powers or duties c. any other order or regulation under which the Council has powers or duties 	Group Head of Corporate Governance
2.3 To accept service of proceedings on behalf of the Council	Group Head of Corporate Governance (or Chief Finance Officer in respect of insurance claims)
2.4 To instruct Counsel, Solicitors or relevant agents to represent or advise the Council	Group Head of Corporate Governance (or any Chartered Town Planner in respect of planning matters)
2.5 To take necessary action, including legal proceedings, for the recovery of possession of the Council's land and premises or for protecting the interests of the Council in any land or common land	Group Head of Corporate Governance
2.6 Authority to make a formal complaint at the Magistrates Court and to appear in the Magistrates and County Courts on behalf of the Council for the recovery of Council Tax, non domestic rates, other revenues	Group Head Commissioning and Transformation, Senior Recovery Officer, Recovery Officer or Technical and System Support Officer

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and penalties, including formal proof of debt in bankruptcy cases, liquidations and debt proceedings	
2.7 To represent the Council at the Local Valuation Tribunal	Group Head Commissioning and Transformation or Technical and System Support Officer
2.8 To appear on behalf of the Council in all proceedings before any Court or Tribunal	All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff authorised in writing by the Group Head of Corporate Governance
2.9 To appear on behalf of the Council in proceedings in the Magistrates Court in respect of offences in the Council's car parks	All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff authorised in writing by the Group Head of Corporate Governance, the Group Head Neighbourhood Services and any member of the Car Parks staff authorised in writing by the Group Head Neighbourhood Services.
2.10 To instigate legal proceedings under Section 1 of the Crime and Disorder Act 1998 in respect of anti-social behaviour orders.	Group Head of Corporate Governance
3 AUTHORITY TO SIGN AND SEAL DOCUMENTS	
Column 1 – Function	Column 2 – Authorised Officer
3.1 Authority to sign all legal documents relating to recovery of monies due to the Council	Chief Executive, Chief Finance Officer, Group Head of Corporate Governance, Group Head Community Wellbeing or Group Head Commissioning and Transformation.
3.2 Authority to sign all legal documents for the acquisition or disposal of land (unless under seal)	Chief Executive, Chief Finance Officer or Group Head of Corporate Governance
3.3 Authority to sign all contracts and	Chief Officers, Group Head of

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<p>agreements (unless under seal) for expenditure within their service budget or for no value within their service area PROVIDED that Contract Standing Orders have been followed including legal advice being obtained for contracts over £20,000</p>	<p>Corporate Governance, other Group Heads, Planning Development Manager, Strategic Planning Manager or Senior Environmental Health Manager</p>
<p>3.4 To affix the Council's common seal</p>	<p>Chief Executive, Chief Finance Officer or Group Head of Corporate Governance</p>
<p>4 LAND ISSUES</p>	
<p>Column 1 – Function</p>	<p>Column 2 – Authorised Officer</p>
<p>4.1 In respect of properties leased/licensed to or by the Council:</p> <ul style="list-style-type: none"> a. to refuse or consent to assignments or sub-lettings, including changes to Trustees or Directors details, subject to satisfactory references; b. to negotiate, approve and document rent reviews; c. to agree low level less than best value rents/licence fees for community groups where proper justification has been acquired and documented; d. to agree to variations to any of the terms or covenants; subject to valuation advice where appropriate; e. to renew leases which have security of tenure under the Landlord and Tenant Act 1954; f. to serve notices for renewals or terminations of leases under the Landlord and Tenant Act 1954; g. to settle terms of management arrangements and any variations to them; h. to agree to the grant of Licences to Alter i. in consultation with the Chair of Commercial Assets Sub-Committee, to agree dilapidation settlements up to £100k. 	<p>Group Head for Assets</p>

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<p>4.2</p> <p>a. To approve new lettings where the rental income per annum (net of VAT) does not exceed £100k.</p> <p>b. To approve lease renewals where the rent in the first year is more than 50% of the passing rent of the previous lease, subject to the financial impact not exceeding £250k.</p> <p>c. To approve freehold or leasehold disposals or acquisitions of land or interests in land not exceeding an estimated value of £100k per transaction.</p> <p>d. To approve the exercise of a break option under the terms of lease of land or property where the financial impact does not exceed the value £100k.</p> <p>e. To accept or agree a surrender where the land or property is no longer required by the Council or the Landlord/Tenant as appropriate, where the financial impact does not exceed £100k.</p> <p>f. to make the application for planning permission in relation to Regulation 3 of the <u>Town and Country Planning General Regulations 1992</u>, on behalf of the Council as developer, where the financial impact does not exceed the value £100k for the whole project.</p> <p><i>Notes:</i></p> <p>a. to c. Financial impact to be based on contracted rental values.</p> <p>a. to d. VAT should be disregarded when determining if a transaction falls under the stated thresholds.</p>	<p>Group Head for Assets in consultation with the Chief Finance Officer.</p> <p><i>(Note: for lettings granted under the Community Lettings Policy, there must also be consultation with the Chairs and Vice Chairs of Corporate Policy and Resources and Community Wellbeing and Housing Committees.)</i></p>
<p>4.3 Urgent Action</p> <p>In relation to a new letting, to take a decision which is so urgent that it cannot wait until the next scheduled meeting of the Committee and where the decision is not in contravention of established policies. In following this procedure, the Group Head for Assets is required to seek the approval of the Chair and Vice-Chair of the</p>	<p>Group Head for Assets</p>

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Business, Infrastructure and Growth Committee if the matter would ordinarily fall within the remit of the Committee or in the case that any aspect of the letting could be considered sensitive. The use of such urgent action must be reported to the next relevant Committee meeting.	
4.4 To grant or take miscellaneous licences, wayleaves, easements and other agreements as required	Group Head for Assets
4.5 To enter into a Tenancy at Will	Group Head for Assets
4.6 To determine applications for rights of way or other easements over land	Chief Finance Officer after consultation with Group Head for Assets
4.7 To approve the release of covenants subject to obtaining appropriate legal and valuation advice	Group Head for Assets
4.8 To determine if an asset nominated for inclusion on the list of assets of community value: (i) is within the local authority's area (ii) has been properly nominated (iii) meets the statutory criteria set out in section 88 of the Localism Act 2011 and (iv) does not fall within an excluded category.	Group Head for Assets
4.9 To review decisions made regarding the inclusion of assets on the list of assets of community value in accordance with section 92 of the Localism Act 2011	Group Head Corporate Governance
4.10 To maintain the list of assets of community value in accordance with section 87 of the Localism Act 2011	Group Head for Assets
4.11 To assess and determine compensation applications to private property owners arising out of listings of assets of community value in accordance with section 99 of the Localism Act 2011 and Schedule 2 of The Assets for Community Value (England) Regulations 2012	Group Head for Assets
4.12 To review decisions made regarding	Group Head Corporate

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compensation award in accordance with Schedule 2 of The Assets for Community Value (England) Regulations 2012	Governance
5 FINANCIAL MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
5.1 To make a formal demand for payment of monies expended in carrying out works in default under statutory powers, including interest payable thereon	Relevant Deputy Chief Executive
5.2 To raise in line with inflation any financial limits specified in these delegations to officers, contract standing orders or financial regulations	Chief Finance Officer
5.3 In connection with the provision of services under their control: <ul style="list-style-type: none"> a. Expenditure of any type within approved budgets (subject to delegation 3.3 - as to signature of contracts); b. Day to day running and operation of services, including maintenance and repairs of all buildings, land and equipment within the responsibility of the service area, in accordance with the policies set down by the Council or relevant Committee; and c. Control, purchase and disposal of stores or surplus materials d. To enter into any arrangement with a creditor for payment to be made by way of instalment 	Relevant budget holders
5.4 To implement all the Council's borrowing and investment strategies, in accordance with the Treasury Policy Statement and Capital Strategy	Chief Finance Officer
5.5 To determine the tax base, in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, as amended	Chief Finance Officer
5.6 To deal with applications for local council	Chief Finance Officer or Group

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<p>tax discounts in very exceptional cases. Such cases to include flooding and where committal action through the courts is not deemed appropriate. The latter will need to be supported by third party reports generally from a social worker or doctor</p>	<p>Head Commissioning and Transformation</p>
<p>5.7 To take all necessary steps relating to the demand, collection and recovery of council tax non-domestic rates and Business Improvement District levy payments and to issue all necessary notices and statements and to sign all relevant documentation</p>	<p>Group Head Commissioning and Transformation</p>
<p>5.8 To sign certificates issued under Section 116 of the Social Security Administration Act 1992</p>	<p>Group Head Commissioning and Transformation</p>
<p>5.9 To exercise the Council's responsibilities under Regulation 6 of the Accounts and Audit (England) Regulations 2011, to maintain an adequate and effective system of internal audit of the accounting records and control systems</p>	<p>Chief Finance Officer</p>
<p>5.10 To take decisions in applications under section 44A of the Local Government Finance Act 1988 and subsequent regulations</p>	<p>Chief Finance Officer or Group Head Commissioning and Transformation</p>
<p>5.11 To grant applications for mandatory rate relief under in accordance with section 43 of the Local Government Finance Act 1988</p>	<p>Chief Finance Officer or Group Head Commissioning and Transformation</p>
<p>5.12 To grant application for discretionary rate relief for properties in accordance with Council policies provided that element of the relief recoverable from local taxpayers does not exceed £9000 in any one case.</p>	<p>Chief Finance Officer or Group Head Commissioning and Transformation</p>
<p>5.13 To grant disabled relief under the Local Government Finance Act 1992 and subsequent regulations</p>	<p>Chief Finance Officer or Group Head Commissioning and Transformation</p>
<p>5.14 To serve the Valuation Officer with notice of objection to any proposals for alteration of the valuation banding lists.</p>	<p>Chief Finance Officer or Group Head Commissioning and Transformation</p>
<p>5.15 To make proposals for the alteration of the</p>	<p>Chief Finance Officer or Group</p>

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valuation list for the inclusion of particular properties in the valuation list. To sign valuation agreements and to serve on the Valuation Officer proposals to alter the council tax banding list	Head Commissioning and Transformation
5.16 To pay sums due from the Council	Chief Finance Officer
5.17 To write off debts for non-domestic rates not exceeding £9000 and for Council tax not exceeding £5000.	Group Head Commissioning and Transformation
5.18 To write off debts for Housing Benefits not exceeding £5000	Group Head Community Wellbeing
5.19 To write off debts not exceeding £5000 and to write off all debts without limit where bankruptcy, liquidation proceedings, administration or receiverships proceedings have been instigated	Group Head Commissioning and Transformation
5.20 To fix interest rates for housing loans in accordance with legislation and Council policy	Chief Finance Officer
5.21 To determine the local average interest rates for local authority mortgages, in accordance with section 438 and schedule 16 of the Housing Act 1985 and Council policy	Chief Finance Officer
5.22 To provide all necessary insurance cover and to settle insurance claims	Chief Finance Officer
5.23 To make determinations under sections 42,50, 56,60 and 63(1) of the Local Government and Housing Act 1989	Chief Finance Officer
5.24 To serve completion notices for Council Tax and Business Rate proposals	Chief Finance Officer or Group Head Commissioning and Transformation
5.25 To set fees for Local Land Charges services	Chief Finance Officer
5.26 Approval of grants from any funds remaining from the Council's former local lottery	Chief Finance Officer

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5.27 To make appropriate staged payments for grants for development	Chief Finance Officer
6 PERSONNEL MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
6.1 To give approval to services to advertise or to fill a staffing vacancy	Chief Executive, Deputy Chief Executive or Group Heads
6.2 Within staffing budgets and overall management structure to approve all matters relating to the organisation, appointment (other than appointments at, or above, grade Group Head) and management (including disciplinary action) of staff in accordance with the Council's staff policies and procedures	Chief Executive, Deputy Chief Executive or Group Heads
6.3 To implement national awards affecting wages, salaries and conditions of service	Chief Executive, Relevant Deputy Chief Executive or Group Head Neighbourhood Services for local rate overtime
6.4 To administer the Council's car loan scheme	Chief Finance Officer
6.5 To agree redundancy payments under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 in cases approved by Management Team	Chief Executive in consultation with the Leader of the Council
6.6 To approve and sign off special severance payments of £20,000 and above but not exceeding £100,000 (Payments of £100,000 and above are reserved to Council)	Head of Paid Service, with a clear record of the Leader's approval and that of any others who have signed off the payment.
6.7 To approve and sign off special severance payments below £20,000	Chief Finance Officer

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7. ENVIRONMENTAL HEALTH MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
<p>7.1 To exercise the Council’s functions in respect of environmental health matters, including, but not limited to the following functions:</p> <ul style="list-style-type: none"> a. Statutory and Public Nuisances; b. Control of Noise; c. Light nuisance; d. Control of Air Pollution; e. Contaminated Land; f. Control of rats and mice; g. Insects; h. Prevention of Damage by Pests; i. The provision, management and control of Cemeteries, Mortuaries and Crematoria and the discharge of the Council’s functions relating to burials and cremation generally; j. Safety of buildings; k. Food, Drinking Water, Food Hygiene and associated matters; l. Functions in connection with the Welfare and Control of Animals; m. Control of Diseases, infectious diseases and General Public Health matters; n. Filthy or verminous premises, articles or persons; o. Accumulations; p. Drains and private sewers and any other environmental health functions in relation to sewerage or, water (by arrangement with the service operators if 	<p>Senior Environmental Health Manager; or:</p> <p>In relation to 7.1(i) the Group Head of Neighbourhood Services</p> <p>In relation to 7.1(j) the Building Control Manager</p>

