

Anti-Bribery Policy

Purpose

The purpose of this policy is to confirm The Trust's commitment against fraud. The fulfilment of this Anti- Bribery Policy will assist in the delivery of more effective risk management and should be read in conjunction with the Ant-Fraud and Corruption policy.

Introduction

The Trust is determined to demonstrate that it will not tolerate bribery, corruption or abuse of position for personal gain, wherever it may be found, in any area of individual academy or Trust activity.

The Trust considers that all instances of bribery, corruption and other dishonesty endanger the achievement of the Trust's policies and objectives as they divert its limited resources from the provision of education. There is a clear recognition that the abuse of the Trust's resources, assets and services undermines the Trust's reputation and also threatens its sound financial standing.

The purpose of this Policy Statement is to set out for Trustees, members and employees, the Trust's main objectives for countering bribery and corruption. This policy statement:

-  Defines corruption and bribery
-  Identifies the scope of the applicability of the policy
-  Sets out the Trust's intended culture & stance against corruption and bribery
-  Identifies how to raise concerns and to report malpractice
-  Sets out responsibilities for countering bribery

Definitions

Fraud

Fraud is a range of abuse and malpractice that is covered by the Fraud Act 2006.

Fraud can be defined as an abuse of knowledge or financial position that is done deliberately to create a financial gain for the perpetrator or for a related person or entity and / or cause a loss to another. It can take place in many ways; withholding information, deliberately misleading, misrepresenting

a situation to others or by abuse of position. Irrespective of the definition applied, fraud is always deceitful, immoral, and intentional and creates a financial gain for one party and / or a loss for another.

Gains and losses do not have to be direct. A gain to a related party or company through intentional abuse of position, albeit not directly to the officer involved, is still fraudulent. In the same way, using the Trust's name to procure personal goods and services is also fraudulent; where there is deliberate abuse of position to make a gain in the form of goods and services at a discount price or to get the Trust to pay for them.

Corruption

Corruption will normally involve the above with some bribe, threat or reward being involved.

Bribery

The Bribery Act 2010:

There are four key offences under the Act:

-  bribery of another person (section 1)
-  accepting a bribe (section 2)
-  bribing a foreign official (section 6)
-  failing to prevent bribery (section 7) The Bribery Act 2010

Bribery is not tolerated. It is unacceptable to:

-  give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;
-  give, promise to give, or offer a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
-  accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them;
-  accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return;
-  retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy;

Facilitation Payments

Facilitation payments are not tolerated and are illegal. Facilitation payments are unofficial payments made to public officials in order to secure or expedite actions.

Gifts and Hospitality

This policy is not meant to change the requirements of the Trust's approach to gifts and hospitality as set out within the Financial Regulations. These make it clear that all offers of gifts and hospitality should be registered whether they are accepted or not.

Scope of Policy

This policy applies to all employees and anyone acting for, or on behalf of, The Trust, including employees acting for the Trust, Trustees, governors, other volunteers, temporary workers, consultants and contractors.

The Trust expects that individuals and organisations (e.g. partners, suppliers, contractors, and service providers) with which it deals will act with integrity and without thought or actions involving fraud 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.

The Trust recognises the importance of the seven principles of public life defined by the Nolan Committee 1995, and expects all trustees, governors, employees and those acting as its agents to conduct themselves according to them. The seven principles are detailed within the Trust's Declaration of Interest and Potential Conflicts of Interest Policy.

Through observance of these principles the Trust requires the trustees, governors, employees and its agents to be alert to the possibility of fraud, corruption and dishonesty in all their dealings.

The Trust also requires that those employees responsible for its systems and procedures should design and operate systems and procedures which endeavour to minimise losses due to fraud, corruption, and other dishonest action and abuse.

Culture & stance against bribery and corruption

The Trust is determined that the culture and tone of the organisation will be one of honesty and opposition to fraud and corruption of any kind.

The Trust expects that the board, AAB's and its employees at all levels will lead by example in ensuring adherence to legal requirements, financial rules, codes of conduct and prescribed procedures and practices.

The Trust implements and maintains systems of accountability and control to ensure that its resources are properly applied in the way it intended. These systems include, as far as is practical, adequate internal controls to detect not only significant errors but also importantly, bribery and corruption.

Raising Concerns

Trustees, Governors, Trust employees and anyone acting for, or on behalf of, the Trust ("associated persons"), including employees acting for the Trust are an important element in the Trust's defence against fraud and corruption; they are expected to raise any concerns that they may have on these issues where they are associated with the Trust's activities.

The Trust's senior management and trustees, will be robust in dealing with financial malpractice of any kind. Trustees, employees of the Trust and 'associated persons' should follow the guidance issued in the Trust's Whistleblowing Policy.

All concerns reported, by whatever method, will be treated in confidence. Concerns should be raised with the Principal in the first instance except when it relates to the Principal in which case the concern should be raised with the Chief Operating Officer. This may mean that, depending on the level, type and details of the concerns you raise, that your concerns are investigated by the Principal, the Chief Operating Officer or, in the case of very serious concerns, the Police.

Monitoring and review

This Policy will be reviewed every 3 years.

The internal monitoring of the implementation of this policy will be the responsibility of the Principal who will produce reports for the Chief Operation Officer as required.

The responsibility for ensuring that this policy and its associated processes and procedures, remain appropriate and comply with changes in legislation will be held by the Principal Finance Officer.