

## **Background**

At the Finance and Management Committee meeting on 28th September 2022, Cllrs were advised that a Freedom of Information (FOI) request had been received relating to the theft of Council funds. It was agreed to engage Breakthrough Communications to offer professional FOI and data protection advice on this matter.

The FOI request requested a report which contains 'references to personal data relating to criminal convictions and offences' (as defined by Data Protection Act 2018 section 11) that information is exempted from disclosure by the Freedom of Information Act 2000 section 40(2) as its processing would be unlawful (or unfair) and disclosure would contravene principle (a) of the UK GDPR, the document was thus exempted in its entirety.

The follow up report did not contain 'references to personal data relating to criminal convictions and offences'. It did contain some personal data; this report was supplied to the requester with the personal data redacted out to satisfy Freedom of Information Act 2000 section 40(2).

## **Current Situation**

The Town Council have received a request to have an agenda item on Full Council to consider various questions around the misappropriation of funds. Cllrs are reminded that the Town Council is a body corporate, and any decisions taken by the Council should be observed by all individual councillors.

Following the comments of the member of public with the FOI request and the member of public attending the December Full Council meeting, Councillors are asked to note the following:

A claim was made under the Councils Insurance Policy which was rejected by the insurance company.

The figures of funds recovered by the council are:

£8,121.52 was recovered from the sale of the house

£1,730.00 was recovered from the sale of horse box

£55,534.40 was received from the pension

£17,005.48 is the outstanding debt agreed by HM Courts and Tribunals Service

£135,423.45 was written off by the Council following advice from External Auditors.

In order to understand the extent of the fraud, bank statements and financial transactions were followed from 2015 – 2018 which included the time before the theft, the time of the theft and the time when bank accounts were changing.

A whistle blower policy was brought in by the Town Council following a recommendation in the independent report.

Copies of the Financial Regulations over the years are available on request to follow the changes made at each stage.

This agenda item is for information. If there are further questions we are happy to take them away and provide a written response to them.