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<p>appropriate);</p> <ul style="list-style-type: none"> q. Health and Safety at Work; r. Provisions relating to shops including Sunday trading; s. Hazardous Substances; t. Slaughterhouses, Knackers Yards and Cutting Premises; u. Tattooing, acupuncture, body piercing, semi-permanent skin colouring and electrolysis 	
<p>7.2 To issue any notices, penalties, permits or certificates in respect of environmental health matters, including, but not limited to:</p> <ul style="list-style-type: none"> a. Local Government (Miscellaneous Provisions) Act 1976 Local Government (Miscellaneous Provisions) Act 1982; b. Public Health Act 1936 ss. 45, 48, 49, 83, 84, 275 and 287; c. Public Health Act 1961 ss. 17, 22 and 34; d. Building Act 1984 ss. 59, 64, 66, 67, 70, 72, 76, 84, 95 and 97; e. Environmental Protection Act 1990 f. Food Safety Act 1990; g. Prevention of Damage by Pests Act 1949 h. Health and Safety at Work etc. Act 1974; i. Noise Act 1996; j. Anti-Social Behaviour Act 2003; k. Clean Neighbourhoods and Environment Act 2005; l. Animal Welfare Act 2006; m. Health Act 2006; n. House to House Collections Act 1939; o. Pet Animals Act 1951; 	<p>Senior Environmental Health Manager; and</p> <p>in relation to 7.2 (d) and (II) the Building Control Manager</p>

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<p>p. Riding Establishments Act 1964;</p> <p>q. Riding Establishments Act 1970;</p> <p>r. Animal Boarding Establishments Act 1963;</p> <p>s. Breeding of Dogs Act 1973;</p> <p>t. Breeding of Dogs Act 1991;</p> <p>u. Dangerous Wild Animals Act 1976;</p> <p>v. Hypnotism Act 1952;</p> <p>w. Smoke-free (Premises and Enforcement) Regulations 2006;</p> <p>x. Smoke-free (Signs) Regulations 2012</p> <p>y. Smoke-free (Exemptions and Vehicles) Regulations 2007</p> <p>z. Smoke-free (Penalties and Discounted Amounts) Regulations 2007;</p> <p>aa. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007;</p> <p>bb. Pollution Prevention and Control Act 1999;</p> <p>cc. Control of Pollution Act 1974;</p> <p>dd. Public Health (Control of Disease) Act 1984;</p> <p>ee. Private Security Industry Act 2001;</p> <p>ff. Meat (Sterilisation and Staining) Regulations 1982;</p> <p>gg. Clean Air Act 1993;</p> <p>hh. Land Compensation Act 1973 s.37;</p> <p>ii. Sunday Trading Act 1994;</p> <p>jj. Criminal Justice and Public Order Act 1994 ss.77 and 78;</p> <p>kk. Working Time Regulations 1998;</p> <p>ll. Building Regulations 2010;</p> <p>mm. Building (Approved Inspectors etc.) Regulations 2010;</p> <p>nn. Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;</p>	
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<ul style="list-style-type: none">oo. Land Drainage Act 1991;pp. Scrap Metal Dealers Act 2013;qq. Sunbeds (Regulation) Act 2010;rr. The Caravan Sites and Control of Development Act 1960;ss. Mobile Homes Act 2013;tt. Water Industry Act 1991;uu. Environmental Protection (Control on Ozone-Depleting Substances) Regulations 2011;vv. Waste (England and Wales) Regulations 2011ww. Tattooing of Minors Act 1969xx. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018yy. Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and any subsequent related legislation.zz. The Business and Planning Act 2020aaa. Town Police Clauses Act 1847bbb. Highways Act 1980ccc. Policing and Crime Act 2017ddd. Live Music Act 2012eee. Deregulation Act 2015fff. Police, Factories & c. (Miscellaneous Provisions) Act 1916ggg. Licensing Act 2003hhh. Gambling Act 2005iii. Zoo Licensing Act 1981jjj. Environmental Damage Regulations (Prevention and Remediation) (England) Regulations 2015kkk. Control of Pollution (Amendment) Act 1989lll. Electrical Safety Standards in the Private Rented Sector (England) Regulations	
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<p>2020</p> <p>mmm. Environment Act 1995 (section 108[(1) and (4)a–m])</p> <p>nnn. Noise and Statutory Nuisance Act 1993 (Schedule 2)</p> <p>ooo. Public Health (Control of Disease) Act 1984</p> <p>ppp. Clean Air Act 1993 (section 56)</p>	
<p>7.3 To exercise the Council's functions under the Acts listed in 7.2 to this Scheme of Delegations and any other acts subsequently enacted.</p>	<p>Senior Environmental Health Manager</p>
<p>7.4 Subject to the Terms of Reference of the Licensing Committee to exercise all functions relating to the Licensing Act 2003.</p>	<p>Senior Environmental Health Manager</p>
<p>7.5 To determine statutory minor variations to Premises Licences, including where representations are received, under the Licensing Act 2003.</p>	<p>Licensing Manager</p>
<p>7.6 To adjourn a Licensing Sub-Committee, for administrative reasons.</p>	<p>Licensing Manager</p>
<p>7.7 Subject to the Terms of Reference of the Licensing Committee to exercise all functions relating to the Gambling Act 2005</p>	<p>Senior Environmental Health Manager</p>
<p>7.8 Under the Licensing Act 2003 and the Gambling Act 2005 to make a decision on whether a representation is irrelevant, frivolous or vexatious</p>	<p>Environmental Health Manager</p>
<p>7.9 To exercise all powers of the Council under sections 19-22 of the Criminal Justice and Police Act 2001 concerning closure of unlicensed premises</p>	<p>Senior Environmental Health Manager (in consultation with the Chair and Vice-Chair of Licensing Committee)</p>
<p>7.10 Authority under the Food Safety Acts, and any associated Regulations to make application for Emergency Prohibition</p>	<p>Senior Environmental Health Manager or authorised officers from the London Borough of</p>

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<p>Orders for appropriate premises and to issue certificates that the measures specified by the Prohibition Orders have been carried out.</p> <p>7.11 European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020 relating to retained EU regulations including numbers 178/2002, 852-854/2004, 2017/625 and 2073/2005, which relate to food and feed</p>	<p>Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds</p>
<p>7.12 To exercise the Council's powers under the Food Safety and Hygiene (England) Regulations 2013 and relevant EU Directives and any associated regulations to serve/apply for (as appropriate) hygiene improvement notices, hygiene prohibition orders, hygiene emergency prohibition notices and orders, remedial action notices and detention notices</p>	<p>All Environmental Health Staff identified for this purpose by the Senior Environmental Health Manager or authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds</p>
<p>7.13 To exercise the Councils powers under the Official Feed and Food Control (England) Regulations 2009, including (but not limited to) detention, destruction, special treatment and the re-dispatch of feed and food, the service of notices, the procurement of samples of food and to take other appropriate measures'</p>	<p>Senior Environmental Health Manager or authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds</p>
<p>7.14 Authority in relation to Waste Disposal to pass on to commercial customers the full increased costs of all future Landfill Taxes imposed by Central Government.</p>	<p>Senior Environmental Health Manager, Group Head Neighbourhood Services</p>
<p>7.15 To make minor changes to the Building Control Charges Scheme No. 1.</p>	<p>Building Control Manager</p>
<p>7.16 To issue fixed penalty notices under section 33(1)(a) of the Environmental Protection Act 1990, to persons whom the officer has reason to believe have committed a small-scale fly tipping offence.</p>	<p>Group Head of Neighbourhood Services and Senior Environmental Health Manager</p>
<p>7.17 To authorise appropriate officers to issue Fixed Penalty Notices under section</p>	<p>Group Head of Neighbourhood</p>

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34(2)(a) of the Environmental Protection Act 1990 to persons whom the officer has reason to believe has failed to comply with their duty of care in the disposal of controlled waste.	Services
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8. MARKETS	
Column 1 – Function	Column 2 – Authorised Officer
8.1 To operate a market in Staines under the terms of the Staines Town Hall and Market Act 1872	Group Head Neighbourhood Services
8.2 To set and enforce regulations for any markets within the Borough	Group Head Neighbourhood Services
8.3 To respond to requests for stands in Staines High Street on non-market days under the terms of s115E of the Highways Act	Group Head Neighbourhood Services

9. FREEDOM OF INFORMATION, ENVIRONMENTAL INFORMATION REGULATIONS AND DATA PROTECTION	
Column 1 – Function	Column 2 – Authorised Officer
9.1 To add documents to the Council's publication scheme	Data Protection Officer/Information Governance Co-ordinator
9.2 To determine whether any requests under the above acts are repeated or vexatious	Data Protection Officer/Information Governance Co-ordinator
9.3 To determine whether any exemptions apply under the above Acts and Regulations	Data Protection Officer /Information Governance Co-ordinator
9.4 To review decisions made to place items in Part II of agendas and to authorise the disclosure of such items where the reasons for confidentiality no longer apply or where it would be in the public interest	Group Head of Corporate Governance in consultation with the Leader of the Council

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to disclose of such items.	
10. HOUSING AND COMMUNITY CARE MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
10.1 To approve mandatory/discretionary grants under the Housing Grants, Construction and Regeneration Act 1996 in accordance with the policies approved from time to time by the Council.	Group Head Community Wellbeing
10.2 To exercise the powers and the functions of the Council under the Housing Grants and Regeneration Act 1996 and any regulations made thereunder.	Group Head Community Wellbeing
10.3 Authority to require repayment of mandatory/discretionary grants in accordance with Government guidelines and within the timescales laid down in the Council's approved policies.	Group Head Community Wellbeing
10.4 Under the Local Government and Housing Act 1989 repayment of grant provisions, authority to waive the requirement to repay grant in any case where the owner disposes of their property, in order to go to live in sheltered housing or a residential care home, as his/her only or main residence.	Group Head Community Wellbeing
10.5 Pursuant to the Housing Acts and all relevant Orders and Regulations thereunder:- a. to serve notices requiring the abatement of overcrowding; b. to serve notices requiring the demolition of houses, subject to Demolition Orders, carry out demolition in default and recover the cost; c. to make a declaration of an area as a slum clearance area subject to legislative requirements for Slum Clearance Declarations d. to revoke Closing or Demolition Orders on the satisfactory completion of works to render the house free from serious	Senior Environmental Health Manager

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<p>hazards;</p> <p>e. to serve statutory notices requiring the execution of repairs, carry out work in default and recover the costs;</p> <p>f. to serve notice requiring the production of documents and for entry into premises for inspection, survey and works.</p> <p>g. to exercise the Council's powers under the Housing Act 2004 for the issue of/application for (as appropriate) Improvement Notices, Prohibition Orders, Hazard Awareness Notices, Emergency Remedial Action Notice, Emergency Prohibition Orders and empty property management orders and</p> <p>in respect of houses in multiple occupation, to:</p> <p>i. make interim and final management orders;</p> <p>ii. serve notices requiring compliance with management regulations, the execution of works, including the provision of facilities and fire escapes;</p> <p>iii. make directions to prevent or reduce overcrowding;</p> <p>iv. carry out works in default of compliance with (e)(i), (ii) and (iii) above and to recover the costs.</p> <p>v. To determine and issue licences under the Housing Act 2004</p>	
<p>10.6 To discharge the duties or exercise the powers of the Council under the Housing Act 1996 Parts VI and VII with regard to the allocation of housing accommodation, operation of the housing register, provision of housing advice, and matters relating to homelessness and the arrangement of accommodation for households where necessary under the legislation.</p>	<p>Group Head Community Wellbeing</p>
<p>10.7 The placing of homeless persons in bed and breakfast or other temporary accommodation and the fixing, collection and recovering of contributions therefore</p>	<p>Group Head Community Wellbeing</p>

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10.8	To make nominations to housing association accommodation of applicants on the Housing Register, in accordance with the Council's bands scheme.	Group Head Community Wellbeing
10.9	To make nomination to housing association accommodation outside the bands scheme to applicants considered as special cases.	Group Head Community Wellbeing
10.10	To make nominations to housing association accommodation of persons nominated by other local authorities/housing associations under any mobility scheme in which the Council agrees to participate.	Group Head Community Wellbeing
10.11	To agree terms for the lease from private landlords of premises to be used for the provision of temporary accommodation for the homeless.	Group Head Community Wellbeing
10.12	Administration of the Spelthorne Personal Alarm Network Scheme ("SPAN") and the negotiation of service charges with other public bodies.	Group Head Community Wellbeing
10.13	To take any necessary action to deal with illegal encampments on Council owned land and on privately owned land, with the owner's permission.	Group Head of Corporate Governance
10.14	To exercise the Council's power and functions in relation to determination and payment of Housing Benefit, rent allowances and Council Tax benefit and recovery of housing benefit overpayments in accordance with the regulations.	Group Head Community Wellbeing
10.15	The carrying out of such duties necessary for the prosecution, administrative penalties and formal cautioning in cases where housing benefit fraud is detected.	Group Head Community Wellbeing
10.16	The initial decision to decide Discretionary Housing Payments	Appeals and Review Officer and Housing Benefit Manager

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Part 3 section (d)

10.17	Review of a Discretionary Housing Payments decision	Group Head Community Wellbeing
10.18	The requisition of the supply of water, gas, electricity, telephones and other services necessary for properties provided or to be provided for housing purposes.	Group Head Community Wellbeing
10.19	To exercise the Council's powers and functions in relation to Community Care and related issues.	Group Head Community Wellbeing
10.20	To undertake day to day management of Day/Community Centres and the Meals on Wheels Service.	Group Head Community Wellbeing
11. LEISURE AND ASSOCIATED MATTERS		
Column 1 – Function		Column 2 – Authorised Officer
11.1	<p>The management and letting of all sports, recreational and community facilities provided by the Council subject to the Community Lettings Policy, including:-</p> <p>a. the fixing of charges for special events not covered by the annual review of fees and charges;</p> <p>b. Negotiation of variations in charges for use of sports, recreational and community facilities within established policy;</p> <p>c. The power to waive fees and charges; and</p> <p>d. The setting of opening hours for facilities and the duration of sports seasons.</p>	Group Heads Neighbourhood Services and Community Wellbeing
11.2	The promotion of musical, artistic, cultural, sporting and community activities, including negotiation of sponsorship arrangements.	Group Head Community Wellbeing
11.3	The management of allotments, including entering into management	Group Head Neighbourhood Services

