



Anti-Fraud, Bribery and Corruption Policy

2024-2027

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Trust website		School website	
1	Statutory publication	A	Statutory publication
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**Policy level			
1	Trust wide	Single policy relevant to everyone and consistently applied across all schools and departments, with no variation. e.g. Complaints procedure	Statutory policies approved by the Board of Trustees (or designated Trustee Committee). Non-statutory policies approved by the CEO with exception of Executive Pay.
2	Trust core values	This policy defines the Trust core values in the form of a Trust statement to be incorporated fully into all other policies on this subject, that in addition contain relevant information, procedures and or processes contextualised to that school. e.g. Safeguarding, Behaviour	Statements in statutory policies approved by the Board of Trustees (or designated Trustee Committee). Statements in non-statutory policies approved by the CEO. Policy approved by Local School Board.
3	School/department	These policies/procedures are defined independently by schools as appropriate. E.g. Anti-bullying	Approved by Local School Board.

1. Introduction and Purpose

- 1.1. Academy Trusts are required by the Department of Education to be aware of the risk of fraud, theft and irregularity, and to address this risk by putting in place proportionate controls. Trusts must take action where fraud, theft or misappropriation is suspected or identified.
- 1.2. The Fraud Act 2006 defines fraud as "an act of dishonest intent to obtain a gain for oneself of another, or loss or risk of loss to another party. The three main offences include fraud by false representation, fraud by failing to disclose and fraud by abuse of position." For the purposes of this policy, and to clarify, fraud includes all irregularities that may be described as theft, deception, corruption, or impropriety. The prevention of fraud and the protection of the Alliance Schools Trust (the Trust), its schools, its staff, students and assets, is the responsibility of every employee of the Trust and each and every school within it.
- 1.3. For the purposes of this Policy, bribery is offering, promising or giving someone a financial or other advantage to induce or reward that person to perform their functions or activities improperly as per the Bribery Act 2010. It is also an offence to request, agree to receive or accept a bribe. The Bribery Act 2010 also introduces a corporate offence of failing to prevent bribery, which requires adequate procedures to be in place and appropriately supported from the very top of the organisation. Furthermore, it is also an offence to bribe a foreign official.
- 1.4. For the purposes of this Policy, Corruption is the abuse of entrusted power for private gain. This can take the form of bribery, embezzlement and favouritism. This can lead to significant financial losses, damaged reputation, and legal repercussions.
- 1.5. The Criminal Finances Act 2017 amends the Proceeds of Crime Act 2002 and introduces two new corporate offences of failing to prevent the facilitation of tax evasion. It makes entities criminally liable, if they fail to prevent tax evasion by either a member of their staff or an external agent, even if the business was not involved or was unaware of the Act. Amongst other provisions, the Act also introduces 'Unexplained Wealth Orders', increased recovery powers and extended powers to investigate money laundering.
- 1.6. The Trust is committed to discharging its responsibility to safeguard public money by making informed decisions on expenditure and applying the highest standards of integrity throughout the organisation.
- 1.7. The Trust recognises that bribery and corruption (corruption is the dishonest or immoral conduct, typically by those in power. The definition for corruption is often confused with the definition for bribery) are punishable by up to ten years of imprisonment and a fine as set out in the Money Laundering Regulations and the Proceeds of Crime Act. If our company is discovered to have taken part in corrupt activities, we may be subjected to an unlimited fine, be excluded from tendering for public contracts, and face serious damage to our reputation. It is with this in mind that we commit to preventing bribery and corruption in our business and take our legal responsibilities seriously.
- 1.8. The Board of Trustees aims to prevent and eliminate fraud by putting in place procedures and policies to manage, minimise and mitigate significant fraud or corruption.
- 1.9. The Trust adopts a zero-tolerance strategy for dealing with any fraudulent or bribery activity that occurs.

Appendix 1 provides a list of questions that are helpful to consider in reviewing the risk of fraud, and whether procedures, with robust processes, are in place and regularly reviewed and updated, in order to reduce and mitigate the risk of fraud.

