



**Fraud and Corruption Policy**  
incorporating Gifts & Hospitality  
*formerly Anti-corruption and Anti-bribery Policy*

Approved by Board of Directors:	23 May 2024
Revision date:	May 2027
Version:	<b>4.0</b>

## **Contents**

Introduction	3
Definitions	3
Context	4
Trust strategy	5
Academy practice	6
Receipt of gifts, hospitality, entertainment and other services	6
Expenditure on entertainment, gifts, hospitality and promotions	7
Private use	7
School community	8
Role and responsibilities	8
Reporting a suspected fraud	9
Response to allegations	9
Confidentiality and safeguards	10
Monitoring, evaluation and review	10
Links with other policies	10
Appendix 1 - Guidance on gifts and hospitality	11

# Fraud and Corruption Policy

## GLOSSARY

ABM	Academy Business Manager
ACBP	Anti-Corruption and Bribery Policy
CEO	Chief Executive Officer
LGB	Local Governing Body
MAT	Aspire Multi-Academy Trust

This policy and procedure define the expected conduct of all staff engaged at the academies within the Aspire Multi-Academy Trust (MAT), whether in paid or voluntary employment, in relation to deterring and/or detecting fraud and corruption, and who to report it to. It includes clear guidelines on what is acceptable in terms of gifts and hospitality and how these matters are declared.

This Policy also applies to the Trust Directors, Governors, management and staff.

## 1. Introduction

- 1.1. The Trust is committed to ensuring that it acts with integrity and has high standards of personal conduct. Everyone involved with the Trust and its academies has a responsibility in respect of preventing and detecting fraud. All staff, governors and directors have a role to play. The Trust 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.
- 1.2. It is the duty of all employees, governors and directors associated with the Trust 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 Trust to test compliance and to draw attention to any weaknesses or omissions.
- 1.3. Any investigation carried out in relation to alleged irregularities is linked to the Trust's Disciplinary Procedure.

## 2. Definitions

### 2.1. Associated persons

An associated person is someone who provides goods or services to, or on behalf of, the school or academy and could include contractors or suppliers.

### 2.2. Bribery

The Bribery Act 2010 defines bribery as giving someone a financial or other advantage to encourage that person to perform their function or activities improperly or to reward that person for already having done so.

It is important to note that the Bribery Act makes it an offence for schools to fail to prevent employees and other associated persons from giving or receiving bribes. However, if a school can prove that it has adequate procedures in place to prevent bribery, it will have a defense against this offence. Any individuals who are convicted of a bribery offence can face up to ten years' imprisonment. Any school in which bribery is found to have taken place may receive an

unlimited fine and be excluded from tendering for public contracts. It is also probable that its reputation will be irreparably damaged.

### **2.3. Corruption**

Corruption is the offering, giving, soliciting or acceptance of an inducement or reward which may influence actions being taken. The areas of school activity which are most susceptible to corruption include:

- Tenders.
- Contracts.
- Disposal of assets.
- Licences and planning

### **2.4. Fraud**

Fraud is deceit, trickery, sharp practice or breach of confidence, perpetrated for profit or to gain some unfair or dishonest advantage. In the broadest sense, a fraud is an intentional deception made for personal gain or to damage another individual. It is also false representation, failure to disclose information when there is a legal duty to do so and abuse of position. Fraud is both a crime and a civil law violation. Defrauding people or entities of money or valuables is a common purpose of fraud, but there have also been fraudulent 'discoveries', e.g. in science, to gain prestige rather than immediate monetary gain.

A hoax also involves deception, but without the intention of gain or of damaging or depriving the victim.

A contextual example of fraud is the intentional distortion of financial statements or other records by persons internal or external to the school which is carried out to conceal the misappropriation of assets or otherwise for gain.

Specific examples of fraud that schools may be at risk of include:

- Falsifying or altering accounting records or other documents.
- Suppressing or omitting the effects of transactions from records or documents.
- Adding records of transactions which have no substance.
- Wilful misrepresentation of transactions or other school affairs.
- Accepting payment for securing a place for a child at a school.
- Accepting an invitation to an event from a parent or supplier who intends to gain an improper advantage.
- Accepting expensive gifts from a parent or child which were given with the intention of one pupil being favoured over others.

### **2.5. Theft**

The 1968 Theft Act states that a person shall be guilty of theft if he/she dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it.

## **3. Context**

We recognise that:

- Whether large or small, schools are complex organisations.
- We must have an unequivocal commitment to discharging our responsibility to safeguard strategy.

Consequently, the Trust MAT Board, in consultation with local governing bodies, the CEO, and senior leaders in each academy, has agreed proportionate procedures to prevent and detect fraud, corruption and bribery.

To this end we aim to create, embed, develop and maintain an anti-fraud, anti-corruption and anti-bribery culture across all aspects of the academy's activities.

This culture will support:

- An ethos for:
  - Deterring corruption, fraud and bribery.
  - Preventing corruption, fraud and bribery that cannot be deterred.
  - Detecting corruption, fraud and bribery that cannot be prevented.
- A framework for:
  - Investigating and facilitating recovery of losses.
  - Invoking staff disciplinary proceedings.
  - Applying sanctions against people who commit fraud or bribery offences including referral to the police.
  - Seeking redress for fraud, overpayment and losses.
  - Monitoring, publishing and updating our policy and procedures.
  - Evaluating the impact of policy and procedures on performance.