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<p>agreements for sites, lettings, mal-cultivation notices, notices to quit and decisions on applications for permission to erect structures by tenants or allotment associations.</p>	
<p>11.4 The management of cemeteries, including the allocation, re-allocation and grant of grave spaces, including the repurchase of grave spaces and other associated matters.</p>	<p>Group Head Neighbourhood Services</p>
<p>11.5 The administration of Leisure Development Grants to be made to Voluntary Organisations, in accordance with the policy guidelines approved from time to time by the Community Wellbeing and Housing Committee.</p>	<p>Group Head Community Wellbeing</p>
<p>12. ENVIRONMENT AND PUBLIC AMENITIES MATTERS</p>	
<p>Column 1 – Function</p>	<p>Column 2 – Authorised Officer</p>
<p>12.1 To determine applications made in respect of land under the control of the Council for the following:-</p> <ol style="list-style-type: none"> a. Placing of structures. b. Erection of directional signs. c. Erection of banners. d. Street trading consent under Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982. e. Fun runs, marathons, filming and other similar activities. 	<p>Senior Environmental Health Manager or Group Head Neighbourhood Services</p>
<p>12.2 In relation to the Council's Car Parks:-</p> <ol style="list-style-type: none"> a. to authorise proceedings in respect of offences against any car park regulations; and b. to determine applications by outside bodies or persons for use of the car parks, subject to any consent not prejudicing the normal use of the car 	<p>Deputy Chief Executive</p>

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Part 3 section (d)

	park.	
12.3	To authorise and determine payment of an appropriate commuted sum when taking over private lighting schemes under Section 161 of the Public Health Act 1875.	Relevant Deputy Chief Executive
12.4	The siting of bus shelters, bus stops, seats and other street furniture.	Relevant Deputy Chief Executive
12.5	The numbering and renumbering of premises in streets.	Deputy Chief Executive with responsibility for Environmental Health & Building Control
12.6	All necessary steps in connection with the removal and disposal of abandoned vehicles under the Refuse Disposal (Amenity) Act 1978.	Group Head Neighbourhood Services
12.7	To make representations to Surrey County Council regarding the provision of tendered bus services under the Transport Act, 1985.	Relevant Deputy Chief Executive
12.8	To exercise the Council's powers under the following provisions of the Local Government (Miscellaneous Provisions) Act, 1976:- a. Section 23 (in relation to dangerous trees); b. Section 25 (in relation to dangerous excavations).	Deputy Chief Executive with responsibility for Environmental Health & Building Control
12.9	To institute proceedings in the County Court or High Court to gain possession of highway land occupied by caravans, tents or other residential structures.	Group Head of Corporate Governance
12.10	To make objections on amenity grounds to applications submitted to the Traffic Commissioners for Goods Vehicle Operators Licences.	Relevant Deputy Chief Executive or Group Head Neighbourhood Services
12.11	To make minor amendments to the Pavement Policy	Group Head Place, Protection and Prosperity in consultation with the Chair of the Licensing Committee.
12.12	To make minor amendments to the Hackney Carriage and Private Hire	Senior Environmental Health Manager

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Licensing Policy.	
12.13 To issue Private Hire Vehicle and Hackney Carriage licences where applicants comply with the criteria agreed from time to time by the Council or relevant Committee.	Senior Environmental Health Manager
12.14 Immediate revocation of a Hackney Carriage driver and Private Hire driver licenses in accordance with the Council's adopted procedure. Power to revoke is under section 61 Local Government (Miscellaneous Provisions) Act 1976.	Senior Environmental Health Manager in consultation with the Chair and Vice-Chair of Licensing Committee
12.15 To suspend Hackney Carriage driver and Private Hire driver Licences in accordance with the Council's adopted procedure. Power to suspend is under section 61 Local Government (Miscellaneous Provisions) Act 1976	Senior Environmental Health Manager in consultation with the Chair and Vice-Chair of Licensing Committee
12.16 To suspend Hackney Carriage and private hire vehicle licenses in accordance with the Council's adopted procedure. Power to suspend a vehicle is section 60 of Local Government Miscellaneous Provisions) Act 1976)	Senior Environmental Health Manager
12.17 To administer the hackney carriage and private hire licensing Penalty Points Scheme and issue penalty points in accordance with the Scheme	Senior Environmental Health Manager
12.18 To determine appeals against penalty points under the Council's Penalty Points Scheme	Senior Environmental Health Manager in conjunction with the Deputy Chief Executive
12.19 To administer the applications for Pavement Licensing	Senior Environmental Health Manager
12.20 To administer the Licensing Act 2003	Senior Environmental Health Manager
12.21 To administer House to House Collections under the House to House Collections Act 1939	Senior Environmental Health Manager

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12.22 To administer Scrap Metal licensing under Scrap Metal Dealer's Act 2013	Senior Environmental Health Manager
12.23 To administer Gambling licensing under Gambling Act 2005	Senior Environmental Health Manager
12.24 To administer Sex Establishments under Local Government (Miscellaneous Provisions) Act 1982	Senior Environmental Health Manager
12.25 To administer Street Collections under Police, Factories & Miscellaneous Provisions) Act 1916	Senior Environmental Health Manager
12.26 To exercise the Council's powers under clause 21 of the Town Police Clauses Act 1847	Deputy Chief Executive
12.27 To arrange for the discharge of the Council's statutory functions relating to burials and cremations	Senior Environmental Health Manager or Group Head Neighbourhood Services
12.28 To exercise the Council's functions in respect of investigations and enforcement under the Clean Neighbourhoods and Environment Act 2005 (CNEA 2005)	Joint Enforcement Team and Senior Environmental Health Manager
12.29 To exercise the Council's functions and to serve Notices under the Anti-Social Behaviour, Crime and Policing Act 2014.	Deputy Chief Executive
13. BYELAWS	
Column 1 – Function	Column 2 – Authorised Officer
13.1 To grant authority in writing to any named person (not being a council officer or police constable) to enforce the Byelaws made by the Council	Chief Executive
14. PLANNING AND DEVELOPMENT MANAGEMENT	
14.1 Subject to the Terms of Reference of the Planning Committee, to exercise all functions relating to town and country planning and development management	Planning Development Manager

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	and the following:	
14.2	Agreement for any variation and to determine any application under section 106A of the Town and Country Planning Act 1990 (the “1990 Act”) save for major variations relating to affordable housing development and / or financial contributions exceeding £0.5M.	Planning Development Manager
14.3	Power to serve an enforcement notice under section 172 of the 1990 Act.	Planning Development Manager
14.4	Power to withdraw or vary any enforcement notice issued under section 173 A of the 1990 Act.	Planning Development Manager
14.5	Power to serve a stop notice under s183(1) of the 1990 Act	Planning Development Manager
14.6	Power to withdraw a stop notice under s183(7) of the 1990 Act	Planning Development Manager
14.7	Power to serve a planning contravention notice under s171C of the 1990 Act	Planning Development Manager
14.8	Power to serve a temporary stop notice under s171E of the 1990 Act.	Planning Development Manager
14.9	Power to withdraw a temporary stop notice under s171E of the 1990 Act	Planning Development Manager
14.10	Power to serve a breach of condition notice under s187A of the 1990 Act	Planning Development Manager
14.11	Power to prosecute for demolition in a conservation area under s196D of the 1990 Act	Planning Development Manager
14.12	Power to seek an injunction under s187B of the 1990 Act unless breach of planning control relates to affordable housing development and / or financial contributions exceeding £0.5M.	Planning Development Manager
14.13	Power to issue a notice for untidy land under s215 of the 1990 Act.	Planning Development Manager
14.14	Power to issue a requisition for information under section s330 of the 1990 Act to require information as to interests in land.	Planning Development Manager
14.15	Power to take direct action under s178 of the 1990 Act	Planning Development Manager
14.16	Enforcement rights of entry without warrant under s196A of the 1990 Act.	Planning Development Manager

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14.17	Power to authorise the stopping-up or diversion of a footpath, bridleway or restricted byway under s 257 of the 1990 Act.	Planning Development Manager
14.18	Power to extinguish public rights of way over land held for planning purposes under s 258 of the 1990 Act.	Planning Development Manager
14.19	Powers relating to the preservation of trees under s 197 to s214D of the 1990 Act and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.	Planning Development Manager
14.20	Power to confirm a Tree Preservation order where no objections have been raised.	Planning Development Manager
14.21	Power to issue screening and scoping opinions under the Environmental Impact Assessment Legislation.	Planning Development Manager
14.22	Power to issue a decision on the need for an Appropriate Assessment under the Habitats Directive.	Planning Development Manager
14.23	Powers relating to the protection of important hedgerows under the Hedgerows Regulations 1997 (S.I. 1997/1160).	Planning Development Manager
14.24	Powers relating to high hedges under Part 8 of the Anti-Social Behaviour Act 2003	Planning Development Manager
14.25	To grant relief and exemptions under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager or Planning Development Manager
14.26	To issue all notices, orders and apply surcharges and/or interest under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager Planning Development Manager or Group Head of Corporate Governance
14.27	To determine reviews of the calculation of a chargeable amount under the	Strategic Planning Manager or Planning Development

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Community Infrastructure Levy Regulations 2010 (as amended).	Manager
14.28 To require any owner or relevant person to provide the Council with such further information, documents or materials as considered relevant under regulation 108A of the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager or Planning Development Manager
14.29 Agreement of any amendments to the Local List of Requirements for the validation of planning applications.	Planning Development Manager
14.30 Power to object or make representation against a goods vehicle (operator's) licensing application in accordance with the Goods Vehicles (Licensing of Operators Act 1995 and the Goods Vehicles (Licensing of Operators) Regulations 1995.	Planning Development Manager

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ACCESS TO INFORMATION RULES

1. SCOPE

These rules allow the public rights of access to meetings and information to reflect the Council's commitment to its residents to be open and accountable. They apply to all meetings of the Council, Committees and Sub-Committees (together called meetings) unless otherwise specified in this Constitution or by legislation.

Working Groups and Task and Finish Groups are not established as Sub-Committees under the Local Government Act 1972, and therefore are not subject to these rules. These meetings are not held in public.

The public now has the right to report on any meeting, which is not held in private, by means of any medium available to them, and to share the results of such reporting by any communication method at their disposal (The Openness of Local Government Bodies Regulations 2014).

2. ADDITIONAL RIGHTS TO INFORMATION

These rules do not affect any more specific rights to information contained elsewhere in the Council's Constitution or the law, nor do these Rules limit or diminish the Council's duties to protect certain information, including personal information. This includes the rights and duties from the provisions of the Freedom of Information Act 2000 and the Data Protection Act 1998.

3. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these rules.

4. NOTICES OF MEETING

The Council will give at least five clear working days' notice of any meeting by posting details of the meeting at the Council Offices, and on the Council's website, with the exception of any Licensing Sub-Committee meeting called in accordance with Statutory Instrument 2502 of the Licensing Act 2003 (Summary Review of Premises Licences) Regulations 2007.

Where exceptionally this period of notice cannot be given, the Council will ensure that legal requirements on specifying the special urgent circumstances that apply in particular cases will be met.

5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Council will make copies of the agenda and reports open to the public available on its website and at the Council Offices, five clear working days before the meeting except:

- a) those which contain exempt or confidential information, the meaning of which is explained later in these rules, or
- b) those in relation to Licensing Sub-committees where a meeting is called in accordance with: -
 - i) section 105(2)(a) (counter notice following police objection to temporary event notice) of the Licensing Act 2003; or

- ii) SI 2502 - Summary Review of Premises Licences.

If an item is added to the agenda later, the revised agenda will be open to inspection and on the website from the time the item was added to the agenda. Where reports are prepared after the summons to the meeting has been sent out, the Chief Executive will make a copy of the report available to the public as soon as it is completed and sent to councillors.

6. SUPPLY OF COPIES

The Council will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Chief Executive thinks fit, copies of any other documents supplied to councillors in connection with an item to any person on request, either electronically, or on payment of a charge for postage and any other costs.

7. ACCESS TO MINUTES AND OTHER INFORMATION AFTER THE MEETING

7.1 The Council will make available copies of the following for six years after a meeting:

- (a) the minutes of the meeting or records of decisions taken, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information (unless the Proper Officer deems that the exemption no longer applies);
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agendas for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

8. BACKGROUND PAPERS

List of background papers

- 8.1 If there are any background papers relating to the subject matter of a report, these will be listed at the end of that report.
- 8.2 Background papers are those documents which, in the opinion of the Proper Officer:
 - 8.3 (a) disclose any facts or matters on which the report, or an important part of the report is based; and
 - 8.4 (b) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information (as defined in Rule 10 below).

Public inspection of background papers

- 8.5 The Council will make available for public inspection at its offices and on its website for four years after the date of the meeting one copy of each of the documents on the list of background papers.

9. SUMMARY OF PUBLIC'S RIGHTS

- 9.1 A written summary of the rights of the public to attend meetings and to inspect and copy documents must be kept at, and be available to the public, at the Council's main Offices.

10. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS

Confidential Information – requirement to exclude the public

- 10.1 The public must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.

Meaning of Confidential Information

- 10.2 Confidential information means information given to the Council by a Government department, service or agency on terms which forbid its public disclosure or information which cannot be publicly disclosed by any enactment or Court Order.

Exempt Information – discretion to exclude public

- 10.3 The public may be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed.
- 10.4 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6 of the Act.

Confidential Information and Exempt Information

- 10.5 Nothing in these Procedure Rules is to be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.
- 10.6 Nothing in these Procedure Rules:
- (a) authorises or requires the Council to disclose to the public or make available for public inspection any document or part of document if, in the opinion of the Group Head of Corporate Governance, that document or part of a document contains or may contain confidential information; or
 - (b) requires the Council to disclose to the public or make available for public inspection any document or part of document if, in the opinion of the Proper Officer, that document or part of a document contains or is likely to contain exempt information.

Meaning of Exempt Information

10.7 Exempt information means information falling within the following categories (subject to any condition):

Category	Condition
1. Information relating to any individual	Information is exempt only if, in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
2. Information which is likely to reveal the identity of an individual.	Information is exempt only if, in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is not exempt information if it is required to be registered under <ol style="list-style-type: none"> 1. Section 2 of the Companies Act 2006 2. the Friendly Societies Act 1974 3. the Friendly Societies Act 1992 4. the Co-operative and Community Benefit Societies Act 2014 5. the Building Societies Act 1986 6. the Charities Act 2011
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	Information is exempt only if, in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is exempt only if, in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
6. Information which reveals that the authority proposes, <ol style="list-style-type: none"> 1. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or 2. to make an order or direction of any enactment. 	Information is exempt only if, in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
7. Information relating to any action taken or to be taken in connection	Information is exempt only if, in all the circumstances, the public interest in

with the prevention, investigation or prosecution of crime

maintaining the exemption outweighs the public interest in disclosing the information

- 10.8 As set out in Schedule 12A of the Local Government Act 1972 (as amended): "Information... is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information."
- 10.9 The relevant Committee will periodically review those exempt items it has considered at meetings, as to whether the public interest in maintaining the exemption remains or whether the report can now be made public.
- 10.10 Information falling within any of paragraphs 1-7 is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992. exclusion of access by the public to reports
- 10.11 The Proper Officer of the Council may exclude access by the public to reports which in their opinion relate to items during which, in accordance with Rule 10 above, the meeting is likely not to be open to the public. Such reports will be marked '**Exempt**' on the agenda of that meeting, together with the category of information likely to be disclosed.

