



ANTI FRAUD, BRIBERY AND CORRUPTION POLICY

Version 1.3 – August 2015

St Alban Catholic Academies Trust

Anti-Fraud, Bribery and Corruption Policy



1. Introduction

The Scheme of Delegation and/or the Financial Regulations Handbook include the following provision:

“The Trust must have a robust system of controls to safeguard themselves against fraudulent or improper use of public money and assets. The Trust must inform all staff its policies and procedures related to fraud and theft, the controls in place to prevent them; and the consequences of breaching these controls. This information must also be included in induction for Directors, new staff and Local Governor Representatives.”

This policy document assists the Trust in meeting its responsibilities.

The Scheme of Delegation and Financial Regulation Handbook states the following:

The Chief Finance Officer must be told immediately about:

1. Anything that involves (or is thought to involve) irregularities concerning cash, stores or other property.
2. Any other suspected irregularity in the running of the school, and may investigate and report as he/she thinks necessary.

2. Fraud, Corruption and Bribery

Fraud is a criminal offence. The Fraud Act 2006 defines ‘fraud’ as:

1. Deceit, the intention to deceive or secrecy: and
2. (a) an actual loss or gain;
(b) the intent to cause loss to another or expose them to the risk of it;
3. Dishonesty.

Offences of fraud can include abuse of position, making of a false statements, failure to disclose information, obtaining services dishonestly, deception, theft, misappropriation, embezzlement, forgery, corruption, extortion, false accounting, false representation, concealment of material facts, acts of conspiracy, collusion and aiding and abetting any act of dishonesty.

Bribery is a criminal offence and the Bribery Act 2010 introduces a clearer regime for tackling bribery. A definition is – inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages.

The Trust has a bribery policy statement and procedure and Fraud policy statement and procedure – which can be referred to for further detail / reference.

3. Trust Policy

The St Alban Catholic Academies Trust is committed to fighting fraud with high ethical and moral standards, and recognises that any fraud perpetrated against the Trust including its schools is costly, both in financial terms and reputation.

The Trust is therefore committed to a programme of zero tolerance.

The Trust is committed to nurturing a strong anti-fraud culture, which is key to the prevention and detection of fraud.

Its Trust's Finance Committee is dedicated to investigating all instances of fraud committed against the Trust/Schools.

The Local Governing Body endorses the policy of the Trust and is committed to take action to prevent, detect and deter fraud, corruption and bribery in all its activities.

This policy must be read in conjunction with the following policies – Whistle-blowing, financial policies & procedures, including delegation and Safer Recruitment procedures.

The school will ensure probity in administration and governance by taking positive action against all forms of fraud, corruption or bribery affecting school business whether it is from internal or external sources.

Directors and Local Governor Representatives

There is a specific duty expected of the Directors and the Local Governor Representatives to set an example to the employees of the Trust, the school and the community by acting with integrity, honesty and in a trustworthy manner befitting the school.

Members of the Board of Directors and the Local Governing Body will set the standard for the school and therefore give their full support to all systems and controls in place to assure probity. In particular, the Board of Directors and the Local Governor Body have a personal responsibility to abide by the Funding Agreement, Articles of Association, DfE Academies Financial Handbook, SACAT Scheme of Delegation and the SACAT Financial Regulations Handbook.

The Trust, the School and the Local Governing Body has a legal responsibility for the school budget and will ensure a sound system of internal control is in place in the use of delegated and other funds given to the school.

Head Teacher and Senior Staff

The Head Teacher and Senior Members of Staff are expected to set high examples of conduct in their day to day work, which are beyond reproach.

The Head Teacher, with assistance from the Chief Finance Officer, School Business Manager or Finance Officer, bears overall responsibility for systems of financial control and may be liable to be called to account for specific failures.

However all Senior Staff and other managers, where applicable, are responsible for ensuring an effective system of risk management and internal control exists within their areas of responsibility and that those controls operate effectively. Managers must take a lead in terms of fraud prevention and will be held accountable for not undertaking this as part of their position of trust and area of responsibility.

The Head teacher is responsible for ensuring the school's policy in relation to fraud is communicated to all staff.

All Staff

This policy applies to all employees of the Trust. It also applies to consultants, temporary staff, contractors and vendors and any other parties with a business relationship with the Trust and the schools within the Trust.

All members of staff are expected to share this commitment to help the Trust/School protect the public funds to which it has been entrusted. All staff have a duty to assist the Trust/School in the prevention of fraud and are expected to alert their Line Manager/Head Teacher where they believe the opportunity for fraud exists because of poor procedures or lack of appropriate supervision. All employees are expected to report any cases of suspected fraud, no matter how trivial they may seem.

All staff are expected to be fully accountable during their employment with the Trust, to follow the school's policies, financial procedures and any relevant professional code and to comply with all laws and regulations applicable to the Trust's business.

As stewards of public funds, staff must have, and be seen to have, high standards of personal integrity. Staff should not accept personal gifts, hospitality, or benefits of any kind from a third party that may be seen to compromise that integrity.

