



# Anti-Fraud, Bribery and Corruption Policy

## 1. Introduction

1.1 Fraud, bribery, corruption, or other dishonesty will adversely affect v ca

that the acceptance of such an advantage would constitute the improper performance of such a function or activity" [CIPFA].

1.9 There are various Bribery offences, including offering or accepting a bribe (Sections 1 and 2 of the Bribery Act 2010), bribing or attempting to bribe a foreign official (Section 6) and being a commercial organisation failing to prevent bribery (Section 7). While the Trust is not a 'commercial organisation' for its normal activities, it is still considered appropriate for it to have regard to Guidance relating to the Bribery Act.

1.10 Corruption is:

"The offering, giving, soliciting or accepting of any inducement or reward which would influence the actions taken by the body, its members or officers."

1.11 Other irregularities are:

"The failure to observe the Academy's Financial Regulations, policies, and procedures. This includes failure to take appropriate action after becoming aware of such failure by another person".

1.12 The term "fraud" is used throughout this policy. For the purposes of this document the term also includes theft, bribery, and corruption.

1.13 The Anti-Fraud, Bribery and Corruption Policy and Strategy document applies to trustees, academy councillors, and all employees (full time, part time, temporary and casual) of the Trust and its academies.

## 2. Definition of Fraud

2.1 This Fraud Policy covers staff, pupils and activities of the Trust and the individual schools. For the purposes of this policy, fraud is defined as the use of deception with the intention of: Gaining an advantage, personally and for family or friends; or causing financial loss to the Trust or individual school. Examples of common types of irregularities and internal fraud are detailed in Appendix 1.

2.2 A fraud does not have to be successfully perpetrated for an offence to have been committed under the Fraud Act.

## 3. Policy Statement

3.1 The Trust expects all trustees, academy councillors, employees, and those acting as its agents to conduct themselves in accordance with the seven principles of public life defined by the Nolan Committee 1995.

The seven principles are:

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Selflessness - Holders of public office should take decisions solely in terms of the public interest. They should not do so to gain financial or other material benefits for themselves, their family, or their friends.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Openness - Holders of public office should be as open as possible about all the information and

Accountability-

Segregation of duties is embedded within the financial systems is practiced, so, for example, no individual has undue management of payments, income, or assets.

The institution has clear roles and responsibilities, with set levels of authority for authorising transactions.

Systems will be protected with electronic access restrictions to prevent the possible misuse of information technology.

5.11 In addition, the Trust will regard the misleading of auditors, including the withholding of relevant information, as gross misconduct.

## 6. Responsibility

6.1 The Trust aims to have in place efficient and effective systems of control that as far as possible prevent potential fraudsters from exploiting weaknesses.

6.2 The Executive Team and the Finance and Audit & Risk Committee are responsible for ensuring there are strong and effective arrangements in place for managing the risk of fraud and ensuring the Trust's/school's

- 7.3 The Trust/schools expects that the individuals and organisations with which it deals (e.g., partners, suppliers, contractors, and service providers) will act with integrity and without thought or actions involving fraud, bribery, and corruption. Where relevant, the Trust will include appropriate clauses in its contracts about the consequences of fraud, bribery, and corruption. Evidence of such acts is most likely to lead to a termination of the particular contract and will normally lead to prosecution.
- 7.4 In assessing the effectiveness of its arrangements, the Trust will monitor the extent to which:
- Key personnel are trained in detecting and investigating fraud.
  - Identified incidents are investigated.
  - Perpetrators are robustly dealt with.
  - The Trust/school responds to identified weaknesses in its systems and control methods.
  - There is any trend in incidents experienced.
  - Recovery of losses is sought.

## 8. Raising Concerns

- 8.1 It is the responsibility of the trustees, academy councillors, CEO, CFOO, Director of Finance, principals and employees to prevent and help detect fraud, bribery, and corruption. In high-risk areas specific controls aimed at preventing and detecting frauds will be in place.
- 8.2 Academy councillors, CEO, CFOO, Director of Finance and the principals have a duty to inform the Board of Trustees and the Audit Committee of any potential fraud, bribes, corruption, or other suspected irregularities.
- 8.3 The Trust Director of Finance will ensure that a log is maintained of all reported incidents at the school which will be reported to the trustees. Any incidents above £5,000 will be reported to the ESFA and the School Insurers.
- 8.4 A decision will then be made as to who is best placed to investigate any concerns raised. The investigating officer also has the responsibility to report all findings to the Audit Committee.
- 8.5 It is often the alertness of employees and the Public that enables frauds to be detected. In accordance with the Whistleblowing Policy, any member of staff with any concerns about the Trust or its academies' activities should normally raise concerns through their immediate manager or senior management. However, it is recognised that this may not be possible in certain circumstances. In these cases, contact should be made with the Chair of the Trust or the Risk and Audit committee, the CEO or the Director of Finance as appropriate. Concerns may also be raised with the Trust's External Auditor.
- 8.6 All concerns, reported by whatever method, will be treated in confidence, and will be reviewed and investigated by the person deemed to be appropriate and best placed to do so. This may mean that, depending on the level, type and details of the concern raised, that concerns are investigated by the Trust, internal audit or in th

## Appendix 1 - Examples of common types of irregularities and internal fraud

The main types of irregularity are:

Theft -





The School's Site Manager will advise on the best means of denying access to the school whilst suspects remain suspended (for example by changing locks and informing staff not to admit the individuals to any part of the premises). Similarly, the network manager, IT officer, or equivalent, will be instructed to withdraw, without delay, access permissions to the school's computer systems.

The School's Internal Auditors will consider whether it is necessary to investigate systems (other than that

investigation. Legal advice will also be taken about the prospects for recovering losses through the civil courts where necessary. The school would normally expect to recover costs in addition to the losses identified.

#### References for Employees Disciplined or Prosecuted for Fraud

The school requires that any request for a reference for a member of staff who has been disciplined or prosecuted for fraud will be referred to the CEO. The CEO will prepare an answer to a request for a reference having regard to employment law.

#### Reporting to Chairs of Academy Councils and the Audit Committee

Any incident involving significant fraud (as defined above) will be reported without delay by the CEO to the Chairs of the Trust Board, Audit Committee, and the Finance Committee. Similarly, any variation from the Trust Board-approved Fraud Response Plan shall be reported promptly to the Chairs of the Trust Board, Audit Committee, and the Finance Committee.

On completion of a special investigation, a written report shall be submitted to the Finance Committee containing:

basis. Special investigations will not be undertaken by management, although management should cooperate with requests for assistance from the Internal Auditors.