11. THE FORWARD PLAN

Contents of Forward Plan

- 11.1 The Council's Forward Plan will be prepared and published monthly. Proposed key and non-key decisions by Committees and Sub-Committees with decision-making powers will be included, with at least 28 clear days' notice being given, where possible.
- 11.2 The Forward Plan will contain matters which the Head of Paid Service believes will be subject of a decision to be taken by the Council, a Committee/Sub-Committee, or under joint arrangements during the period covered by the plan. It will describe the following particulars in so far as the information is available or might reasonably be obtained:
- (a) the matter in respect of which a decision is to be made;
 - (b) the decision maker;
 - (c) the date on which the decision is likely to be taken;
 - ~~(d) the identity of the principal groups whom the decision taker proposes to consult before taking the decision;~~
 - ~~(e) a list of the documents submitted to the decision taker for consideration in relation to the matter;~~
 - ~~(f) If the decision to be taken is considered a Key Decision as defined in Article 11 of this Constitution;~~
 - ~~(g) if the consideration of any item will involve the disclosure of exempt or confidential information.~~

Exempt information need not be included in a Forward Plan and confidential information cannot be included.

12. RECORD OF DECISIONS

- 12.1 After any meeting of the Council, a Committee or Sub-Committee, whether held in public or private, the Proper Officer, will produce a record of every decision taken at that meeting as soon as practicable and make it available to all members.
- 12.2 The record will include a statement of the reasons for each decision and any alternative options considered and rejected at that meeting. It will also include a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body, and where a conflict of interest was declared, a note of any dispensation granted in respect of it.

13. ADDITIONAL RIGHTS OF ACCESS TO INFORMATION FOR COUNCILLORS

- 13.1 All councillors will be entitled to inspect any document (except those available only in draft form) in pursuance of that councillor's official duties. These rights are additional to any other rights he/she may have.
- 13.2 In availing themselves of these rights councillors must abide by the standards set out in Paragraph 4 of the Code of Conduct in Part 5 of the Constitution.

Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Y	26/01/26
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	N/A	
Relevant Group Head review	Y	28/01/26
MAT+ review (to have been circulated at least 5 working days before Stage 2)		
This item is on the Forward Plan for the relevant committee		
	Reviewed by	
Finance comments (circulate to Finance)	AB	18/02/26
Risk comments (circulate to Lee O’Neil)	LO	04/02/26
Legal comments (circulate to Legal team)	LH	03/02/26
HR comments (if applicable)		

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least 5 working days before MAT	L Heron	03/02/26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	18/2/26
Confirm final report cleared by MAT		

Standards Committee

25 February 2026

Title	Amendments to Contracts Standing Orders
Purpose of the report	To make a decision and a recommendation to Council
Report Author	Amy Gibson – Head of Procurement (Runnymede Borough Council)
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	<p>Committee is asked to:</p> <ol style="list-style-type: none"> 1. Approve the suggested amendments; 2. Recommend that the Council agree the revised Contract Standing Orders and authorise the Monitoring Officer to update the Council’s Constitution 3. Note the actions below
Reason for Recommendation	The Procurement Act came into force in February 2025. The changes requested are to align to the new terminology and to assist in delivering a devolved model of procurement.

1. **Executive summary of the report** (*expand detail in Key Issues section below*)

What is the situation	Why we want to do something
-----------------------	-----------------------------

<ul style="list-style-type: none"> The Contract Standing Orders (CSOs) form part of the Council's Constitution. They require an update to align to the Procurement Act 2023 and to assist in delivering a devolved model of procurement. 	<ul style="list-style-type: none"> There is a requirement to update the CSOs to ensure that they are relevant and up to date with new legislation.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> Amend current CSOs to ensure they are fit for purpose. 	<ul style="list-style-type: none"> If approved, the next steps will be to publish the updated CSOs on Spelnet and on the Council's website. The Procurement Team will also continue with training for Officers.

2. Key issues

- 2.1 The Contract Standing Orders (CSOs) are the part of the Constitution that deals with procurement and contract processes. The Procurement Act 2023 came into force on 24th February 2025, which has led to a review of the CSOs being required.
- 2.2 Whilst minor amendments have recently been made, it is recommended that a re-write of the CSOs is undertaken. The update of the CSOs will align closely to those of the other Authorities that will form part of West Surrey, including Runnymede Borough Council, who are currently providing support to the Procurement Team.
- 2.3 It should also be noted that a recent audit found that the CSOs needed to be updated to ensure compliance with the Procurement Act 2023.
- 2.4 The updated CSOs will allow for a devolved model of procurement, meaning that Officers will be given more responsibilities to undertake procurement activity under £100,000. This will release the current Procurement Team to focus on more complex and higher risk procurement activities. The current model is unsustainable with a team of only 2 Procurement Officers.
- 2.5 To fully roll out a devolved procurement model, Officers will be trained on the changes to the CSOs and will be provided with a number of user guides and templates in order to complete the end to end process. The Procurement Team will have full visibility of any live procurements via the e-tendering system and will undertake spot checks to ensure that procurements are compliant and complete.
- 2.6 The devolved model does bring some extra risk but by training staff and offering support and guidance this will be minimised. Having reviewed the other Authorities that will form part of West Surrey, they all operated this model too, with 3 of the Borough's Procurement Teams undertaking activity over £100,000. The other 2 Boroughs have a much larger procurement team so are able to undertake more.
- 2.7 It is likely that any unitary authority would also operate in this way so this serves as a good opportunity to upskill staff.

- 2.8 The proposed changes ensure that the CSOs are the high-level details and less operational. This has meant that some sections of the CSOs have been removed. Operational guidance will instead be included in a Procurement Toolkit which will be introduced shortly.
- 2.9 It is proposed that that CSOs are split into 5 sections, Introduction, Pre-Tender Preparations, Tender Process, Award of Contract and Contract Management.
- 2.10 Please see Appendix A which sets out the main changes. Due to the significant changes that have been made it hasn't been possible to provide a tracked change version.
- 2.11 In addition to the above a flowchart has also been produced to show the process that is proposed.
- 2.12 The CSOs are also strengthening the role of the Procurement Board and has recommended additional approvals by the Board to ensure that decisions can be discussed and approved or rejected.
- 2.13 The flowchart in Appendix 2 details decision points and who will be making those decisions. It should be noted that this isn't an exhaustive list of tasks to be undertaken but gives an indication of those key tasks and assigns accountabilities.
- 2.14 The award report referred to within the flowchart will be a crucial part of the process and will be the point where the details of the procurement process and the outcome of the due diligence will be included, such as financial checks and appropriate insurance levels.

3. Options appraisal and proposal

- 3.1 **Option 1 – Preferred option** – approve the amendments to the Contract Standing Orders
- The pros of this option are that the CSOs will align to current legislation and devolved procurement can be unlocked.
 - This will also align more closely with the other Authorities that make up West Surrey.
 - The cons are that potentially policies and procedures may be mis-interpreted however, training and guidance that will be made available will counteract this.
- 3.2 **Option2** – not recommended – Continue with current version of Contract Standing Orders (do nothing)
- The pro is that this will result in very little change to current practice.
 - The cons are that the new legislative requirements will not be adequately reflected. The Procurement Team will not be able to focus their attention on the projects that require more input and will spend the majority of their time on procurements that could be undertaken by Officers.

4. Risk implications

- 4.1 Whilst there are risks around non-compliance, the Procurement Team will keep open communication with Departments to ensure that they are supported and are following the correct processes.

5. Financial implications

- 5.1 There are no financial implications to this report. However, within the revised CSOs, stronger financial checks are being suggested. With all contracts over £25,001 requiring a credit check to be undertaken to ensure sound financial position of the Council's suppliers.

6. Legal comments

- 6.1 Local Authorities are required to have a set of standing orders "with respect to the making of contracts by them or on their behalf." (Section 135(1) of the Local Government Act 1972).
- 6.2 By maintaining and updating these orders to reflect the relevant legislative changes, the Council complies with its statutory duties.

Corporate implications

7. S151 Officer comments

- 7.1 The S151 Officer recognises the importance of aligning the CSOs to current procurement legislation and is supportive of the proposals. As commented above, parallel to the above proposals, additional checks will be put in place to evaluate and sign off procurements. It is important that we have robust procurement arrangements both to ensure value for money and also to support the transition into West Surrey. The S151 Officer confirms the proposals do not directly have financial implications impact on budget provision.

8. Monitoring Officer comments

- 8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

- 9.1 As this report contains procurement comments, there is nothing further to add here.

10. Equality and Diversity

- 10.1 None arising directly from this report.

11. Sustainability/Climate Change Implications

11.1 None arising directly from this report.

12. Other considerations

12.1 None.

13. Timetable for implementation

13.1 A recommendation from the Standards Committee will be considered by Council at its meeting on 26 February 2026.

13.2 The amendments will take effect upon agreement by Council, and the Constitution will be updated and published as soon as reasonably practicable.

14. Contact

14.1 Amy Gibson – Amy.Gibson@runnymede.gov.uk

Please submit any material questions to the Committee Chair and Officer Contact by two days in advance of the meeting.

Background papers: There are none.

Appendices:

Appendix A – Summary of changes

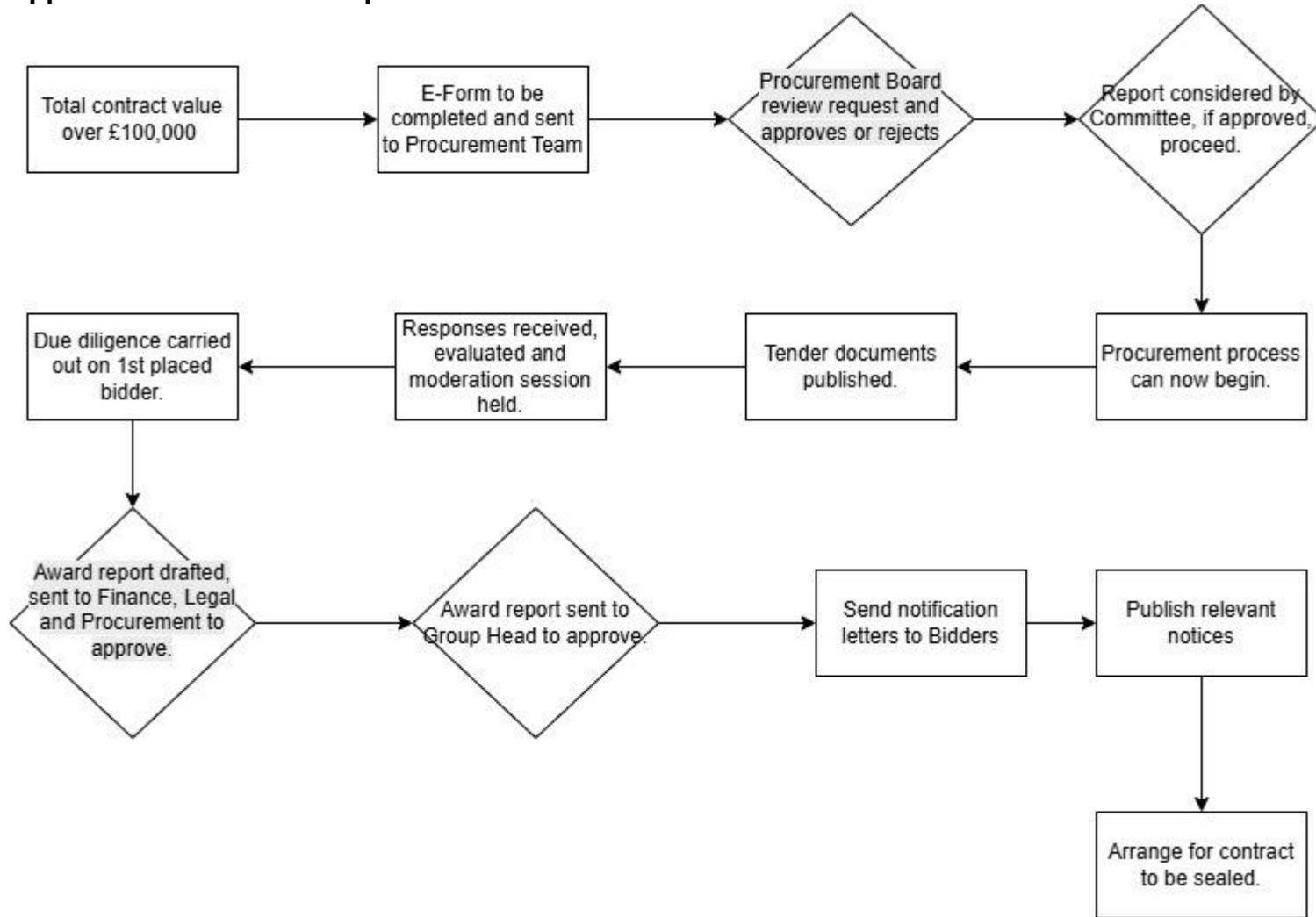
Appendix B – Flowchart of process

Appendix C – the revised Contract Standing Orders

Appendix A – Summary of changes

Current Contract Standing Orders	Proposed Amended Contract Standing Orders
No clear structure.	5 sections introduced to follow the process from start to finish.
No section detailing out of scope requirements.	This is now included in the Introduction section.
Details of requirements for each value of contract	Further details have been added to the table, which includes a requirement of credit checks are undertaken and also details of when notices need to be published.
Threshold amounts include VAT.	VAT has been removed from thresholds to align to budgets set which do not include VAT.
Requirement for Procurement Team to undertake procurement over £30,000.	Increase to £100,000 for the reasons set out in the main body of the report.
Note regarding exemption report	Change in termination from exemption to waiver. Section added which details when a waiver will not be accepted and details of if an emergency waiver is required.
No details of where to find further guidance.	Toolkit has been referenced and will be rolled out shortly.
Frameworks mentioned briefly	Section added detailing what Frameworks are and clarification on how these can be accessed.
Contract management guidance	A section on this is still included but refers to the Contract Management Toolkit which will include operational guidance to staff.

