

Anti-Fraud and Corruption Policy

Introduction

The Trust is committed to discharging its responsibility to safeguard public funds and highest standards of integrity. It is committed to fighting fraud and corruption whether attempted from inside or outside. The Trust is committed to having effective measures to prevent and detect fraud and corruption.

The Trust expect all members and employees to carry out their duties in accordance with appropriate legal requirements, internal codes of practice, rules and regulations and to act at all times with honesty and probity in the discharge of their functions.

In carrying out its duties and responsibilities The Trust are determined to do everything it reasonably can to protect itself and the public from fraud and corruption and is committed to the rigorous maintenance of this Anti-Fraud and Corruption Strategy which will provide a framework for:

-  Encouraging fraud deterrence and prevention;
-  Raising awareness of fraud and corruption and promoting their detection;
-  Performing investigation and facilitating recovery of losses;
-  Invoking disciplinary proceedings and referrals to the police; and,
-  Monitoring, publishing and updating the strategy and its related procedures and performance.

The Trust also expects that all outside individuals and organisations, including suppliers, contracting partners and claimants will act towards it with honesty and integrity without thought or actions involving fraud and corruptions.

The Trust will investigate all instances of actual, attempted and suspected fraud committed by staff, consultants, suppliers and other third parties and will seek to recover frauds and assets lost through fraud. Perpetrators will be subject to disciplinary and / or legal action.

This strategy is part of The Trust Anti-Fraud and Corruption Framework and sits alongside policies and guidance including Whistle Blowing policy, Anti-Bribery policy and employee's Code of Conduct.

Definitions

The Trust defines as following:

Theft is 'the dishonest taking of property belonging to another person with the intention of permanently depriving the owner of its possessions.

Fraud is 'the intentional distortion of the financial statements of other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain' this differs from "theft" where no attempt at concealment is made. It is also important to distinguish this from negligence and accidental error where no intent exists. This may involve:

-  Falsification or alteration of accounting records or other documents
-  Suppression or omission of the effects of transactions from records or documents
-  Recording transactions which have no substance
-  Wilful misrepresentation of transactions or of the Trust state of affairs

The Trust regards fraud as 'knowingly obtaining benefit to which there is no, or lesser, entitlement'.

Corruption is 'The offering, giving, soliciting or acceptance of an inducement or reward which may influence actions taken by the body, its members or officers. Main areas of activity, which are susceptible to corruption may include:

-  Contracts
-  Asset Disposal
-  Planning consents and licenses.

Operating Culture

The Trust is determined that the culture and tone of the origination meets the expectations of the committee on standards of Public Life and the Standards Board for England. It is committed to the ten principles of public life – objectivity, openness, stewardship, leadership, accountability, honesty and integrity, selflessness, personal judgement, duty to uphold the law and respect for others.

Employees are expected, and are positively encouraged to raise any concerns relating to fraud and corruption, which they become aware of. These can be raised in a number of ways including with the employee's Line Manager, Principal Finance Officer or The CEO.

The Trust expect members and employees to lead by example in ensuring opposition to fraud and corruption, and in ensuring adherence to rules and regulations, and to relevant Codes of Conduct, and that all procedures and practices are beyond reproach. The responsibility of Senior Managers is to ensure that all employees are aware of what is expected of them.

The Trust requires all individuals and organisations with whom it deals in any capacity to behave towards the Trust with integrity and without intent or actions involving fraud and corruption.

The Trust employees and members of the public are important elements in the stance against fraud and corruption and are positively encouraged to raise any concerns they may have on these issues which may impact on The Trust activities using The Trust Whistle blowing strategy, The Trust complaints procedures and the fraud hotline directly to Principal Finance Officer or The CEO.

Where appropriate, The Trust operates with other local authorities and public sector bodies in the prevention, detection and investigation of fraud and corruption. This includes as part of the National Anti-Fraud Network (NAFN).

Although The Trust encourage its employees to report concerns acting in good faith, any maliciously motivated and unfounded allegations may be dealt with through its disciplinary procedure.

