



ANTI-FRAUD AND CORRUPTION POLICY

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1. INTRODUCTION

This policy and procedure defines the expected conduct of all staff engaged at Hasmonean High School (the Academy), whether in paid or voluntary employment, in relation to deterring and/or detecting fraud and corruption, and to whom to report it.

The Academy is committed to ensuring that it acts with integrity and has high standards of personal conduct. 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.

Recognising a potential fraud and being able to report it is just as important as the measures to prevent and detect.

It is the duty of all employees and governors at the Academy to take reasonable steps to limit the possibility of corrupt practices, and it is the responsibility of the Responsible Officer and Auditors to review the adequacy of the measures taken by the Academy to test compliance and to draw attention to any weaknesses or omissions.

Any investigation carried out in relation to alleged irregularities is linked to the Academy's Disciplinary & Dismissals procedure.

2. DEFINITIONS

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 it cannot include negligence.

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

Corruption - The terms 'corrupt practices' and 'corruption' 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 the Academy, its staff or governors.

The acceptance of gifts and hospitality is covered in the Academy's Policy on Declaration of Interests.

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 - 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 or Academy's Procedures which in some circumstances can constitute an irregularity, with potentially significant financial consequences.

Examples of what could constitute fraud and corruption are -

- theft of cash
- redirecting income to a non-Academy bank account;
- 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 many different forms. If in any doubt about whether a matter is an irregularity or not, clarification must be sought from the Head of Finance.

Similarly, 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 Executive Headteacher.

3. POLICY STATEMENT

This policy and procedure defines Anti-Fraud & Corruption and offers guidance for all staff in the Academy.

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.

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.

The scope of this procedure extends to all Academy employees, permanent, voluntary and fixed term.

Time limits specified in this document may be extended by mutual agreement.

If requested, employees may be accompanied by a recognised trade union representative or work colleague, not involved in any part of the process, at any interviews.

4. ROLES AND RESPONSIBILITIES

4.1 Staff and Governors

The Academy has adopted the following measures to demonstrate its commitment to anti-fraud and corruption:

- The 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, governors and trustees to disclose personal interests;
- All staff and governors are made aware of the understanding on the acceptance of gifts and hospitality;
- 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.

4.2 Responsible Officer

The Responsible Officer (currently CEFM) 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.
- Segregation of duties as set out in the Finance & Premises Manual.

4.3 Head of Finance

The Head of Finance has responsibility for ensuring that effective systems of internal controls are maintained and will safeguard the resources of the Academy.

In respect of fraud it is therefore the responsibility of the Head of Finance 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.

4.4 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 of Education.

5. REPORTING A SUSPECTED FRAUD

All allegations of suspected fraud and irregularities are to be brought to the attention of the Head of Finance and also referred to the Executive Headteacher, unless this individual is involved in the irregularity in which case the Chair of Governors should be informed.

Please refer to the Academy's Whistleblowing Policy which may be relevant in certain circumstances.

6. RESPONSE TO ALLEGATIONS

The Executive Headteacher will have initial responsibility for co-ordinating the initial response. In doing this he/she will consult with the Human Resource advisors regarding potential employment issues. The Executive Headteacher will also seek legal advice from the Academy's solicitors on both employment and litigation issues before taking any further action.

The Head of Finance and Executive Headteacher will ascertain whether or not the suspicions aroused have substance. In every case, and as soon as possible after the initial investigation, they will inform the Finance Committee. Even if there is no evidence to support the allegation, the matter must be reported.

The Finance Committee will undertake the management of the investigation. They will, if appropriate, conduct a preliminary investigation to gather factual information and reach an initial view as to whether further action is required. They will determine whether the findings, conclusions and any recommendations arising from the preliminary investigation should be reported to the Chair of Governors. If further investigations are required, they will determine which outside agencies should be involved (police, auditors).

The Executive Headteacher is required to notify the Governing Body of any serious financial irregularities. This action will be taken at the first opportunity following the completion of the initial investigations and will involve keeping the Chair of the Governing Body fully informed between governor meetings of any developments relating to serious control weaknesses, fraud or major accounting breakdowns.

If evidence of fraud is forthcoming then the Governing Body will inform the Department for Education as required by the Funding Agreement and will consider whether or not to refer the matter to the police.

7. CONFIDENTIALITY AND SAFEGUARDS

The Academy recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice. The Academy will not tolerate harassment or victimisation and will do what it lawfully can to protect an individual when a concern is raised in good faith.

This does not mean that if the person raising the concern is already the subject of a disciplinary, redundancy or other procedure, those procedures will be halted as a result of the concern being reported.

There is a need to ensure that the process is not misused. For further guidance refer to the Academy Disciplinary and Dismissals Policy.

8. LINKS WITH OTHER POLICIES

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 Academy policies:

- Whistleblowing Policy
- Financial Regulations
- Disciplinary and Dismissal Policy
- Equal Opportunities Policy

Reviewed & approved by Stone King:
Checked by Maxine Zeltser – Foundation Governor
Ratified by Finance & Premises Committee June 2017
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