Appendix B - Flowchart of process



Key – Diamonds – Decision points

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Part 4e

Spelthorne Borough Council
Contract Standing Orders
Council rules for the Purchase of
Goods, Works and Services

DATE TBC 2026

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Introduction

1. Purpose

- 1.1. These Contract Standing Orders (CSOs) form part of the Council's constitution. They set out the processes and governance that the Council must follow when conducting procurements and/or entering contracts for the supply of goods, services and/or works including consultants.
- 1.2. The term contract also includes arrangements where the Council is supplying goods, services and/or works to a separate legal entity.
- 1.3. The CSOs are intended to support the Council's corporate aims and policies, promote good procurement practice, public accountability, prevent corruption and protect against allegations of impropriety.

2. Scope

- 2.1. The below are types of contracts which are covered by separate legislation and/or policies:

Type of Contract	Policy/ Law which covers Contracts out of scope
Contracts of employment, which makes an individual an employee of the Council (permanent) or in scope of IR35 (fixed term);	HR / Recruitment policies
Agreements for the acquisition, disposal, or transfer of land	As per the Council Constitution
Loans to or from banks or other financial institutions;	Not subject to competition due to their nature
Provision of emergency accommodation as required	Homelessness Act
Local Government Audit services	Appointed persons for the purpose of Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015
Subscriptions to magazines / publications / online resources / professional journals / professional memberships.	Not subject to competition due to their nature
Works orders placed with statutory undertakers	Not subject to competition due to their nature
Grants being given by the Council	Governed by Grant Funding – Service Level Agreements
Contracts entered into by or on behalf of Legal Services for the appointment of Care and/or External Solicitors and/or Experts (such as expert witnesses, independent investigators, arbitrators, facilitators and/or mediators).	Procurement Act 2023 Schedule 2, Part 1 Regulation 14

3. General Requirements

- 3.1. These Orders are based on the following key principals, in line with the objectives of the Procurement Act 2023:
- Ensure that the Council meets its statutory duty to deliver value for money
 - Maximise public benefit
 - Sharing information for the purpose of allowing Suppliers and others to understand the authority's procurement policies and decisions
 - Acting, and being seen to act, with integrity.
- 3.2. Under the Procurement Act 2023, the Council must have regard to the National Procurement Policy Statement (NPPS) as amended by the Cabinet Office.
- 3.3. Statutory Requirements
- All purchasing and resulting Contracts made by or on behalf of the Council must be made in writing and comply with:
- The Procurement Act 2023, the Procurement Regulations 2024 and any subsequent legislation;
 - The Public Services (Social Value) Act 2012;
 - Modern Slavery Act 2015;
 - Local Government Act 1999 with due regard to Best Value;
 - all other applicable statutory provisions and regulations;
 - the Council's Constitution, Financial Regulations, Scheme of Delegation, Authorised Signatory List and Code of Conduct; and
 - all other relevant Council policies and guidance.
- 3.4. The CSOs apply to all Officers and any other Consultants that are working on a procurement process on behalf of the Council.
- 3.5. These CSOs should be read in conjunction with the Procurement Toolkit that sets out operational guidance as well as templates for use during a procurement process.
- 3.6. In the event of any conflict between these CSOs and relevant legislation, legislation will always take precedence over the CSOs.
- 3.7. Officers must comply with these CSOs unless a Waiver from CSOs is granted, in accordance with CSO 10. Where there is evidence of deliberate non-compliance with the CSOs, disciplinary action may be taken.
- 3.8. The CSOs apply to all contracts awarded by the Council, regardless of the source of funding (e.g. capital, revenue, sponsorship, donations or grant monies from a third party).

4. Transparency

- 4.1. Officers must ensure that, where required, opportunities and resulting awards are properly advertised and that they comply with all legislation. A list of notices required under the Procurement Act are detailed in Appendix 3.
- 4.2. Where disclosures are required under the Freedom of Information Act 2000, the Bidder/Supplier should be given the opportunity to provide justification as to why information contained within their bid should be withheld.

5. E-Sourcing

- 5.1. All procurements above Threshold 2 must be published via the Council's E-Sourcing system. This ensures that the Council provides free access to tender documents.
- 5.2. All communication during the procurement process must be carried out via the E-Sourcing system.
- 5.3. Following a procurement process, the details of the contract must be added to the Contracts Register.

6. Contracts Register

- 6.1. The Local Government Transparency Code 2015 requires Local Authorities to publish details of all contracts with a value that exceeds £5,000.
- 6.2. This information is held on the E-Sourcing system. Please see Procurement Toolkit for further details.

Pre-Tender Preparations

7. Valuation

- 7.1. Before beginning any procurement, the Total Value of the Contract (excluding VAT) should be calculated by reference to the following (where one or more apply, use the higher value):
 - a) for fixed term Contracts the total amount payable during the whole of the Contract period, including possible extensions. For example, if the Contract is a fixed term for three years it will be the estimated annual value times by 3; if however the Contract allows for a possible extension of 2 years, the Contract value shall be the annual value times 5 regardless of whether the extension will be utilised or not;
 - b) if the Contract involves a series of separate transactions for the same type of item, the 'Total Value of the Contract' is the expected aggregate value of all those known upcoming transactions;
 - c) for preliminary work, which may then result in a larger piece of work, it is the value of the scheme in its entirety;
 - d) where the Contract period is uncertain, multiply the price expected to be paid each month by 48;
 - e) where the value cannot be estimated for whatever reason, the contract should be treated as above the relevant UK procurement threshold.
- 7.2. A Contract should not be divided into smaller value Contracts (disaggregated) with the intention to avoid the Procurement Act 2023 or particular CSOs. Where contracts are divided into Lots, the total value for all of the Contracts must be taken into account in assessing the Total Contract Value.

8. Engaging The Corporate Procurement Team

- 8.1. Before beginning a procurement exercise, Officers must:
 - 8.1.1. assess the need for the expenditure;

- 8.1.2. define the objectives of the procurement;
- 8.1.3. calculate the total value of the Contract;
- 8.1.4. ensure sufficient resources will be available (i.e. people with sufficient skills and capacity to manage the Contract once it has been let), and
- 8.1.5. ensure that the appropriate authority is in place to start the process and that the budget covers the whole-life financial commitment being made (including any Consultant's or other external charges or fees).

8.2. Contract Managers in collaboration with the Corporate Procurement Team must:

- 8.2.1. where no suitable existing Council contracts are available, carry out an options appraisal to decide the best way to achieve the objective, including internal delivery or external sourcing, partnering, and collaborative procurement arrangements with another public authority or government department;
- 8.2.2. consult users where appropriate.

9. Authorisation

9.1. Sourcing Plans for Contracts with a total value above £25,000 must be approved by the Procurement Board prior to Committee approval (if required).

9.1.1. For procurements with a value in excess of £100,000.00:

- 9.1.1.1. Contract Managers must seek approval from Procurement Board and the relevant Committee for the procurement to commence;
- 9.1.1.2. If, after evaluation of tender responses, the actual Contract value is greater than that agreed for the procurement, Contract Managers must request approval of the variation at the relevant Committee prior to Contract award notification. The Committee approval must include a supplementary budget estimate to cover any additional ongoing costs, if necessary, in line with existing Financial Regulations.

10. Waiver to Contract Standing Orders

10.1. Subject to any legal requirements, any requirement of these CSOs may be waived in exceptional circumstances. The e-form to request a Waiver can be requested from the Corporate Procurement Team. The Corporate Procurement Team will keep a log of all requests.

10.2. All Waivers will be reviewed by the Procurement Board, who will approve or reject the request.

10.3. No Waiver will be approved if:

- A retrospective start date is requested
- The value is above the UK Procurement threshold
- There has been a clear lack of planning to procure the goods, works and/or services in adequate time

10.4. Following approval of a Waiver requests, Contracts over £5,000 must be entered onto the Contracts Register.

10.5. Where an exemption from competition requirements is necessary because of an unforeseeable emergency involving immediate risk to persons, property or serious disruption to Council services., The relevant Officer must report as soon as practical following the event to the Corporate Procurement Team (g.procurement@spelthorne.gov.uk) and one of the following: the Chief Executive, Assistant Chief Executive & S151 or the Corporate Head of Law and Governance. Any Contract entered into for these purposes should be the minimum required to remove the immediate risk to persons or property or to reduce the disruption to Council services to a manageable level.

11. Declaration Of Conflicts of Interest (Col)

11.1. Prior to and for the duration of the procurement process, Officers should confirm that there are no actual, potential or perceived conflicts of interest by completing the Col form (within Procurement Toolkit) . Where Officers become aware of a conflict, they must immediately notify the Corporate Procurement Team.

11.2. Where a consultant or external party is involved in a procurement for the Council, either inputting into the tender documents or being involved in the tender evaluations. They must first complete and submit a Col prior to the procurement process and for the duration of their involvement.

12. Considerations

12.1. Existing Contractual Arrangements

12.1.1. Prior to any procurement, Officers should ensure that there is not an existing Council contract that can be utilised by contacting the Corporate Procurement Team.

12.1.2. Where there is a contract in place, Officers must ensure that their requirements are in scope of the contract and that the value of new requirements would not cause the contract value to exceed its acceptable tolerances.

12.2. Council Wide Requirements

12.2.1. When procuring, Officers should consider if the goods, works and/or services could be used by other Service Areas within the Council, to ensure that spend can be aggregated and to mitigate against having multiple contracts for similar provisions.

12.3. Pre-Tender Market Engagement

12.3.1. Prior to commencing a procurement, Officers should ensure that they have an understanding of the market conditions in which they are procuring.

12.3.2. Where an Officer is not familiar with the market or the goods, works and/or services, they should ensure that they conduct appropriate market engagement that can be used to inform but not bias their procurement approach, this should be done in conjunction with the Corporate

Procurement Team.

12.3.3. Contract Managers may seek advice on the preparation of a specification from anyone who may have an interest in tendering for the Contract. This must not distort competition or prejudice the equal treatment of all potential bidders. Records must be kept of this consultation until the expiry of the Contract.

12.4. TUPE Implications

12.4.1. Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply when an employee of the Council or of a Supplier providing a service to the Council may be affected by any staff transfer arrangement because of a change in the service provider.

12.4.2. Officers should consult the Procurement Toolkit for further information or contact the Corporate Procurement Team.

13. Collaborative And Partnership Arrangements

13.1. In order to secure value for money the Council may enter into collaborative procurement arrangements with other local authorities. Approval to do so must be sought from the Procurement Board.

13.2. In these situations, the contract will be procured in accordance with the constitution of the lead authority. However, normal due diligence, Council authorisation and sign-off processes as detailed with these CSOs will still apply.

Tender Process

14. Selection / Award Criteria

14.1. For all opportunities the criteria must be stipulated within the tender documents, this includes:

- 14.1.1. The selection / award criteria;
- 14.1.2. The scoring methodology and weighting to be applied;
- 14.1.3. The minimum scores to be achieved (where appropriate).

14.2. Selection Criteria

14.2.1. Selection Criteria should be used to reduce the number of bidders at a certain stage. It should be proportionate to the contract value and based on financial standing and past experience of delivering comparable goods, works and/or services.

14.2.2. For contracts over the UK Procurement Threshold, this should also include Conditions of Participation. Suppliers that are on the Debarment List may be excluded or can be considered to be an excludable Supplier at the Council's discretion. Please see further information within in Procurement Toolkit.

14.3. Award Criteria

14.3.1. When determining the award criteria, there are a number of options available. These should be discussed with the Corporate Procurement Team and will be agreed on a case-by-case basis. Further details can be found in the Procurement Toolkit.

14.3.2. Quality evaluation - determined by any number of qualitative questions.

Questions must be relevant, proportionate and specific to the requirement.

- 14.3.3. Price evaluation – consideration must be given to whole life costs e.g. initial capital expenditure, servicing/support and maintenance, operating costs, consumables, disposal and recycling costs and any other relevant costs.

15. Social Value

- 15.1. The Public Services (Social Value) Act 2012 places a requirement on people who commission, or buy, public services to consider securing added economic, social or environmental benefits for their local area.
- 15.2. The Act currently applies only to goods and service Contracts over the Public Procurement threshold but should be considered in all procurements where applicable.
- 15.3. Social value should form part of a Bidder's commitments at quote/tender stage and should be tailored to the subject nature of the contract being awarded.
- 15.4. Further details can be found on the Corporate Procurement Staff Pages.

16. Modern Slavery

- 16.1. The Modern Slavery Act 2015 was introduced to tackle modern slavery, defined in the act as slavery, servitude, forced or compulsory labour, human trafficking and exploitation.
- 16.2. Further details can be found in the Procurement Toolkit.

17. Insurance

- 17.1. Bidders must have or be willing to obtain prior to the contract start date the relevant insurances. Further details can be found in the Procurement Toolkit.

