

THE ANTI MONEY LAUNDERING POLICY

1. Introduction

- 1.1 Bracknell Forest Borough Council, "the Council" takes a zero- tolerance approach to fraud and corruption and as such takes a proactive approach to the prevention, detection and reporting of suspected money laundering incidents.
- 1.2 This Anti-Money Laundering Policy sets out the Council's commitment to ensuring compliance with the requirements of the Proceeds of Crime Act 2002, the Money Laundering Regulations 2007 (as amended by the Money Laundering (Amendment) Regulations 2012) and Chartered Institute of Public Finance and Accountancy (CIPFA) guidance for Local Authorities on Money Laundering.

2. Scope

- 2.1 The policy applies to:
 - All Council staff (permanent and temporary, including staff working within schools)
 - Elected members
 - Agency staff
 - Consultants
- 2.2 The policy complements the Council's Employee Code of Conduct, the Whistleblowing Policy and the Anti-Fraud and Corruption Policy.

3. Definition

- 3.1 Money Laundering is defined as:
 - The process by which criminal property is concealed, disguised, converted, transferred or removed from England, Wales, Scotland or Northern Ireland.
 - Being involved in an arrangement which a person knows or suspects facilitates the acquisition, retention, use or control of criminal property.
 - Acquiring, using or possessing criminal property.
- 3.2 There are also secondary offences of:
 - Prejudicing an investigation.
 - Failure to disclose money laundering offences.
 - Tipping off a suspect, either directly or indirectly.

4. Requirements of Money Laundering Legislation

- 4.1 The CIPFA Guidance for Local Authorities on Money Laundering makes clear that Local Authorities are not obliged to comply with the requirements of the Money Laundering Regulations 2007(as amended by the Money Laundering (Amendment) Regulations 2012). However the guidance does recommend that public service organisations should embrace the underlying principles of the money laundering legislation and regulations.
- 4.2 The Council is therefore required to produce its own internal policies and procedures to prevent, detect and report suspicions of money laundering activities.

4.3 The Council will ensure that it adheres to the CIPFA Money Laundering Guidance for Local Authorities. In particular:

- Ensuring that employees who are most likely to be exposed to or suspicious of money laundering are aware of the requirements and obligations placed on the Council and on them as individuals.
- Providing targeted training for those staff considered to be most likely to encounter money laundering.
- Make arrangements to receive and manage the concerns of staff about money laundering and their suspicion of it, to make internal enquiries and to make reports where necessary to National Crime Agency (NCA)
- Establish internal procedures to help forestall and prevent money laundering.

5. Reporting of Money Laundering Concerns

5.1 The Council has nominated the Borough Treasurer as the main point of contact for money laundering issues and to act as the nominated Money Laundering Reporting Officer. Staff should report any suspicions to the Borough Treasurer immediately they arise.

5.2 Suspicions may be reported informally by telephone or email and the Borough Treasurer will seek to establish the facts of the case and determine whether a formal referral to the NCA is appropriate.

5.3 Once the suspicions have been reported to the Borough Treasurer then the person who has reported this must not make any further enquiries nor talk to other staff about the matter in case they alert the person(s) involved. In this respect it is important that they do not expose themselves to any of the secondary offences e.g. indirectly prejudicing an investigation. Their obligations under the relevant legislation in relation to anti money laundering will have been met in full by reporting the matter to the Borough Treasurer.

5.4 The Borough Treasurer or his delegated officer, will consult with staff as appropriate in order to investigate the matter.

6. Review of Policy

6.1 This policy will be subject to regular review and approval by the Governance and Audit Committee.