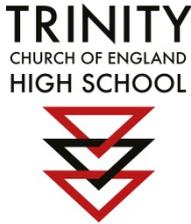


## ANTI-FRAUD AND CORRUPTION POLICY

 <b>TRINITY</b> CHURCH OF ENGLAND HIGH SCHOOL	<b>Reviewed by:</b>	Governors' Finance Committee
	<b>Approved by:</b>	Full Governing Body
	<b>Date approved:</b>	27 <sup>th</sup> February, 2019
	<b>Next review due by:</b>	End of 2021/22 academic year

### AIM/PURPOSE

- 1.1 Trinity Church of England High School is committed to ensuring that it acts with integrity and has high standards. Everyone involved with the Academy has a responsibility in respect of preventing and detecting fraud. All staff and governors have a role to play. The Academy also recognises the role of others in alerting them to areas where there is suspicion of fraud.
- 1.2 Recognising a potential fraud and being able to report it is just as important as the measures to prevent and detect.
- 1.3 Providing the public with the highest quality of service possible not only involves being responsive, helpful and polite but, above all, it requires integrity and honesty at all times.
- 1.4 It is the duty of all employees and governors at Trinity Church of England High School (Academy) to take reasonable steps to limit the possibility of corrupt practices and it is the responsibility of Auditors to review the adequacy of the measures taken by the Academy to test compliance and to draw attention to any weaknesses or omissions.
- 1.5 Any investigation carried out in relation to alleged irregularities is linked to the Academy's Disciplinary Policy

### GENERAL PRINCIPLES

#### 2.1 FRAUD

Fraud is a general term covering theft, deliberate misuse or misappropriation of assets or anything that leads to a financial advantage to the perpetrator or others upon whose behalf he or she acts, even if these "others" are in ignorance of the fraud. Fraud is in fact intentional deceit and for this reason cannot include negligence.

Fraud incorporates theft, larceny, embezzlement, fraudulent conversion, false pretences, forgery, corrupt practices and falsification of accounts.

#### 2.2 CORRUPTION

The term 'corrupt practices' is defined for the purpose of this code as the offering, giving, soliciting or acceptance of an inducement or reward which may influence the actions taken by Trinity Church of England High School, its staff or governors.

## 2.3 GIFTS AND HOSPITALITY

Any gifts, rewards and benefits that are disproportionately generous or that could be seen as an inducement to affect a business decision should be declared.

The acceptance of gifts and hospitality is a sensitive area where actions can easily be misconstrued. Much of what is acceptable practice in the private sector is not acceptable in public sector employment. Unlike private industry, actions of employees are open to public scrutiny. Therefore, employees' actions should be such that they would not be embarrassed to explain them to anyone.

## 2.4 Irregularities fall within the following broad categories, the first three of which are criminal offences –

- **Theft** - the dishonest taking of property belonging to another person with the intention of depriving the owner permanently of its possession;

- **Fraud** - the intentional distortion of financial statements or other records by persons internal and external to the Academy, which is carried out to conceal the misappropriation of assets or otherwise for gain;

- **Bribery and corruption (gifts & hospitality)**- involves the offering or the acceptance of a reward, for performing an act, or for failing to perform an act, which leads to gain for the person offering the inducement;

- **Failure to observe**, or breaches of, Scheme of Delegation and Financial Regulations;

- **Failure to observe**, or breaches of, Academy's procedures which in some circumstances can constitute an irregularity, with potentially significant financial consequences.

- **Tax fraud** – the misrepresentation of status to avoid payment of tax or the deliberate evasion of tax. For example, a sub-contracted worker claiming to be self-employed to avoid payment of PAYE income tax, or a cash payment to a supplier to avoid the application of VAT.