18. Thresholds Details

	Requirements if procured via a Framework or Open Framework						
	1	2	3	4	5	2-4	5
Threshold Value	£0 - £5,000	£5,001 - £25,000	£25,001 - £100,000	£100,001 – UK Procurement threshold	Above UK Procurement threshold (detailed in Appendix 2)	£5,001 - UK Procurement Threshold	Above UK Procurement Threshold (detailed in Appendix 2)
Sourcing Plan required?	No	No	Yes	Yes	Yes	Yes, if over £25,001	Yes
Receipt of quotes/tenders	Email	E-Sourcing system	E-Sourcing system	E-Sourcing system	E-Sourcing system	E-Sourcing system	E-Sourcing system
Procurement Process	Minimum of one quote sought (local Suppliers should be used where appropriate)	Minimum of 5 bidders to be invited to quote. Alternatively, open process.	Minimum of 5 bidders to be invited to quote. Alternatively, open process.	Open tender	Open tender or Competitive Flexible Procedure	Mini competition or Direct Award	Mini competition or Direct Award
Advertising requirements	None	None, if inviting quotes. If open, advertise via E-Sourcing system.	None, if inviting tenders. If open, advertise via Find a Tender.	Find a Tender	Find a Tender	None	None
Procurement lead	Service Area	Service Area	Service Area	Corporate Procurement Team	Corporate Procurement Team	Corporate Procurement Team	Corporate Procurement Team
Financial assessment required	No	No	Yes	Yes	Yes	Yes, if over £25,001	Yes
Award Process	Budget Manager to approve	Budget Manager to approve	Award report to be approved.	Award report to be approved.	Award report to be approved.	Under £25,000 Budget manager to approve	Award report to be approved.
Contract Award notice required	No	No	Yes	Yes	Yes	No	Yes
Type of Contract	Purchase Order Terms and Conditions	Legal to advise on appropriate form of contract	Legal to advise on appropriate form of contract	Legal to advise on appropriate form of contract	Legal to advise on appropriate form of contract	As per framework guidance	As per framework guidance
Who can authorise / sign the contract	Group Head	Group Head	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution	Legal to action in accordance with the Council's constitution

19. Threshold 1 - £0 - £5,000

- 19.1. All procurements valued within this threshold must as a minimum, seek a single quote via email. Local Suppliers who can meet the Council's requirements should be sought in the first instance. Whilst the requirement is a single quote, good practice suggests that multiple quotes should be sought where appropriate.
- 19.2. Please see table above for other requirements.

20. Threshold 2 - £5,001 - £25,000

- 20.1. All procurements valued within this threshold must as a minimum invite 5 Suppliers to submit a quote. If 5 Suppliers cannot be identified, then an open process should be followed.
- 20.2. Please see table above for other requirements.

21. Threshold 3 - £25,001 - £100,000

- 21.1. All procurements valued within this threshold must as a minimum invite 5 Suppliers to submit a quote. If 5 Suppliers cannot be identified, then an open process should be followed.
- 21.2. Please see table above for other requirements.

22. Threshold 4 - £100,001 – UK Public Procurement Threshold

- 22.1. All procurements valued within this threshold will be managed by the Corporate Procurement Team in conjunction with the Service Area.
- 22.2. Procurements within this threshold must be advertised as an open tender.
- 22.3. Please see table above for other requirements.

23. Threshold 5 – Over UK Public Procurement Threshold

- 23.1. All procurements in threshold 5 will be managed by the Corporate Procurement Team in conjunction with the Service Area.
- 23.2. A procedure compliant with the relevant regulations must be conducted.
- 23.3. Please see table above for other requirements.

24. Frameworks, Open Frameworks, Dynamic Purchasing Systems and Dynamic Markets

- 24.1. There are a number of other ways to secure a Supplier, in addition to a full tender, these include Frameworks, Open Frameworks, Dynamic Purchasing Systems and Dynamic Markets. These offer a compliant route to market, the Corporate Procurement Team can provide advice on options and should be contacted for more information.
- 24.2. The thresholds within CSO 20 – 22 apply where a Contract is sourced via a Framework, Open Framework or Dynamic Market. However, the minimum number of quotes/tenders that must be sought does not apply.
- 24.3. Officers should follow the guidance of the Framework, Open Framework or Dynamic Market for further information.
- 24.4. Establishing a new Framework, Open Framework or Dynamic Market

24.4.1. Where Officers are looking to establish one of the above, approval must be sought from Procurement Board by submitting a Sourcing Plan prior to any procurement commencing.

25. Quote/Tender Submission

- 25.1. Bidders must be given an adequate period in which to prepare and submit a tender, consistent with the complexity of the requirement.
- 25.2. All tenders estimated to be worth £5,000.00 or more must be returned in accordance with the system requirements of the E-Sourcing system. Any tender received outside of the E-Sourcing system must be rejected and excluded from evaluation, subject to 25.3 below.
- 25.3. If any tender could not be submitted due to a system error, this will need to be demonstrated and approved by the Head of Procurement.

26. Evaluation and Due Diligence

- 26.1. Contract Managers are responsible for ensuring that all Bidders for a Contract are suitably assessed in accordance with the criteria provided in the tender documentation. The assessment process shall establish that all potential Bidders have sound economic and financial standing and sufficient technical ability and capacity to fulfil the requirements of the Council.
- 26.2. All contracts valued in excess of £25,000.00 must have a financial assessment conducted as part of the due diligence, prior to entering into a contract. If required, adequate financial security and/or a performance bond must be required for all Contracts within Threshold 4 and above in value or where considered necessary by the S151 Officer.

Award Of Contract

27. Debriefing Bidders

- 27.1. Officers must ensure that all Bidders who submitted a response are informed of the outcome and provided feedback as required. Please refer to the Procurement Toolkit for relevant Award Letter templates.
- 27.2. Apart from the debriefing required or permitted by these CSOs, the confidentiality of tenders and the identity of Bidders must be preserved at all times and confidential or commercial information about one Bidders response must not be given to another during the process.
- 27.3. If an unsuccessful Bidder is requesting further information regarding the award decision, then the Contract Manager shall immediately contact the Corporate Procurement Team and seek the advice of the Corporate Head of Law and Governance.

28. Contract Sign Off / Scheme of Delegation

- 28.1. Where a Purchase Order is used as the Contract using the Council's Terms and Conditions, the authoriser of the Purchase Order must have the required delegated authority for the Contract value as required by the Financial Regulations.
- 28.2. All Contracts shall be executed by the Council in accordance with the Council, Committee and Administrative Standing Orders.
- 28.3. The Council's Legal Services are responsible for execution of the Contract.
- 28.4. A Contract should be sealed where:
 - 28.4.1. the Council wishes to enforce the Contract more than six years after its end;

28.4.2. there is no consideration or the price paid or received under the Contract is nominal and does not reflect the value of the goods, works and/or services.

28.5. Following award of any Contract, in excess of £5,000 the Contract Manager is responsible to ensure:

- the details of the contract are entered on the Contracts Register available on the E-Sourcing system.
- A copy of the contract is uploaded on the E-Sourcing system.

28.6. Record Keeping:

28.6.1. Contract Managers shall ensure that the following records are kept in accordance with the Council's record retention and disposal schedule.

29. The Council as a Supplier

29.1. Where the council is contemplating providing works, goods or services to external organisations, the Assistant Chief Executive & S151 and the Corporate Head of Law and Governance must be consulted.

29.2. Contract Managers shall produce robust business cases for the council acting as a supplier which fully takes into account the costs to the council of delivering the goods, works or services concerned. The financial viability of such business cases must be approved by the Chief Executive and Assistant Chief Executive & S151 Officer.

29.3. Contract Managers shall liaise with the council's Insurance Officer to ensure any potential liabilities are sufficiently covered by the council's insurance policies.

29.4. Where the proposed Contract is likely to require new expenditure to support the provision of the goods, works and/or services and is to be funded by a supplementary estimate outside of the annual planning cycle, before tenders are prepared, the Chief Executive, Assistant Chief Executive & S151 and the Corporate Head of Law and Governance must jointly approve the business case (unless the Chief Executive Officer has expressly agreed that no Business case is required) including:

29.4.1. confirming the council can legally enter into the Contract;

29.4.2. accepting the legality of the charging arrangements; and

29.4.3. approving the terms and conditions of the proposed Contract.

Contract Management

30. Management

30.1. It is the Contract Managers responsibility to ensure that there is a robust Contract management plan in place that is proportionate to the scale and scope of the Contract. Refer to the Contract Management Toolkit for further information.

31. Extension

31.1. All contracts must be extended in line with the provisions of the contract.

31.2. All extensions must be determined in advance of them being actioned and be completed in conjunction with the Legal department.

31.3. Any extensions to a Contract where there is no provision for them may only be made in accordance with CSO 10.

32. Modification to Contracts

- 32.1. There is always the possibility that additional goods, works and/or services which could not have been reasonably foreseen at the point of tendering may be required.
- 32.2. In the case of Thresholds 1 – 4 this is permitted up to an additional 50% of the original contract value, only where;
- there is sufficient budget; and
 - would not change the overall nature of the contract and additional services are needed.
- 32.3. Where a modification is required to a contract that is valued within Threshold 5, the Procurement Act 2023 must be followed.
- 32.4. Any modification to a contract within Threshold 3 – 5 must be approved by the Procurement Board.

Appendix 1 - Definitions

Award Criteria	The criteria on which the award of a Contract is based following an evaluation of Contract tenders in a procurement procedure. Award criteria must be focused on the tender and not the Bidder (which will already have been assessed for suitability at the qualification step against the relevant Selection Criteria).
Award Process	The procedure for awarding a Contract.
Bidder	Any person/company who submits a quote or tender.
Code of Conduct	The "Code of Conduct for Staff" (See Part 5 Council's Constitution).
Consultant	Someone engaged for a specific length of time to work to a defined project brief with clear outcomes to be delivered, and who brings specialist skills or knowledge to the role.
Contract	In this context, means an agreement between parties for the supply of goods, works and/or services on terms and conditions, which are intended to be enforceable through law.
Contract Managers	Those Officers authorised to carry out the day to day activities required to manage a Contract.
Due diligence	Checks on Supplier to review financial stability and policies (such as insurance policies).
Framework Agreement	A framework agreement is an 'umbrella agreement' that sets out the terms (particularly relating to price, quality and quantity) under which individual Contracts (call-offs) can be made throughout the period of the agreement.
E-Sourcing System	The council's E-Sourcing system which must be used for all procurement exercises with a value of £5,000.00 excluding VAT or more.
UK Procurement Threshold	The Contract value at which the UK Procurement Procedure must be applied.
Purchase Order	A document sent from the council as a Buyer to a Supplier with a request for an order, indicating types, quantities and agreed prices for products, services or works. Once the order is accepted by the Supplier it becomes a Contract binding on both parties. The council's Terms and Conditions will govern the terms of the supply of goods and services ordered under a Purchase Order unless a standard form or bespoke Contract has been entered into prior to the issuing of the Purchase Order.
Selection Criteria	The criteria by which Bidders are chosen to be invited to submit quotes or tenders.
Sourcing Plan	A document to be completed by all Officers who wish to buy anything with a value of £25,000.00 or more which will identify the correct route to market for the exercise. The document must be submitted to the Procurement Team for review and sign off by Procurement Board prior to commencing a procurement exercise.
Quote/Tender	A Bidder's proposal.

Total Contract Value	The amount payable under the Contract to be used to select the procurement procedure; including VAT.
TUPE" Transfer of Undertakings (Protection of Employment) Regulations	Subject to certain conditions, these regulations apply where responsibility for the delivery of works or services for the Council are transferred from one organisation (e.g. private Suppliers, local authority in-house team) to another (e.g. following a competitive tendering process) and where the individuals involved in carrying out the work or service are transferred to the new employer. These regulations seek to protect the rights of employees in such transfers, enabling them to enjoy the same terms and conditions, with continuity of employment, as existed with their former employer. Broadly, TUPE regulations ensure that the rights of employees are transferred along with the business.

Appendix 2 - UK Procurement Thresholds

These are typically updated bi-annually, the last update was in January 2026.

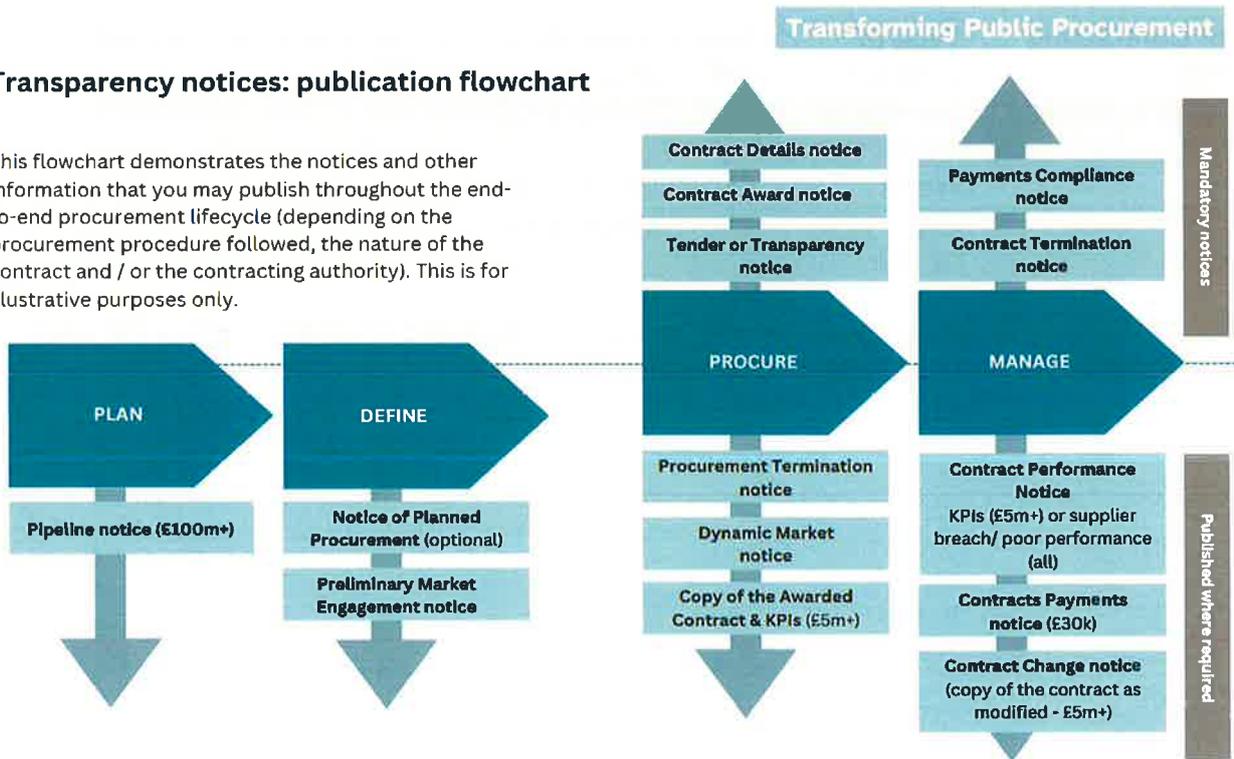
Type of Contracting Authority	Type of contract	New thresholds (for procurements commenced on 0 or after 1st January 2026)
Sub-central authorities	Services or Goods	£207,720 (inc. VAT)
	Works	£5,193,000 (inc. VAT)
	Light touch regime	£663,540 (inc. VAT)

Procurement Specific Questionnaires may only be used for the award of contracts where the value equals or exceeds the Services threshold (currently £207,720).