Prevention

It is the corporate responsibility of The Trust to put in place preventative measures to fight fraud and corruption to minimise risk.

The Trust procedure rules, Standing Orders, Schemes of Delegation tighter with Financial Regulations, Code of Conduct and Codes of Practice set out a framework for dealing with the affairs of The Trust and all members and employees have a duty to comply with their provisions. This includes the duty of employees to act within statutory regulations.

Members must operate in accordance with The Trust procedure rules and Code of Conduct.

The Trust has put in place systems and procedures to manage and discharge its functions in an efficient and effective way. These systems incorporate internal controls to prevent and deter fraud and corruption. Employees must ensure that working practices comply with the system and Principal Finance Officer will regularly evaluate the appropriateness and effectiveness.

Through documentation, including manuals and operating procedures, effective control is expected of all financial and operational systems and they must be issued to relevant staff. These must be regularly reviewed to ensure they are in line with best practice and effective internal controls.

Employee recruitment, including manuals and operating procedures, laid down in the human resources procedures and, in particular adequate checks made appropriate to the post and before any appointment is made.

Employees are required to disclose any offers of gifts, hospitality or interests that could conflict with the interests of The Trust or might affect their judgment. Principal Finance Officer will maintain a register to record and monitor disclosures.

Detection and Investigation

All managers are responsible for the prevention and detection of fraud, corruption and other irregularities. Managers should pay special attention to particular circumstances, which may indicate an irregularity.

It is the responsibility of all the employees, in particular Managers to immediately inform Principal Finance Officer or The CEO if a fraud or other irregularity is suspected. They should also:

-  Ensure the consistent treatment of information;
-  Facilitate proper investigations, including compliance with statutory requirements and appropriate liaison at correct stages with the Police; and,
-  Ensure the proper implementation of relevant system improvements.

The earlier staffs express any concerns the easier it is to take action. Staff should not attempt to investigate any fraud themselves.

The Trust will take appropriate action following an investigation including disciplinary action, civil recovery, and referral to the police. Principal Finance

Officer or assists managers to discharge their responsibilities for system control and when conducting audit reviews, they are alert to opportunities such as, improvements in controls that could reduce the risk of fraud.

Investigations into suspected acts of fraud or corruption by the Principal Finance Officer will be undertaken professionally and sensitively.

The Trust will work in partnership with other organisations for the detection and investigation of fraud and corruption.

The Public Interest Disclosure Act 1998 protects employees who raise concerns about certain matters of public interest in good faith. Staff can obtain free independent advice from the charity Public Concern at Work on 020 7404 6609 or helpline@pcaw.co.uk

Training

Training and guidance is vital in maintaining the effectiveness of this strategy and its general credibility. The Trust support induction and work related training, particularly for employees involved in internal control system, to ensure that their responsibility and duties are regularly highlighted and reinforced and best practice is followed across The Trust.

The Trust will take steps to minimise any difficulties which staff may experience as a result of raising a concern. For instance, if staffs are required to give evidence in criminal or disciplinary proceedings, the Trust will arrange for staff to receive advice about the procedure.

Review

The Trust has in place a clear framework of systems and procedures to deter and investigate fraud and corruption. It will ensure that these arrangements are fair, monitored and updated to keep pace with future developments in preventative, deterrent and detection techniques.

To this end the Finance Committee will continuously review these arrangements, in particular this strategy.

Notify the Department for Education (DfE)

The Trust must notify the DfE of any attempted, suspected or actual fraud or irregularity.

Links with other policy areas

This policy should read in conjunction with the following related policies:-

- Gifts and Hospitality Policy
- Anti-Bribery
- Capability and Disciplinary
- Code of Conduct
- Financial Regulations Manual
- Whistleblowing

The Principal Finance Officer has overall responsibility for the maintenance and operation of this policy. That person maintains a record of concerns raised and the outcomes and will report as necessary to board.

This policy shall be subject to yearly review.