

St Mark's Church of England Academy

Anti-Fraud & Corruption Policy

Next Review Date: November 2017

Contents

BACKGROUND	4
AIMS OF THIS POLICY.....	4
DEFINITIONS	4
ACTIONS TO PREVENT FRAUD	5
RESPONSIBILITIES	5
ANTI-BRIBERY	6
OUTLINE OF EXPECTATIONS – EXTERNAL RELATIONS	6
PROCEDURES.....	6
COMMUNICATION OF THE POLICY AND RAISING AWARENESS	7
ARRANGEMENTS FOR MONITORING AND EVALUATION.....	7
REPORTING TO THE POLICE; SANCTIONS AND REDRESS.....	8

Agreed	November 2016
Signed	
Approval by	LGB
Next review due	November 2017

BACKGROUND

St Mark's CofE Academy is committed to protecting the public funds entrusted to it so that the maximum amount of resources can be used for their intended purpose. The school has a 'zero tolerance' culture to fraud and it is essential that the risk to the school of financial loss due to fraud, bribery, corruption and financial impropriety is minimised.

The Bribery Act became law on 1 July 2011. It replaces what are collectively known as the Prevention of Corruption Acts 1889 to 1916. It is designed to address bribery and corruption in the public and private sectors and will mean that any incorporated organisation, potentially including schools could be liable to severe penalties if they fail to implement adequate procedures to prevent bribes being paid or received on their behalf.

AIMS OF THIS POLICY

The Governors are committed to ensuring that the affairs of the school are conducted in accordance with the highest standards of probity and accountability. As part of this commitment the Governors are committed to combating fraud, corruption and other financial impropriety (e.g. theft) wherever it may arise in relation to any of the school's activities or services. This Policy sets out the School's commitment and responsibilities.

DEFINITIONS

For clarity and transparency the school adopts the following definitions:

Fraud is the intentional distortion of financial statements or other records by persons internal or external to the organisation, which is carried out to conceal the misappropriation of assets or otherwise for gain.

Examples of fraud in the context of a school environment could be:

- Falsifying or altering accounting records or other documents
- Suppressing or omitting the effects of transactions from records or documents
- Adding records of transactions which have no substance
- Wilful misrepresentation of transactions or other school affairs

Corruption is the offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person.

Examples of corruption in the context of a school environment could be in dealing with:

- Tenders
- Contracts
- Disposal of Assets

The above represent examples only and do not represent a definitive and exhaustive list

Bribery is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage.

Bribery is a serious criminal offence and the School does not and will not, pay bribes or offer improper inducement to anyone for any purpose. Equally the School does not and will not accept any bribes or improper inducements.

ACTIONS TO PREVENT FRAUD

The school takes the following actions to prevent fraud:

- implementing anti-fraud and whistleblowing policies, regularly updating these and communicating them to staff
- conducting regular anti-fraud awareness training events for finance staff
- highlighting to staff via this policy that they can also contact the EFA with any concerns of possible irregularity or fraud
- ensuring management communications to pursue identified incidents of fraud
- regularly assessing the school's financial controls and ensuring they are well designed and implemented
- ensuring that there is appropriate segregation of duties in the school's controls
- regularly reviewing the school's processes for references and background checks on new employees
- scrutinising significant business transactions and personal relationships to avoid possible conflicts of interest
- installing a physical security system to protect the school's assets

RESPONSIBILITIES

Governors and school staff must demonstrate the highest standards of honesty, probity, openness and integrity in the discharge of their functions. This includes:

- a) compliance with appropriate legislation, codes of conduct, conditions of service, and any other standards, guidelines or instructions which are relevant to the particular service or activity;
- b) providing a framework within which counter-fraud arrangements will flourish;
- c) promoting an anti fraud and corruption culture within the school.

Prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the School or under its control. All staff including third parties working or performing any service on or behalf of the School are to avoid activity that breaches this policy, and must:

- d) Ensure that they read, understand and comply with the policy
- e) Raise concerns as soon as possible if they suspect that this policy has been breached.

ANTI-BRIBERY

It is unacceptable to:

- Give, promise to give, or offer payment, gifts or hospitality with the expectation or hope that a favourable advantage will be received, or to reward a favourable advantage already given
- Give, promise to give, or offer payment, gifts or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure
- Accept payment from a third party that is offered with the expectation that it will obtain a favourable advantage for them, whether known or suspected
- Accept a gift or hospitality from a third party if it is offered or provided with an expectation that a favourable advantage will be provided by the School in return, whether known or suspected
- Retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
- Engage in activity in breach of this policy.

OUTLINE OF EXPECTATIONS – EXTERNAL RELATIONS

The Governors expect that all external individuals and organisations that it deals with, for example suppliers, contractors, partners, service providers, parents and members of the public, will act with honesty and integrity and without thought or actions involving fraud, corruption or financial impropriety.

PROCEDURES

It is often the alertness of employees and the public to possible fraud and corruption that brings these to light, and the school has in place arrangements to ensure that such information is properly dealt with. These arrangements are set out in the [Academy Finance Manual, Whistle-Blowing Policy and Complaints Procedure]. The latter two are both available via the School website.

Any employee that suspects fraud or corruption has a duty to report their suspicions, in accordance with the Whistle-Blowing Policy. Staff can also contact the EFA with any concerns of possible irregularity or fraud. Where external third

parties become aware of or become concerned about the possibility of any fraud and corruption they should report their concerns promptly to the school. In the first instance please contact the Principal.

All reports of suspected fraud, bribery or corruption will be formally investigated by the Principal or Director of Business, or Chair of Governors and CST should suspicions relate to these postholders. Advice will be taken from the Governors, CST, external auditors and HR as needed. Although it is inappropriate to apply a standard methodology to every case, the investigating officer will ensure that:

- Each investigation is carried out in a professional and systematic manner
- Each reported case of suspected fraud or corruption is properly managed and directed.
- All matters are recorded adequately
- Appropriate evidence is sought and secured.

The Principal or Director of Business and others who have information about an investigation will regard it as strictly confidential and will not share that information except in the proper furtherance of the investigation.

Either the Principal or Director of Business, in consultation with the Chair of Governors and CST, will decide whether any matter should be referred to the police for further investigation or whether disciplinary proceedings should be taken against any employee in accordance with established procedures. The Governors and CST will be informed when an investigation shows that fraud is likely to have occurred, regardless of the size or monetary value involved.

COMMUNICATION OF THE POLICY AND RAISING AWARENESS

The school will publicise this policy and its stance on anti-fraud, anti-bribery and corruption. This policy is publicised on the school's website and is made available to all Governors, employees and other associated bodies/persons with whom the school conducts its business. This policy can be made available in large print or other accessible format if required. The school will hold regular anti-fraud awareness training events for finance staff, and for other staff as appropriate.

ARRANGEMENTS FOR MONITORING AND EVALUATION

The school will review this policy at least every two years and assess its implementation and effectiveness. The school will monitor awareness of the policy as part of its regular surveys of staff and governors. Any concerns and the action taken will be documented (with regard to confidentiality) and a summary included in the Principal's termly report to the governors, with advice on any implications for policies and practice.

REPORTING TO THE POLICE; SANCTIONS AND REDRESS

Staff who breach this policy face the possibility of civil and criminal prosecution. They also face disciplinary action, which could result in dismissal for gross misconduct.

The Principal and Governors, and, if an employee is involved, the Head of Human Resources or Governors (where they are the employer), will decide whether any matter is referred to the police for further investigation and follow the reporting processes set out in the School's Employee Code of Conduct