Appendix 3 – Flowchart of notices under the Procurement Act

Transparency notices: publication flowchart

This flowchart demonstrates the notices and other information that you may publish throughout the end-to-end procurement lifecycle (depending on the procurement procedure followed, the nature of the contract and / or the contracting authority). This is for illustrative purposes only.





Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Y	26/01/26
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	N/A	
Relevant Group Head review	Y	18/02/26
MAT+ review (to have been circulated at least 5 working days before Stage 2)	N/A	
This item is on the Forward Plan for the relevant committee		
	Reviewed by	
Finance comments (circulate to Finance)	LH	18/02/26
Risk comments (circulate to Lee O’Neil)	LH	18/02/26
Legal comments (circulate to Legal team)	LH	18/02/26
HR comments (if applicable)		

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least 5 working days before MAT	L Heron	18/02/26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	18/2/26
Confirm final report cleared by MAT		

Council Meeting

26 February 2026

Title	Counter Fraud, Bribery and Corruption Strategy
Purpose of the report	To make a decision
Report Author	Linda Heron, Group Head Corporate Governance and Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires Council decision.
Recommendations	<p>Council is asked to:</p> <ol style="list-style-type: none"> 1. Agree the updated Counter Fraud, Bribery and Corruption Strategy (part 5(f) of the Constitution); and 2. Authorise the Monitoring Officer to update the Constitution.
Reason for Recommendation	To ensure that the Council's Constitution supports good governance.

1. Executive summary of the report (*expand detail in Key Issues section below*)

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • Audit Committee is considering the proposed updated Counter Fraud, Bribery and Corruption Strategy on 24 February 	<ul style="list-style-type: none"> • To ensure that the Council's constitution supports good governance
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> • Consider the recommendation from the Audit Committee 	<ul style="list-style-type: none"> • If the updated proposed Counter Fraud, Bribery and Corruption Strategy is agreed, the Council's Constitution will be updated

2. Key issues

- 2.1 This report seeks the Council's approval of the updated Counter Fraud, Bribery and Corruption Strategy and the subsequent changes to Part 5(f) of the Constitution which have been considered by the Audit Committee on 24 February.
- 2.2 All relevant key issues are set out in the report for Audit Committee that in Appendix 1.

3. Options appraisal and proposal

- 3.1 Agree the recommendation as set out in this report (recommended option).
This option ensures that the updated Counter Fraud, Bribery and Corruption Strategy with such further amendments as may have been agreed by the Audit Committee on 24 February is incorporated in the Council's Constitution.
This, in turn, ensures that the Council's Constitution is robust and fit for purpose and therefore this option delivers the best long-term benefit.
- 3.2 Put forward additional amendments to the Counter Fraud, Bribery and Corruption Strategy as may be agreed by this Committee.
This option enables targeted amendments to be considered by the Council, providing the Council with the flexibility to prioritise and address those issues it identifies as the most immediate or high priority.
- 3.3 Do not approve any changes and retain the existing Counter Fraud, Bribery and Corruption Strategy.
This option is not recommended as it fails to incorporate contextual amendments which address operational arrangements and does not support continuous improvement in governance.

4. Risk implications

- 4.1 Please refer to risk section in the report in Appendix 1.

5. Financial implications

- 5.1 Please refer to financial section in the report in Appendix 1.

6. Legal comments

- 6.1 Please refer to legal comments in the report in Appendix 1.
- 6.2 Changing the Constitution is a matter for Council pursuant to paragraph 4.2(a) of Article 4 of the Constitution.

Corporate implications

7. S151 Officer comments

- 7.1 There are no direct financial implications arising from the recommendations. The S151 Officer strongly supports having an effective counter fraud bribery and corruption which is part of the governance framework for seeking to protect council taxpayers money.

8. Monitoring Officer comments

- 8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

- 9.1 There are no procurement implications arising directly from this report.

10. Equality and Diversity

- 10.1 Please refer to Equality and Diversity section in the report in Appendix 1.

11. Sustainability/Climate Change Implications

- 11.1 None arising directly from this report.

12. Other considerations

- 12.1 No other considerations have been identified.

13. Timetable for implementation

- 13.1 If the recommendation is agreed, the Constitution will be updated accordingly as soon as practicable.

14. Contact

- 14.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer
l.heron@spelthorne.gov.uk

Please submit any material questions to the Committee Chair and Officer Contact by two days in advance of the meeting.

Background papers: There are none.

Appendices:

Appendix 1 – Report for Audit Committee 24 February, agenda item 7 Counter Fraud, Bribery and Corruption Strategy

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Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Y	26/01/26
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	N/A	
Relevant Group Head review	Y	28/01/26
MAT+ review (to have been circulated at least 5 working days before Stage 2)		
This item is on the Forward Plan for the relevant committee		
	Reviewed by	
Finance comments (circulate to Finance)	AB	29/01/2026
Risk comments (circulate to Lee O’Neil)	LO	29/01/26
Legal comments (circulate to Legal team)	LH	28/01/26
HR comments (if applicable)	N/A	

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least 5 working days before MAT	L Heron	28/01/26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	29/01/26
Confirm final report cleared by MAT		

Audit Committee

24 February 2026

Title	Counter Fraud, Bribery and Corruption Strategy
Purpose of the report	To make a decision and a recommendation to Council
Report Author	Linda Heron, Group Head Corporate Governance and Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	<p>Audit Committee is asked to:</p> <ol style="list-style-type: none"> 1. Acknowledge the annual review of the Council’s Counter Fraud, Bribery and Corruption Strategy; 2. Approve the proposed amendments to the Council’s Counter Fraud, Bribery and Corruption Strategy; and 3. Recommend to the Council that the Constitution be updated with the revised Counter Fraud, Bribery and Corruption Strategy.
Reason for Recommendation	To support the Council’s commitment to reducing fraud by providing effective counter fraud arrangements.

1. Executive summary of the report *(expand detail in Key Issues section below)*

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • The Council’s Counter Fraud, Bribery and Corruption Strategy (“the Strategy”) is due for annual review 	<ul style="list-style-type: none"> • To ensure that the Strategy is up to date and in line with good practice
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> To review the Strategy and make the necessary updates. 	<ul style="list-style-type: none"> The Audit Committee is required to consider the proposed amendments to the Strategy and make any recommendations for change to the Council.
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2. Key issues

- 2.1 The Council’s Counter Fraud, Bribery and Corruption Strategy (“the Strategy”) is contained in part 5(f) of the Constitution. The Strategy was reviewed by the Monitoring Officer and presented to the Audit Committee in May 2025. The Committee approved the updated Strategy and made recommendation to Council to update the Constitution.
- 2.2 This report provides the Committee with the annual update of the Strategy for consideration.
- 2.3 In view of the Local Government Reorganisation it is not considered prudent to initiate a comprehensive rewrite of the Strategy, and therefore minor amendments only have been made to bring the Strategy in line with current arrangements.
- 2.4 For ease, the proposed amendments are shown in track change (Appendix 1). Clean copy of the revised Strategy accompanies this report at Appendix 2.
- 2.5 The overarching purpose of the Council’s Strategy is to minimise the incidence and impact of fraud, corruption and bribery across the Council, while ensuring there is a clear and effective means for individuals to report any concerns or suspicions of malpractice.
- 2.6 The Strategy is divided into four sections:
- Culture: provides details of roles and responsibilities
 - Prevention: sets out the Council’s approach to countering fraud and corruption
 - Detection and investigation: provides guidance to officers and managers
 - Awareness and Training: signposts resources
- 2.7 Best practice principles as set out in the Chartered Institute of Public Finance and Accountancy (CIPFA) ‘Managing the risk of fraud and corruption’, and ‘Fighting Fraud and Corruption Locally – a strategy for the 2020s’ have been considered as part of the Strategy review.
- 2.8 The Strategy is in line with best practice and continues to underpin the Council’s commitment to dealing effectively with all forms of fraud, bribery, and corruption, demonstrating the important role it plays in the overall corporate governance framework.

3. Options appraisal and proposal

- 3.1 To review and approve the amendments to the Strategy and to make recommendation to Council (Recommended option).
- 3.2 To make further amendments to the Strategy as the Committee may see fit.
- 3.3 To make no changes to the Strategy, thereby not reflecting the current position.

4. Risk implications

- 4.1 Risks and consequences associated with fraud, bribery and corruption include financial losses (potentially high value), reputational damage to the Council, corporate liability and offences, harm to staff or the local community, and reduced public services for the borough's residents. An up to date and fit for purpose Strategy enables the Council to proactively identify potential fraud and irregularities and to address them effectively.
- 4.2 The Council's Strategy is aligned with CIPFA's *Code of Practice on Managing the Risk of Fraud and Corruption*, and the Council continues to follow recognised best practice. Fraud risks are assessed across all service areas, and appropriate controls and mitigation measures are put in place.
- 4.3 The threat of fraud against the Council will be one of the key areas under the Council's new governance assurance approach to risk management, with assurance levels reported to the Audit Committee through a Governance Assurance Register. The implementation of an up-to-date Counter Fraud, Bribery and Corruption Strategy will assist in providing assurance that the Council is dealing with the threat of fraud effectively.

5. Financial implications

- 5.1 Whilst there are no financial implications arising directly from this report, resources are required to implement and carry out any necessary preventative/detection/investigatory work which places constraints on the existing budgets. Having an effective counter fraud policy and arrangements helps mitigate the risk of financial loss and aids restraining increase in insurance premiums.

6. Legal comments

- 6.1 Legal implications contained in the body of this report and the Strategy.
- 6.2 The Council is under a statutory Public Sector Equality Duty pursuant to section 149 of the Equality Act 2010, and an updated Strategy will assist the Council to discharge this duty.
- 6.3 Consideration of the Council's anti-fraud, bribery and anti-corruption arrangements is within the Terms of Reference for Audit Committee.

Corporate implications

7. S151 Officer comments

7.1 As the report has highlighted there are no direct Budget implications. As S151 Officer, I fully support ensure that we have an effective and robust set of counterfraud arrangements. We will be looking to put in place in the coming months some counter fraud refresher training for staff.

8. Monitoring Officer comments

8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

9.1 There are no procurement implications arising directly from this report.

10. Equality and Diversity

10.1 Fraud, bribery and corruption risks should be considered in all areas of operation as fraudulent activity can result in Council services being diverted away from communities who need them.

11. Sustainability/Climate Change Implications

11.1 None arising directly from this report.

12. Other considerations

12.1 None.

13. Timetable for implementation

13.1 Once approved by Council, the Council's Constitution will be updated with the revised Strategy.

14. Contact

14.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer
l.heron@spelthorne.gov.uk

Please submit any material questions to the Committee Chair and Officer Contact by two days in advance of the meeting.

Background papers:

CIPFA Managing the risk of fraud and corruption

CIPFA Fighting Fraud and Corruption Locally – a strategy for the 2020s

Appendices:

Appendix 1 Track change version of Counter Fraud, Bribery and Corruption Strategy (reviewed February 2026)

Appendix 2 Clean version of Counter Fraud, Bribery and Corruption Strategy (February 2026)

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APPENDIX 1 Revised Counter Fraud, Bribery and Corruption Strategy with track change

COUNTER FRAUD, BRIBERY AND CORRUPTION STRATEGY

Introduction

1. This Strategy is applicable to Members and staff. The Borough of Spelthorne is committed to providing a high standard of service and accountability. An important aspect of this is a strategy which protects against fraud, bribery and corruption within the Council itself and from external sources.

In this context

Fraud means - the illicit gaining of cash or other benefit by deception;

Corruption means - the dishonest influencing of actions and decisions.

Bribery means – the offering, giving or soliciting of an inducement or reward which may influence a person to perform a function or activity improperly.

2. The Council recognises that it is already subject to a high degree of external scrutiny of its affairs by a variety of parties. This includes the general public, Council Tax / Business Rates payers, service users, the Local Government Ombudsman, Central Government, in particular, HM Revenue and Customs, the Ministry for Housing, Communities and Local Government, the Department for Business and Trade and the Department for Work and Pensions.
3. It also has external auditors who advise whether the Council has in place adequate arrangements for the prevention and detection of fraud, bribery and corruption.
4. While this external scrutiny assists in protecting against fraud, bribery and corruption the Council believes a clear statement of its own strategy is needed.
5. The Chartered Institute of Public Finance & Accountancy (CIPFA) produced “Fighting Fraud & Corruption Locally (FFCL) – 2020’s Strategy and a “Code of Practice on Managing the Risk of Fraud and Corruption” to assist local authorities in addressing fraud risks. This central guidance informed the preparation of this strategy.
6. The key elements of the Council's strategy to combat fraud, bribery and corruption are:
 - An open and honest culture (Section 1)
 - Adequate preventative measures (Section 2)

- Systems for detection and investigation (Section 3)
- Awareness and Training (Section 4)

1. Culture

1.1 The Council expects Members and staff at all levels to behave with integrity and propriety and to act within the law and the regulations, procedures and practices laid down in relation to the conduct of the Council's business. The Council believes this is achieved best through the promotion of an atmosphere of honesty and openness.

1.2 The Council encourages Members and staff to raise any concerns they have about fraud, bribery and corruption immediately as they occur. It will treat all concerns raised, seriously and in confidence. This is covered with all staff as part of their induction process.

1.3 The Council has three senior officers who have particular responsibility for regulating the conduct of the Council and its activities. These are:

Chief Finance Officer	Responsible for the financial management, audit and financial probity of the Council and also for its proper personnel policies and practices.
Monitoring Officer	Responsible for the legal probity and avoidance of maladministration or injustice by the Council.
Chief Executive	Responsible as Head of Paid Service for the overall management and direction of the Council and for ensuring adequate staff resources for services.

1.4 In addition each Group Head and senior manager have responsibility for the proper organisation and conduct of their service area. It is important that Managers and officers at all levels do not become complacent about the risk of fraud as this may have an impact in terms of the robustness of controls applied in practice. Please refer to the section on systems below.

