

F4A: ANTI MONEY LAUNDERING POLICY

1 Introduction

- 1.1 The Company is committed to ensuring that it is not used as a vehicle for money laundering. We have specific arrangements to prevent and detect this criminal activity on top of its normal crime prevention arrangements.
- 1.2 There have been significant changes to the legislation on money laundering, notably the Proceeds of Crime Act 2002 ('the Act'), the Terrorism Act 2000 and the Money Laundering Regulations 2003. This legislation broadens the definition of money laundering and increases the range of activities within the statutory framework. The Proceeds of Crime Act 2002 has an impact on business and it is prudent for us to have internal procedures to help prevent the Company's services being used for money laundering.

2 Scope Of The Policy

- 2.1 This Policy applies to all employees. The policy maintains the high standards of conduct that currently exist by seeking to prevent criminal activity through money laundering. The Policy outlines the requirements that need to be followed (for example the reporting of suspicions of money laundering activity) to enable the Company to comply with its legal obligations.
- 2.2 The Company will ensure that staff most likely to be exposed to or be suspicious of money laundering situations are made aware of their likely obligations.
- 2.3 Further information is set out in the accompanying Summary Guidance. Both the Policy and Guidance are complementary to the Company's Anti Fraud and Anti Corruption Policy.

3 Money Laundering Definition

- 3.1 The primary money laundering offences are:
 - concealing, disguising, converting, transferring criminal property or removing it from the UK (section 327 of the Act)
 - entering into or becoming concerned in an arrangement which you know or suspect facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person (section 328)
 - acquiring, using or possessing criminal property (section 329).
- 3.2 Any employee could, potentially, be affected by the money laundering provisions. This could happen if they suspect money laundering and either become involved with it in some way and/or do nothing about it. This Policy sets out how any concerns should be raised.
- 3.3 It is important that all employees are familiar with their legal responsibilities: serious criminal sanctions may be imposed for breaches of the legislation.

4 What we are doing to prevent Money Laundering

- 4.1 Although it is not thought that any of our activities are likely to be regarded as "relevant business" by the legislation, the Council has plans to provide appropriate and proportionate arrangements. These are to:

- appoint a Reporting Officer to receive disclosures from staff of money laundering activity (their own or anyone else's)
 - implement a procedure to enable the reporting of suspicions of money laundering
 - maintain identification procedures in certain circumstances
 - create appropriate record keeping procedures
 - follow CIPFA and other professional guidance
 - ensure staff are aware of their responsibilities
 - be proactive in helping prevent money laundering
 - help staff to become alert to and to know how to report suspected dishonesty by others.
- 4.2 Although only a few employees are likely to be exposed to or be suspicious of money laundering situations, e.g. some accountancy and finance staff, **all** staff should know what to do if they ever have the need to disclose money laundering activity and if so, they are required to comply with the reporting procedure outlined in section 6 below.

5 The Reporting Officer

- 5.1 The officer nominated to receive disclosures about money laundering activity within the Company is the Business Manager.
- 5.2 In their absence, the Managing Director or Chair of the Audit and Risk Sub-Committee of the Board will deputise.

6 Outline Disclosure Procedure

- 6.1 Where you know or suspect that money laundering activity is taking/has taken place, or become concerned that your involvement in a matter may amount to a prohibited act under sections 327 – 329 of the Act (outlined in 3.1 above), **you must disclose** this as soon as practicable to the Reporting Officer. You should disclose within "hours" of the information coming to your attention, not weeks or months later. If you don't do this, **you yourself may be liable to prosecution**.
- 6.2 Your disclosure can initially be made to any Team Manager or Head of Service, who will explain what needs to be done and will tell the Reporting Officer. There is a procedure to follow and a form to be completed. This is detailed separately, and will be explained by the Reporting Officer. The Reporting Officer will also need to follow a procedure to ensure the Company meets its obligations.
- 6.3 Once you have reported the matter to the Reporting Officer you must follow any directions given you and you must not make any further enquiries into the matter yourself unless asked to do so.