2. Conduct

- 2.1. The Board of Trustees demands that all staff, students, trustees and governors demonstrate and conform to the highest standards of honesty, probity, openness and integrity in the discharge of their functions.
- 2.2. All employees, trustees, governors, and visitors to any School within the Trust is expected to comply with the appropriate legislation, codes of conduct, Trust policies, conditions of

service, standards of appropriate professional bodies and any other standards, guidelines or instructions relevant to the particular service or activity.

- 2.3. The Trust Alliance Anti-Fraud, Bribery and Corruption Policy will sit alongside the Trust's Confidential Reporting Whistleblowing Policy and the Trust's Finance Manual/Policy.
- 2.4. Employees must not accept cash or personal gifts with a significant monetary value under any circumstances, although items of nominal value (approximately £25 or below) or free promotional pens, calendars, diaries or similar items of a trivial or seasonal nature may be accepted. As good practice, any gifts given, received or declined should always be disclosed to the Finance Director.

3. Who is covered by the policy?

- 3.1. This policy applies to all employees (whether temporary, fixed-term, or permanent), **consultants**, contractors, trainees, seconded staff, home workers, casual workers, agency staff, volunteers, interns, agents, sponsors, or any other person or persons associated with us (including third parties), or any of our subsidiaries or their employees, no matter where they are located. The policy also applies to Officers, Trustees, Board, and/or Committee members at any level.
- 3.2. In the context of this policy, third-party refers to any individual or organisation the Trust meets and works with. It refers to actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies – this includes their advisors, representatives and officials, politicians, and public parties.
- 3.3. Any arrangements the Trust makes with a third party is subject to clear contractual terms, including specific provisions that require the third party to comply with this policy.

4. Employee Responsibilities

- 4.1. As an employee of the Trust, you must ensure that you read, understand, and comply with the information contained within this policy, related policies, and with any training or other anti-bribery, anti-fraud and corruption information you are given.
- 4.2. All employees and those under our control are equally responsible for the prevention, detection, and reporting of fraud, bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this policy.
- 4.3. If you have reason to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this policy, you must notify the Finance Director - allann@tastrust.org.uk
- 4.4. If any employee breaches this policy, they will face disciplinary action and could face dismissal for gross misconduct. The Trust has the right to terminate a contractual relationship with an employee if they breach this policy.

5. What happens if I need to raise a concern?

- 5.1. **How to raise a concern** - If you suspect that there is an instance of fraud, bribery or corrupt activities occurring in relation to the Trust, you are encouraged to raise your concerns at as early a stage as possible. If you're uncertain about whether a certain action or behaviour can be considered bribery or corruption, you should contact the Finance Director - allann@tastrust.org.uk, or the HR – HR@tastrust.org.uk. You can also seek advice from www.protect-advice.org.uk
 - 5.1.1. **Training** will be provided that will familiarise all employees with the organisation's whistleblowing procedures so employees can vocalise their concerns swiftly and confidentially.
- 5.2. **What to do if you are a victim of fraud, bribery or corruption** - You must tell the Finance Director - allann@tastrust.org.uk or HR – HR@tastrust.org.uk as soon as possible if you are offered a bribe by anyone, if you are asked to make one, if you suspect that you may be

bribed or asked to make a bribe in the near future, or if you have reason to believe that you are a victim of another corrupt activity.

- 5.3. Protection** - If you refuse to accept or offer a bribe or you report a concern relating to potential act(s) of bribery or corruption, the Trust understands that you may feel worried about potential repercussions. The Trust will support anyone who raises concerns in good faith under this policy, even if investigation finds that they were mistaken. Refer to the Whistleblowing Policy and the Public Interest Disclosure Act 1998 for further details.
- 5.4.** The Trust will ensure that no one suffers any detrimental treatment as a result of refusing to accept or offer a bribe or other corrupt activities or because they reported a concern relating to potential act(s) of bribery or corruption.
 - 5.4.1.** Detrimental treatment refers to dismissal, disciplinary action, threats, or unfavourable treatment in relation to the concern the individual raised.
 - 5.4.2.** If you have reason to believe you've been subjected to unjust treatment as a result of a concern or refusal to accept a bribe, you should inform the HR team at HR@tastrust.org.uk