1.5 Concerns should be raised with any of the above officers under section 1.3.

1.6 More detailed guidance and advice on how to raise any concerns relating to fraud, bribery and corruption is contained in the Council's Confidential Reporting Code ([whistleblowing policy](#)).

1.7 If anyone feels they are unable to raise their concerns through any of the above routes, under the Confidential Reporting Code they may contact 'Protect' (020

3117 2520 – advice line), a registered charity whose services are free and strictly confidential.

2. Prevention

2.1 The adoption of proper and adequate measures to prevent fraud, bribery and corruption is the responsibility of Members, Chief Executive, Deputy Chief Executives, Group Heads and other managers. Preventative measures can be classified under two broad headings - Codes/Procedures and Systems.

(i) Codes/Procedures

All Members and staff need to be aware of, and have ready access to, the Council's agreed policies and procedures e.g. Financial Regulations, Standing Orders, Codes of Conduct, Code of Corporate Governance and any relevant practice and procedure documents.

In particular staff must observe the [Council's Code of Conduct for Staff](#) (a copy of which is made available to all staff) and any relevant professional codes.

References will be taken up for all permanent and temporary staff to verify their suitability, honesty and integrity. Other vetting should be applied which gives due consideration to the nature of the appointed position.

The Members Code of [Conduct](#) is kept under review by the Standards Committee. Members are supplied with a copy of any relevant code, policy and procedure and advised of their responsibilities.

(ii) Systems

The Council has and will maintain in place systems and procedures which incorporate internal controls, including adequate separation of duties to ensure that, as far as possible, errors, fraud, bribery and corruption are prevented.

The Chief Finance Officer has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure the proper administration of the Council's financial affairs. Financial procedures detail key financial systems and provide guidance which underpins the Council's Financial Regulations.

Chief Executive, Deputy Chief Executives, Group Heads and managers are responsible for ensuring that appropriate internal controls are properly maintained to minimise the risk of errors, fraud, bribery and corruption.

Analysis of the risks associated with any service and how they are being addressed has been integrated into the annual service planning process to enable greater alignment across corporate processes. Managers are responsible for ensuring that fraud, bribery and corruption risks are

minimised and Internal Audit (delivered by Southern Internal Audit Partnership) will advise through the provision of independent assurance.

3. Detection and investigation

3.1 Concerns should be reported to one of the individuals referred to in paragraph 1.3 above or in accordance with the Council's [whistleblowing policy](#).

3.2 A detailed investigation of any concerns raised will be undertaken. The Group Head of Corporate Governance holds responsibility for responding to allegations of bribery and corruption relating to Members. The Council will deal with any instances of fraud, bribery or corruption swiftly. Disciplinary action will be taken if appropriate after the police have been informed/involved, and the relevant Committee informed where necessary. Where the Council has adopted a prosecution policy for any business area (e.g. Housing Benefit Fraud or Housing register) this will be followed. Any lessons learnt from Investigations undertaken relating to systematic weaknesses will be highlighted and should feed back into improving fraud prevention/detection measures.

3.3 In the event that fraud is suspected on the part of contractors' employees or internally, by staff involved in agency or contract work on behalf of other bodies, procedures and responsibilities for reporting and initial investigation are the same as for staff. The Council will inform and involve employing contractors or agencies when appropriate.

3.4 Given the significance of corporate fraud in national and local statistics and the cost to the taxpayer, the Council recognises the continued importance of collaborative working arrangements with other Councils/Partners to help prevent, deter, detect and investigate fraud, providing access to specialist skills and greater capacity to investigate fraud. The strategy to target areas of public fraud which are likely to generate greater financial returns (Business Rates and Social Housing) will continue. For high-risk public fraud areas, the Services will continue to be encouraged to take up of counter fraud measures (these incorporate preventative as well as detective and investigatory approaches). It remains the responsibility and decision of Group Heads and Service Managers to pursue/implement the enabling measures to ensure sustained targeting of counter fraud measures. ~~Some examples include enhanced pro-active vetting of Housing register applications (preventative measure), periodical County Wide Single Person Discount exercises led by Surrey to target Council Tax fraud, the use of Financial Investigator Resource to recover losses/assets (where appropriate), proactive fraud drives such as bulk data matching exercises with Registered Providers to target social housing fraud.~~

~~3.5 Counter fraud measures targeting illegal sub-letting and other types of affordable housing fraud also contribute to the delivery of wider social benefits, enabling more social housing to be available to those people and members of the community who are genuinely in need of a home, leading to a reduction in housing applicant waiting times, reduced temporary accommodation costs and ultimately the need for fewer houses to be built. Positive results (proven fraud) are publicised periodically to serve as a deterrent.~~

~~3.6 The existing counter fraud networks provide useful points of contact. This enables the sharing of best practice and approaches in tackling public fraud and provides opportunities to pursue joint counter fraud initiatives such as data matching. The importance of engaging with members of the public to join the fight against fraud is recognised.~~

4. Awareness and Training

The Council recognises the continuing effectiveness of the Counter Fraud, Bribery and Corruption Strategy depends largely on the awareness and responsiveness of Members and staff. It is essential that both Members and staff are made aware of the strategy when they join the Council for inclusion in their personal records and, in addition, have ready access to all other relevant documents, policies and procedures which regulate the Council's activities. Action will be taken on a regular basis to remind both Members and staff of the importance the Council places on preventing fraud and corruption and investigating irregularities. The Council has an on-line learning system with a specific Fraud Prevention module which all staff are required to complete annually. Other methods for mandatory training and raising awareness including face to face and online training shall be periodically explored and delivered. For those Services administering areas that present higher risk of public fraud occurrence periodical awareness raising, and training is delivered by the Service Provider (Reigate and Banstead [Borough Council](#)). This serves as a reminder of the prevalence of fraud in these areas using anonymised case studies to bring the training to life and encourage reasonably informed suspicions to be referred by officers for investigation through correct channels. This promotes a zero tolerance to fraud culture across the Council.

5. Conclusions

~~5.1~~ The Council has in place a network of systems and procedures to assist it in the fight against fraud, corruption and bribery. These arrangements will keep pace with any new developments. To this end, the Council will maintain a continuous overview of such arrangements.

~~5.2 This Strategy will be subject to annual review to ensure its currency.~~

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APPENDIX 2 Clean copy of revised Counter Fraud, Bribery and Corruption Strategy

COUNTER FRAUD, BRIBERY AND CORRUPTION STRATEGY

Introduction

1. This Strategy is applicable to Members and staff. The Borough of Spelthorne is committed to providing a high standard of service and accountability. An important aspect of this is a strategy which protects against fraud, bribery and corruption within the Council itself and from external sources.

In this context

Fraud means - the illicit gaining of cash or other benefit by deception;

Corruption means - the dishonest influencing of actions and decisions.

Bribery means – the offering, giving or soliciting of an inducement or reward which may influence a person to perform a function or activity improperly.

2. The Council recognises that it is already subject to a high degree of external scrutiny of its affairs by a variety of parties. This includes the general public, Council Tax / Business Rates payers, service users, the Local Government Ombudsman, Central Government, in particular, HM Revenue and Customs, the Ministry for Housing, Communities and Local Government, the Department for Business and Trade and the Department for Work and Pensions.
3. It also has external auditors who advise whether the Council has in place adequate arrangements for the prevention and detection of fraud, bribery and corruption.
4. While this external scrutiny assists in protecting against fraud, bribery and corruption the Council believes a clear statement of its own strategy is needed.
5. The Chartered Institute of Public Finance & Accountancy (CIPFA) produced “Fighting Fraud & Corruption Locally (FFCL) – 2020’s Strategy and a “Code of Practice on Managing the Risk of Fraud and Corruption” to assist local authorities in addressing fraud risks. This central guidance informed the preparation of this strategy.
6. The key elements of the Council's strategy to combat fraud, bribery and corruption are:
 - An open and honest culture (Section 1)
 - Adequate preventative measures (Section 2)

- Systems for detection and investigation (Section 3)
- Awareness and Training (Section 4)

1. Culture

1.1 The Council expects Members and staff at all levels to behave with integrity and propriety and to act within the law and the regulations, procedures and practices laid down in relation to the conduct of the Council's business. The Council believes this is achieved best through the promotion of an atmosphere of honesty and openness.

1.2 The Council encourages Members and staff to raise any concerns they have about fraud, bribery and corruption immediately as they occur. It will treat all concerns raised, seriously and in confidence. This is covered with all staff as part of their induction process.

1.3 The Council has three senior officers who have particular responsibility for regulating the conduct of the Council and its activities. These are:

Chief Finance Officer	Responsible for the financial management, audit and financial probity of the Council and also for its proper personnel policies and practices.
Monitoring Officer	Responsible for the legal probity and avoidance of maladministration or injustice by the Council.
Chief Executive	Responsible as Head of Paid Service for the overall management and direction of the Council and for ensuring adequate staff resources for services.

1.4 In addition each Group Head and senior manager have responsibility for the proper organisation and conduct of their service area. It is important that Managers and officers at all levels do not become complacent about the risk of fraud as this may have an impact in terms of the robustness of controls applied in practice. Please refer to the section on systems below.

1.5 Concerns should be raised with any of the above officers under section 1.3.

1.6 More detailed guidance and advice on how to raise any concerns relating to fraud, bribery and corruption is contained in the Council's Confidential Reporting Code ([whistleblowing policy](#)).

1.7 If anyone feels they are unable to raise their concerns through any of the above routes, under the Confidential Reporting Code they may contact 'Protect' (020

3117 2520 – advice line), a registered charity whose services are free and strictly confidential.

2. Prevention

2.1 The adoption of proper and adequate measures to prevent fraud, bribery and corruption is the responsibility of Members, Chief Executive, Deputy Chief Executives, Group Heads and other managers. Preventative measures can be classified under two broad headings - Codes/Procedures and Systems.

(i) Codes/Procedures

All Members and staff need to be aware of, and have ready access to, the Council's agreed policies and procedures e.g. Financial Regulations, Standing Orders, Codes of Conduct, Code of Corporate Governance and any relevant practice and procedure documents.

In particular staff must observe the [Council's Code of Conduct for Staff](#) (a copy of which is made available to all staff) and any relevant professional codes.

References will be taken up for all permanent and temporary staff to verify their suitability, honesty and integrity. Other vetting should be applied which gives due consideration to the nature of the appointed position.

The Members Code of conduct is kept under review by the Standards Committee. Members are supplied with a copy of any relevant code, policy and procedure and advised of their responsibilities.

(ii) Systems

The Council has and will maintain in place systems and procedures which incorporate internal controls, including adequate separation of duties to ensure that, as far as possible, errors, fraud, bribery and corruption are prevented.

The Chief Finance Officer has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure the proper administration of the Council's financial affairs. Financial procedures detail key financial systems and provide guidance which underpins the Council's Financial Regulations.

Chief Executive, Deputy Chief Executives, Group Heads and managers are responsible for ensuring that appropriate internal controls are properly maintained to minimise the risk of errors, fraud, bribery and corruption.

Analysis of the risks associated with any service and how they are being addressed has been integrated into the annual service planning process to enable greater alignment across corporate processes. Managers are responsible for ensuring that fraud, bribery and corruption risks are

minimised and Internal Audit (delivered by Southern Internal Audit Partnership) will advise through the provision of independent assurance.

3. Detection and investigation

3.1 Concerns should be reported to one of the individuals referred to in paragraph 1.3 above or in accordance with the Council's [whistleblowing policy](#).

3.2 A detailed investigation of any concerns raised will be undertaken. The Group Head of Corporate Governance holds responsibility for responding to allegations of bribery and corruption relating to Members. The Council will deal with any instances of fraud, bribery or corruption swiftly. Disciplinary action will be taken if appropriate after the police have been informed/involved, and the relevant Committee informed where necessary. Where the Council has adopted a prosecution policy for any business area (e.g. Housing Benefit Fraud or Housing register) this will be followed. Any lessons learnt from Investigations undertaken relating to systematic weaknesses will be highlighted and should feed back into improving fraud prevention/detection measures.

3.3 In the event that fraud is suspected on the part of contractors' employees or internally, by staff involved in agency or contract work on behalf of other bodies, procedures and responsibilities for reporting and initial investigation are the same as for staff. The Council will inform and involve employing contractors or agencies when appropriate.

3.4 Given the significance of corporate fraud in national and local statistics and the cost to the taxpayer, the Council recognises the continued importance of collaborative working arrangements with other Councils/Partners to help prevent, deter, detect and investigate fraud, providing access to specialist skills and greater capacity to investigate fraud. The strategy to target areas of public fraud which are likely to generate greater financial returns (Business Rates and Social Housing) will continue. For high-risk public fraud areas, the Services will continue to be encouraged to take up of counter fraud measures (these incorporate preventative as well as detective and investigatory approaches). It remains the responsibility and decision of Group Heads and Service Managers to pursue/implement the enabling measures to ensure sustained targeting of counter fraud measures.

4. Awareness and Training

The Council recognises the continuing effectiveness of the Counter Fraud, Bribery and Corruption Strategy depends largely on the awareness and responsiveness of Members and staff. It is essential that both Members and staff are made aware of the strategy when they join the Council for inclusion in their personal records and, in addition, have ready access to all other relevant documents, policies and procedures which regulate the Council's activities. Action will be taken on a regular basis to remind both Members and staff of the importance the Council places on preventing fraud and corruption and investigating irregularities. The Council has an on-line learning system with a specific Fraud Prevention module which all staff are required to complete annually. Other methods for mandatory training and raising awareness

including face to face and online training shall be periodically explored and delivered. For those Services administering areas that present higher risk of public fraud occurrence periodical awareness raising, and training is delivered by the Service Provider (Reigate and Banstead Borough Council). This serves as a reminder of the prevalence of fraud in these areas using anonymised case studies to bring the training to life and encourage reasonably informed suspicions to be referred by officers for investigation through correct channels. This promotes a zero tolerance to fraud culture across the Council.

5. Conclusions

The Council has in place a network of systems and procedures to assist it in the fight against fraud, corruption and bribery. These arrangements will keep pace with any new developments. To this end, the Council will maintain a continuous overview of such arrangements.

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