## 2.5 Examples of what could constitute fraud and corruption are -

- theft of cash;
- non-receipt of income;
- substitution of personal cheques for cash;
- travelling and subsistence claims for non-existent journeys/events;
- travelling and subsistence claims inflated;
- manipulating documentation to increase salaries/wages received, e.g. false overtime claims;
- payment of invoices for goods received by an individual rather than the Academy;
- failure to observe, or breaches of, regulations and/or other associated legislation laid down by the Academy;
- unauthorised borrowing of equipment;
- breaches of confidentiality regarding information;
- failure to declare a direct pecuniary or otherwise conflicting interest;

- concealing a generous gift or reward;
- unfairly influencing the award of a contract;
- creation of false documents;
- deception;
- using position for personal reward.

The above list is not exhaustive and fraud and corruption can take different paths. If in any doubt about whether a matter is an irregularity or not, clarification must be sought from the Business Leader.

- 2.6** If there is concern or doubt about any aspect of a matter which involves an irregularity, or an on-going investigation into a suspected irregularity, the best approach is to seek advice from the Head.

### ANTI-FRAUD AND CORRUPTION POLICY AT TRINITY C of E HIGH SCHOOL

- 3.1** This policy and procedure defines anti-fraud & corruption and gifts & hospitality and offers guidance for all staff in the Academy.
- 3.2** The Academy aims to be an honest and ethical institution. As such, it is opposed to fraud and seeks to eliminate fraud by the way it conducts Academy business. This document sets out the Academy's policy and procedures for dealing with the risk of significant fraud or corruption. In order to minimise the risk and impact of fraud, the Academy's objectives are, firstly, to create a culture which deters fraudulent activity, encourages its prevention and promotes its detection and reporting and, secondly, to identify and document its response to cases of fraud and corrupt practices.
- 3.3** This policy, in line with the Academy's corporate values of integrity, consistency, impartiality, fairness and best practice, provides both staff and management with mutually understood guidelines for the administration of this procedure.
- 3.4** The scope of this procedure extends to all Academy employees, permanent, temporary, voluntary and fixed term.
- 3.5** Time limits specified in this document may be extended by mutual agreement.

### GIFTS AND HOSPITALITY

- 4.1** These guidelines will help staff to judge what sort of gift, and what level of hospitality is acceptable.
- 4.2** The following general rules apply and must guide decisions on receipt of gifts and hospitality as an employee of the Academy:
- To accept gifts should be the exception. You may accept small 'thank you' gifts of token value, such as a diary, a coffee mug or bunch of flowers, not over £10 in value. You should notify the Business Leader of any gift or hospitality over this value for entry in the Gifts and Hospitality Declaration File in the Finance Office.
  - Always say "no" if you think the giver has an ulterior motive. Be sensitive to the possibility that the giver may think that even small gifts or simple hospitality will elicit a service or preferential treatment.

- Never accept a gift or hospitality from anyone who is, or may be in the foreseeable future, tendering for any contract with the Academy, seeking employment with the Academy or is in dispute with the Academy.
- Where items purchased for the Academy include a 'free gift', such a gift should either be used for Academy business or handed to the Business Leader to be used for raffles.
- If you are in doubt about the acceptability of any gift or offer of hospitality it is the individual's responsibility to consult the Head or Business Leader.

**4.3** A gauge of what is acceptable hospitality is whether the Academy would offer a similar level of hospitality in similar circumstances.

- Occasional working lunches with customers, providers or partners are generally acceptable as a way of doing business provided they are not to an unreasonable level or cost.
- Invitations to corporate hospitality events must each be judged on their merit. Provided the general rules have been taken into account, it may be acceptable to join other company/organisation guests at:
  - a. sponsored cultural and sporting events, or other public performances, as a representative of the Academy;
  - b. special events or celebrations.

However, consider the number of these events and always take into consideration public perception.