6. Procedures to prevent and detect fraud

- 6.1.** The Trust has in place the following framework and controls in place:
 - 6.1.1.** Clear accountability at Senior management level supported by periodic reviews of policy and its effectiveness. Improvements will be implemented where appropriate.
 - 6.1.2.** An effective system of internal financial and management controls detailed in The Alliance Schools Trust Finance Manual. The Finance Manual prescribes procedures, processes and controls that include the segregation of authorisation and duties, in particular with regard to the procurement of goods and services, and in regard to payment to suppliers/creditors, for the supply of goods, services, and contracts.
 - 6.1.3.** The Finance Manual is reviewed and updated annually for review by the Audit and Risk Committee and approval by the Board of Trustees.
 - 6.1.4.** Any requested changes to employee bank accounts are verified by HR by confirming the details verbally with the member of staff in question.
 - 6.1.5.** An Audit and Risk Committee exists which reports to the Board of Trustees, (see Terms of Reference for the Audit and Risk Committee in the Trust's Terms of Reference) to provide advice and recommendations in respect of the control and mitigation of the risk of fraud and conducts a cyclical Responsible Officer/Internal Audit programme of reviews to test and report on the adequacy of effectiveness of the systems and controls in place.
 - 6.1.6.** An annual financial statutory audit conducted by an approved firm of chartered accountants.
 - 6.1.7.** An Internal Audit is carried out a minimum of three times per year by an approved firm of chartered accountants (noting this firm will not be the same as those who conduct the external annual statutory audit).
 - 6.1.8.** Transparency of financial records and transactions are made available for inspection by the Trustees at any time.
 - 6.1.9.** A Risk Management Policy and Risk Register is in place, that is regularly reviewed by the Trust's Audit and Risk Committee and authorised by the Board of Trustees.
 - 6.1.10.** Budget holders adhere to the financial regulations as prescribed in the Finance Manual and must, at all times, receive the appropriate authorisations prior to committing to any expenditure.
 - 6.1.11.** Employees are encouraged to report suspicions or concerns as prescribed in the section relating to the reporting and dealing with such matters.

7. Reporting and dealing with matters in response to suspected fraud and/or corruptive practices

- 7.1.** All employees are expected and positively encouraged to raise any concerns relating to suspected fraud and/or corruption that they become aware of. These concerns may be raised in a number of ways including with their direct line manager, Finance Director, HR Manager or through any member of the Senior Leadership Team.
- 7.2.** If it is considered more appropriate (for example, if a member of the Senior Leadership Team, other than the Headteacher is possibly involved), the concerns should be reported directly to the CEO, or the Chair of the Audit and Risk Committee. If the concern is with the Headteacher of any school of the Trust or the CEO or CFO, the matter should be reported directly to the Chair of the Board of Trustees, the Chair of the Audit and Risk Committee, or in his or hers absence, the Vice-Chair of the Board of Trustees.
- 7.3.** All investigations at every stage, must be kept confidential to reach an initial view as to whether further action is required.
- 7.4.** The reporting, findings, conclusions, and any recommendations arising from the preliminary investigation must be reported in writing to the Chair of the Board of Trustees, the Chair of the Audit and Risk Committee and the CEO.
- 7.5.** Once initial enquiries are considered, and if it is deemed necessary to conduct further enquiries, it will be necessary to validate the findings and conduct a full investigation. If a full investigation is considered necessary, this will be undertaken by the appointment and implementation of an investigative subcommittee.
- 7.6.** The investigative sub-committee will be appointed, where appropriate, and will consist of the Chair of the Board of Trustees and the Chair of the Audit and Risk Committee plus one other Trustee.
- 7.7.** Once appointed the investigative sub-committee must deal with the matter in the strictest confidence and with expediency, and will:
 - 7.7.1.** Determine whether the findings and data or information captured warrant further investigation.
 - 7.7.2.** Assess and quantify any risk that has occurred.
 - 7.7.3.** If further investigations are warranted, determine which, if any outside agencies should be involved or advice taken from (i.e. Police, auditors, RPA).
 - 7.7.4.** Consider the findings thoroughly and rigorously, and as soon as is practicable and timely, in order to determine the management of any response.
 - 7.7.5.** Determine what course of action should be taken if it necessary for any wrongful conduct by an individual or individuals and decide whether to implement Disciplinary Procedures.
 - 7.7.6.** **The Board of Trustees must notify the Department of Education as soon as possible of all instances of fraud, theft and/or irregularity exceeding £5,000 individually, or £5,000 cumulatively in any financial year. Unusual or systematic fraud, regardless of value, must also be reported. The following information is required:**
 - 7.7.6.1.** Full details of the event(s) with dates
 - 7.7.6.2.** The financial value of the loss
 - 7.7.6.3.** Measures taken to prevent recurrence
 - 7.7.6.4.** Whether it was referred to the Police (and if not why)
 - 7.7.6.5.** Whether insurance or the RPA have offset any loss**The Department of Education may conduct or commission investigations into actual or potential fraud, theft or irregularity in any academy trust, either because of a notification from the Trust itself or from other information received. The**

