



Anti-Fraud, Bribery and Theft Policy

This policy has been adopted by the Board of Directors of Pathfinder Multi Academy Trust and is applicable across all schools that make up the Trust. In line with the MAT's Scheme of Delegation, this Policy must be duly applied by each Local Governing Committee and the Headteacher of each school that is part of Pathfinder Multi Academy Trust.

Where there are specific details or any discretions in the policy that apply to an individual school or Local Governing Committee this has been made clear within the wording of the policy.

This policy will be reviewed formally by the MAT Board of Directors in line with the agreed timetable for policy review or sooner as events or legislation changes require.

Date Adopted: **July 2021**

Date for Review: **July 2022**

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Overview

The following instruction sets out individuals' responsibilities for the prevention and reporting of incidences or suspicions of fraud, bribery and theft within the Trust and the procedures to be followed in the event that it is suspected or discovered. Employees must abide by the Trust's values and behaviours, which includes acting with honesty and integrity, and safeguarding the Trust's resources. It is primarily a line management responsibility for detecting and dealing with fraud, bribery and theft. This instruction applies to all employees, contractors and volunteers.

Rationale

The Trust's aim is to foster a culture where fraud, bribery and theft within our organisation is never acceptable and therefore we:

- Will put in place appropriate systems and procedures, incorporating efficient and effective internal controls, to prevent and detect fraud, bribery and theft.
- Will investigate all reports of suspected fraud, bribery or theft and where appropriate notify the police and seek to recover any losses.
- Believe that members of the public, employees, contractors, volunteers and any other interested party should feel able to report any cases of malpractice or wrongdoing without fear of recrimination.

Ask all employees to exercise proper stewardship of our charitable funds, and carry out all business fairly, honestly and openly.

Implications

Fraud, bribery or theft will usually result in direct financial loss but also presents a risk to our reputation and wider public trust in the organisation.

Pathfinder Trust considers actual or attempted fraud, bribery or theft to be acts of gross misconduct and, if proven, may result in dismissal. Where supervisory negligence is found to be a contributory factor, disciplinary action may also be initiated against those managers/supervisors responsible.

Pathfinder Trust will always seek to recover any losses as a result of any acts of fraud or theft.

DEFINITIONS AND EXAMPLES OF FRAUD, BRIBERY AND THEFT

1. Fraud

Fraud is the general term given to an act of deliberate deception with the intention of concealing the misappropriation of assets, any other personal gain or causing a financial loss to the Trust. Examples include:

- Falsification of claims, such as expenses, timesheets etc.
- Lying about qualifications on an application form or at interview.
- Intentionally overpaying suppliers for personal gain.
- Use of Pathfinder Trust equipment, property (including staff card) or services for personal gain.
- Making false claims and or the misuse of monies.
- Failing to disclose information which would influence a decision.
- Abuse of position to gain personal advantage for yourself or someone you know.
- Manipulation or misstatement of accounting records or results.

2. Bribery

Bribery can either be described as:

- Active – offering or promising a bribe to influence someone's actions or to reward them for acting improperly; and
- Passive – the act of requesting, agreeing to receive, or accepting a bribe.

Theft is defined as when a person dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it.

RESPONSIBILITY FOR PREVENTING/DEALING WITH FRAUD, BRIBERY AND THEFT

1. Employees, contractors and volunteers

Employees, contractors and volunteers must abide by the Trust's values and behaviours; this means:

- Safeguarding Trust resources.
- Ensuring the appropriate use of Trust resources. This includes cash and/or payment systems, use of petty cash, expenses claims, dealing with suppliers and use of Trust equipment.
- Declaring any potential conflicts of interest.
- Where possible, avoiding line management of partners or family members. If this is not possible, ensuring complete transparency by involving others in decision making processes relating to aspects of employment such as pay, benefits, access to training.
- Being vigilant for signs of fraud, bribery or theft.
- Highlighting areas susceptible to the risk of fraud, bribery or theft to management.
- Reporting suspicions of fraud, bribery or theft immediately using the Whistle-blowing Policy.

If an employee, contractor or volunteer suspect's fraud, bribery or theft is taking place they must not do the following:

- Alert the person(s) they suspect as this may enable them to cover their tracks.
- Discuss their suspicions or any related facts with anyone outside of the Trust unless specifically authorised to do so by their manager.
- Discuss their suspicions or any related facts with anyone within the Trust other than in accordance with this instruction or the whistle-blowing guidance.
- Attempt to investigate the matter themselves.

2. Line Managers

Where fraud, bribery or theft is suspected or detected it is the line manager's responsibility to ensure that a full investigation is carried out and appropriate action is taken. This may include notifying the police and/or taking disciplinary action. If the line manager is personally involved or implicated in the case, this responsibility passes to their line manager, in the case of the Headteacher, responsibility passes to the CEO.

The CEO, CFO and Governing Body must be advised of all cases of suspected fraud and may choose to engage the appointed auditors to investigate.

3. Internal Audit

Audit checks includes data matching exercises for the purposes of the prevention and detection of fraud. Data matching involves comparing computer records we hold for one purpose against other computer records held by the same for another purpose: For example checking staff records against records of our suppliers to identify any potential conflicts of interest or fraudulent claims or payments.

The role of internal audit is performed by the appointed auditors. In addition to the external audit of the annual financial statements as instructed by the MAT Board.

EFA ANTI-FRAUD CHECKLIST FOR ACADEMY TRUSTS

The EFA have published an anti-fraud checklist for academy trusts. It is noted that fraud occurs in every sector and although the level of identified fraud in academies is low, trusts must be aware of the potential for it to occur. The ten questions included in the checklist are intended to help governors, accounting officers and heads of finance to review their arrangements for preventing, detecting and dealing with fraud should it occur.

The risk of fraud is considered on an ongoing basis through the risk register which is discussed at the Trust's Finance Committee; the schedule for internal audit; the annually updated financial procedures handbook; the delegated levels of authority and the overall compliance with the 'EFA Financial Handbook for Academies'.

A summary of the Finance Handbook is discussed and circulated to all of the Headteachers in the Trust annually in September.

The 10 questions that we must always be aware of are:

1. Are directors and the accounting officer aware of the risk of fraud and their responsibilities regarding fraud?
2. Is fraud included within the remit of the Trust's finance and audit committee?
3. Has the role of the external auditor and responsible officer or equivalent regarding fraud been established and is it understood?
4. Is fraud risk considered within the Trust's risk management process?
5. Does the Trust have a fraud strategy or policy and is there a 'zero tolerance' culture to fraud in the Trust?
6. Is the strategy, policy and 'zero tolerance' culture promoted within the Trust, for example through financial regulations, disciplinary procedures, checks on new staff, induction process, staff training and the vetting of contractors?
7. Does the Trust have policies on whistleblowing, declaration of interests and the receipt of gifts and hospitality?
8. Does the Trust have appropriate segregation of duties?
9. Is it clear to whom suspicions of fraud in the Trust should be reported?
10. If there has been any fraud in the Trust, has a 'lessons learned' exercise been undertaken?