- Acceptability depends on the appropriateness of the invitations in terms of the level of hospitality and the frequency and the status of the invited employee. In all such cases the Head must be consulted.
- Paid holidays or concessionary travel rates are not acceptable. Neither are offers of hotel accommodation nor the use of company villas/apartments.
- If visiting a company to view equipment that the Academy is considering buying, please ensure that trip expenses are paid by the Academy. Acceptance of refreshments and/or a working lunch may be acceptable, but care must be taken to ensure that the Academy's purchasing and/or tender procedures are not compromised.
- Sponsored hospitality built into the official programme of conferences and seminars related to work practices is acceptable.
- Offers to speak at corporate dinners and social gatherings or events organised by, for example, a professional body, where there is a genuine need to impart information or represent the Academy must be agreed in advance with the Head. Where your spouse or partner is included in the invitation, and approval has been given for you to attend, it will be acceptable for your spouse or partner to attend as well, but if expenses are incurred, these will be met personally.
- Any invitation you accept should be made to you in your professional/working capacity as a representative of the Academy.

## ROLES AND RESPONSIBILITIES

### **5.1 Staff and Governors**

Trinity Church of England High School has adopted the following measures to demonstrate its commitment to anti-fraud and corruption:

- Staff are made aware of the Academy Code of Conduct for Employees;
- A Finance Committee meets regularly;
- A requirement for all staff and governors to declare prejudicial interests and not contribute to business related to that interest;
- A requirement for staff and governors to disclose personal interests;
- Staff and governors are made aware of the understanding on the acceptance of gifts and hospitality. These are recorded in a register;
- Clear recruitment policies and procedures.

Staff and governors also have a duty to report another member of staff or governor whose conduct is reasonably believed to represent a failure to comply with the above.

### **5.2 Responsible Officer (Head)**

The Responsible Officer has specific responsibility for overseeing the financial arrangements on behalf of the governors.

The main duties of the Responsible Officer are to provide the governors with on-going independent assurance that:

- The financial responsibilities of the governors are being properly discharged;
- The resources are being managed in an efficient, economical and effective manner;
- Sound systems of financial control are being maintained; and
- Financial considerations are fully taken into account in reaching decisions.

### **5.3 Business Leader**

The Business Leader has a responsibility for ensuring that effective systems of internal controls are maintained and will safeguard the resources of Trinity Church of England High School

In respect of fraud, it is therefore the responsibility of the Business Leader to ensure internal controls prevent and detect any frauds promptly. This includes:

- Proper procedures and financial systems;
- Effective management of financial records;
- Management of the Academy's financial position.

### **5.4 External Audit**

The Academy's Annual Report and Financial Statements include an Independent Auditors' Report. This report includes a view as to whether the financial statements

give a true and fair view and whether proper accounting records have been kept by the Academy throughout the financial year. In addition, it reports on compliance with the accounting requirements of the relevant Companies Act and confirms compliance with the financial reporting and annual accounting requirements issued by the Department for Education.

## **6. Reporting a Suspected Fraud:**

- 6.1 All allegations of suspected fraud and irregularities are to be brought to the attention of the Business Leader, unless this individual is involved in the irregularity in which case the Head should be informed.

## **7. Confidentiality and Safeguards**

- 7.1 Trinity Church of England High School recognises that the decision to report a concern can be a difficult one to make. The Academy will do what it can to protect an individual when a concern is raised in good faith.
- 7.2 If the person raising the concern is already the subject of a disciplinary, redundancy or other procedure, those procedures will not be halted as a result of the concern being reported.

## **8. Links with other Policies:**

- 8.1 The Governing Body is committed to preventing fraud and corruption. To help achieve this objective there is a clear network of systems and procedures in place for the prevention, detection and investigation of fraud and corruption. This Anti-Fraud and Anti-Corruption policy attempts to consolidate those in one document and should be read in conjunction with the following policies:
- Whistle-Blowing
  - Internal Financial Procedures
  - Scheme of Delegation
  - Code of Conduct
  - Disciplinary
  - Equal Opportunities

### Monitoring and Evaluation

This will be carried out by the Finance Committee working with the Head and the Business Leader. Changes will be ratified by the Full Governing Body.