Internal Audit

Internal Audit will report on the existence and effectiveness of control systems and as part of the audit process may advise on best practice. The findings and recommendations of reports will be implemented promptly.

4. Prevention

Prevention is the most desirable factor in dealing with any fraud. Unfortunately, not all systems are always foolproof in stopping the committed fraudster.

Directors, Head Teachers, Chief Finance Officer, Local Governor Representatives, School Management and staff will carry out their responsibilities as outlined above and implement specific action as set out in the Fraud Policy .

5. Detection

Internal Audit carry out audits of all schools within the Trust based on an assessment of the risk management. Internal Audit regularly liaises with the Accounting Officer and will refer any suspected fraud or irregularity to the Accounting Officer/ Chief Finance Officer

All staff have an obligation to report concerns to Trust management. All staff will be made aware of the Trust's Whistle-blowing Policy.

6. Investigation

Where any matter that might constitute fraud, theft, corruption or bribery comes to the attention of any Director, Local Governor Representative, the Head Teacher, the Chief Finance Officer or member of the Senior Leadership Team it will be in the first instance investigated by the Chief Finance Officer to ascertain the basic facts.

Subject to the findings the matter must be referred to the Directors Finance Committee.

The Trust will designate an Internal Audit Team to be responsible for investigating all allegations of suspected fraud. The Team has full right of access to examine any documents or contents of

Trust/School property. This also includes examination of computers, and related equipment and interviews with staff.

The Internal Audit Team will be designated this responsibility to ensure consistency in dealing with all allegations of fraud, to ensure a detailed and proper investigation is carried out by skilled investigators, and to ensure the Trust and its maintained assets and interests are protected and/or recovered where applicable.

The team will work closely with the Chief Finance Officer and Head teacher in fraud related cases involving disciplinary investigation, action and hearings. Where fraud is proven, this constitutes gross misconduct and cases will be dealt with appropriately, according to school's disciplinary procedures.

It is recognised that being subject to an investigation can be a stressful experience, therefore all investigations will be handled as quickly as possible and confidentially to ensure the person under investigation is dealt with in an appropriate and timely manner.

7. Deterrence

The Directors view fraud as a serious offence against the Trust and employees will face disciplinary action if there is evidence to support any allegation of fraud. Disciplinary action may be taken in addition to, any criminal proceedings, depending on the circumstances of each case.

The Local Governing Body is committed to deterring potential cases of fraud through the implementation of robust systems and procedures and will act quickly and efficiently where fraud is alleged, leading to the most appropriate outcome.

It will take all steps possible to ensure appropriate penalties are sought in cases where fraud is proven, strenuously attempt recovery of any monies lost as a result of fraud and thoroughly assess the systems and processes to ensure fraud is minimised in future.

The Board of Directors will ensure its policy is communicated to staff and the community.

Statement 1

This policy was approved by the Board of Directors at its meeting on.....

Signed..... Chair of Directors Committee Date.....

Statement 2

I can confirm to the Board of Directors that the policy has been implemented by the actions set out below.

Signed.....Chair of Directors Committee Date

Implementation of Anti-Fraud, Bribery and Corruption Policy.

Action	Lead Personnel	Carried out
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Directors to abide by the Trust's Funding Agreement Articles of Association, DfE Academies Financial Handbook, SACAT Scheme of Delegation and the SACAT Financial Regulations Handbook	Monitored by Chair of the Board of Directors, Chief Finance Officer and Finance Committee.	
Ensure an effective system of internal financial control exists within the Trust, that it is clearly documented in the Financial Procedures and that those controls operate effectively.	Finance Committee, Chief Finance Officer, Head Teacher, School Business Manager.	
Budget Holder to assess risk involved in their area of responsibility; to review the control systems, and to ensure that controls are being complied with properly by undertaking regular checks.	Finance Committee, Chief Finance Officer, Head Teacher, School Business Manager.	
Ensure recruitment procedures established to ensure all staff are vetted correctly prior to commencing their employment.	Board of Directors, Head Teacher, Chief Finance Officer, School Business Manager.	
Ensure statements of employment or undertaking include reference to the Trust's Fraud Policy.	Board of Directors, Head Teacher, Chief Finance Officer, School Business Manager.	
Ensure Disciplinary procedures are in place to deal any acts of misconduct by Trust employees.	Board of Directors, Head Teacher, Chief Finance Officer, School Business Manager.	
Inclusion of Anti Fraud, Bribery and Corruption Policy and Whistle-blowing Policy in Staff Handbooks.	Board of Directors, Head Teacher, Chief Finance Officer, School Business Manager.	
Inclusion of Fraud policy and Whistle-blowing Policy in staff induction programmes.	Board of Directors, Head Teacher, Chief Finance Officer, School Business Manager.	
Inclusion of Anti Fraud, Bribery and Corruption Policy and Whistle-blowing policy in Local Governor Representative's induction programmes.	Board of Directors, Head Teacher, Chief Finance Officer, School Business Manager.	
Staff should not accept personal gifts, hospitality, or benefits of any kind from a third party that may be seen to compromise their integrity.	Board of Directors, Head Teacher, Chief Finance Officer, School Business Manager.	