investigation may involve other authorities including the police. (Academy Trust Handbook 2024)

7.7.7. Determine any course of action to recover losses, i.e. insurance or direct recovery from the wrongdoers (see section 8).

7.7.8. Evaluate the events that enabled the fraud to occur.

7.7.9. Ensure preventative action, revised procedures and processes and a review of this policy, are implemented to prevent future incidents. Furthermore, the number of referrals will be monitored by the Finance Team to review the policy's effectiveness.

8. Sanction and Redress which applies to instances of both Fraud and/or Bribery

8.1. "This section outlines the sanctions that can be applied and the redress that can be sought against individuals who commit fraud, bribery or corruption against the Academy and should be read in conjunction with the Disciplinary policy. The types of sanction which the organisation may apply are:

8.1.1. Civil - sanctions can be taken to recover money and/or assets which have been fraudulently obtained, including interest and costs.

8.1.2. Criminal - the organisation will work in partnership with the police and Crown Prosecution Service to bring a case to court against an offender. Outcomes, if found guilty, can include fines, a community order, or imprisonment course, a criminal record.

8.1.3. Disciplinary - Procedures will be initiated when employee is suspected of being involved in fraudulent or illegal activity.

8.2. The Trust will seek financial redress whenever possible to recover losses to fraud, bribery and corruption. Redress can take the form of confiscation under the Proceeds of Crime Act 2002, Money Laundering Regulations, compensation orders, a civil order for repayment, or a local agreement between the Authority and the offender. Funds recovered will be returned to the Authority for use as originally intended."

Appendix 1 - Anti-fraud checklist/questions

The 10 questions below are intended to help Trustees, Accounting Officers and Chief Financial Officers to review their arrangements for preventing, detecting and dealing with fraud should it occur.

Checklist Item	Our response
Are the Trustees, the Accounting Officer and Chief Financial Officer aware of the risk of fraud and of their responsibilities regarding fraud?	
Is fraud included within the remit of the Trust's Audit & Risk Committee?	
Has the role of the Trust's external auditor and responsible officer/internal auditor (or equivalent) regarding fraud been established and is it understood?	
Is fraud risk considered within the Trust's risk management process?	
Does the Trust have a fraud strategy or policy and a 'zero tolerance' culture to fraud?	
Is the fraud strategy or policy and 'zero tolerance' culture promoted within the Trust? For example, through financial regulations, disciplinary procedures, checks on new staff, induction process, staff training, vetting of contractors?	
Does the Trust have policies on whistleblowing, declarations of interest and receipt of gifts and hospitality?	
Does the Trust have appropriate segregation of duties around financial transactions, including, but not limited to, accounting, processing and banking arrangements	
Is it clear to whom suspicions of fraud in the Trust should be reported?	
If there has been any fraud in the Trust, has a 'lessons learned' exercise been undertaken?	