

**Agenda item 10**  
**AGS/29/22**

<b>Report title: Updated Anti Money Laundering Policy 2022</b>	
<b>Report to:</b> Audit, Governance and Standards Committee	
<b>Report author:</b> Paula Clowes, Head of Assurance	
<b>Date:</b> 31 October 2022	<b>For:</b> Approval
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<b>County Divisions affected:</b> All Essex	

**1. Everyone's Essex**

- 1.1 The Audit Governance and Standards Committee has a role to maintain oversight and to monitor the effectiveness of internal controls, governance and risk management arrangements as well as the work of the Counter Fraud team and other areas of the Council that are involved in areas that are susceptible to money laundering activities.
- 1.2 This policy sets out the provisions that the Council has put in place to identify and prevent any attempts to use Essex County Council to launder money, and the reporting arrangements such any activity be suspected.

**2. Recommendations**

- 2.1 The Anti Money Laundering Policy be approved in the form appended to the report.

**3. Background**

- 3.1 The Council's current Anti- Money Laundering Policy was approved by Audit Governance and Standards Committee in January 2020. It has now been reviewed and updated.
- 3.2 The refreshed draft Anti-Money Laundering Policy is attached at appendix 1.
- 3.3 The following changes have been made as part of the review for 2022:
  - Page 4 – Deleted sentence “The introduction of the Proceeds of Crime Act 2002 and the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 has broadened the definition of money laundering and has widened the range of activities controlled by the statutory framework”
  - Page 6 - Updates to the links to the National Crime Agency (NCA) Suspicious Activity Reporting (SAR) system and the NCA website.

- Back page – addition of contact e-mail address – [cfteam@essex.gov.uk](mailto:cfteam@essex.gov.uk) added.
- Back page – date change from January 2020 to October 2022.

3.4 It is good practice to review the policy every two years. The next review is therefore due in 2024.

#### **4. Links to our Strategic Ambitions**

4.1 A strategic approach to risk management is critical in ensuring that the Council successfully mitigates its risks in all areas of work to ensure vital services continue to be delivered and available resources reach those most in need and the council remains resilient. This report links to the following aims in the Essex Vision.

- Enjoy life into old age
- Provide an equal foundation for every child
- Strengthen communities through participation
- Develop our County sustainably
- Connect us to each other and the world
- Share prosperity with everyone

4.2 This report links to the following strategic priorities in the emerging Organisational Strategy 'Everyone's Essex':

- A strong, inclusive and sustainable economy
- A high quality environment
- Health wellbeing and independence for all ages
- A good place for children and families to grow

#### **5. Financial implications**

5.1 There are no financial implications as the risk management activity will be met within existing resources.

#### **6. Legal implications**

6.1 The Accounts and Audit Regulations 2015 require the Council to have a sound system of internal control which includes a requirement to have adequate arrangements for the management of risk. The strategy sets out our arrangements and is thus a key way of complying with those regulations.

#### **7. Equality and Diversity Considerations**

- 7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 7.3 The equality impact assessment indicates that this strategy will not have a disproportionately adverse impact on any people with a particular characteristic.

## **8 List of Appendices**

**Appendix A - Anti- Money Laundering Policy 2022**

## **9 List of Background papers**

**None**