The showing of appreciation to staff through small gifts from parents and pupils is not affected by this policy because such gifts are not bribes.

#### 4. Trust strategy

The CEO or designated Trust officer will identify a lead professional to take day-to-day responsibility for the oversight of the Trust Fraud and Corruption Policy (FCP) in each academy who will:

- Carry out a risk assessment covering corruption and bribery risks across all school operating procedures.
- Implement and strictly enforce the Trust's FCP,
- At least annually provide advice, support and/or training on what is acceptable and what is not acceptable in terms of gifts, hospitality and acceptance of donations.
- Maintain a register of gifts and donations received by the school/members of staff.
- Provide advice to appropriate school staff before contracting with or providing benefits to donors.
- Ensure no gifts are provided for public officials.
- Carry out due diligence on potential business partners before the school enters into any business relationship or project with them.
- Advise on financial/business links with parents.
- Actively support leadership and governance in communicating zero tolerance of corruption and/or bribery.
- Identify the training needs of different categories of school staff and provide regular tailored continuing professional development to meet those training needs.

- Provide feedback to Trust Board's Standards Committee to facilitate updating of all associated Trust policies and academy practices to include, where relevant, references to procedures for investigating any allegations of corruption and/or bribery and, in the case of the Trust Whistle-blowing Policy, to include directions for reporting corruption and/or bribery.
- Review how we work to ensure clarity of roles and responsibilities in relation to fraud.
- Implement the Trust's mechanism for the reporting of fraud.
- Encourage and enable all staff to raise serious concerns.
- Report at least annually to the Trust Board.

## **5. Academy practice**

- 5.1. Everyone employed by the Trust in each academy is required to adhere to the ACBP. Failure to comply with any aspect of the FCP will be a breach of conduct and possibly a criminal offence and will be investigated.
- 5.2. Where there is a suggestion of a breach of the FCP, the academy will fully investigate. Employees may be suspended while the investigation is being carried out. The academy will invoke its disciplinary procedures where any employee is suspected of being in breach of its FCP. This may result in a finding of gross misconduct and dismissal.
- 5.3. To ensure all our practices are beyond reproach we require all staff members to support and co-operate with the lead professional responsible.
- 5.4. We expect and encourage all staff members to raise any concerns they may have relating to fraud and corruption. Care, however, must always be taken to ensure such concerns are raised in good faith. In the first instance, concerns can be raised with the individual's line manager, or anti-corruption and bribery officer. If told not to raise or pursue any concern, members of staff should not agree to remain silent. The attention of all staff is drawn to our Whistle-blowing Policy.
- 5.5. All staff members are required to attend designated training, and to sign to confirm they have read relevant information produced, from time-to-time, as guidance documents.
- 5.6. All staff members are required to conform to guidance which is issued by the Trust, including what is acceptable and what is not acceptable in terms of gifts, hospitality and the acceptance of donations.
- 5.7. All staff dealing with finance must undertake training to ensure the highest standards of accounting are maintained.
- 5.8. All staff involved in recruitment and appointment must adhere to the Trust's rigorous safer recruitment procedures. It is also recommended that steps are taken during the recruitment process to ensure that all potential employees have a good record in terms of their integrity and propriety.

## **6. Receipt of gifts, hospitality, entertainment and other services**

- 6.1. The Trust and its associated academies depend on its employees and associated persons to ensure that the highest standards of ethical conduct are maintained in its business dealings. Employees should report any incidents of suspected bribery to the academy's fraud officer at the earliest possible time that a concern is identified. These may include:

- Suspected or actual attempts at bribery for the employee.
- Concerns that other employees or associated persons may be being bribed.
- Concerns that other employees or associated persons may be bribing third parties.

6.2. The academy will immediately carry out a thorough investigation and take appropriate action if the allegations are proven, including reporting any matter to the relevant authorities.

6.3. Trustees, governors and members of staff involved in making buying decisions may not accept excessive, frequent or regular gifts, hospitality, entertainment or other services from existing or prospective suppliers. When considering whether to accept such offers, they must consider whether they could affect their independence or cause concern that they might affect their independence and report the offer to the school's anti-corruption and bribery officer before acceptance. Each academy maintains a register of gifts and favours offered and whether these were accepted or rejected.

6.4. Guidance on gifts and hospitality is detailed in Appendix 1.

## **7. Expenditure on entertainment, gifts, hospitality and promotions**

7.1. The Trust Board allows expenditure on entertainment, gifts, hospitality and promotional expenditure provided that it is:

- Arranged in good faith.
- Not offered, promised or accepted to secure an advantage for the MAT, its academies or any of its employees or associated persons or to influence the impartiality of the recipient.

7.2. Employees and associated persons should submit requests for such expenditure to the anti-corruption and bribery officer (with a copy to the ABM for budgetary reasons), detailing:

- The objective of the proposed expenditure.
- The identity of those who will be attending, in the case of an event.
- Details and the rationale of the proposed activity.

7.3. Expenditure will only be authorised where the anti-corruption and bribery officer considers that:

- No conflict of interest may arise.
- It could not be perceived that undue influence or a business benefit was being sought.
- Such expenditure is reported to the local governing body and the academy maintains a register of expenditure incurred.

## **8. Private use**

The Trust or its academies do not obtain goods or services for the private use of directors, governors, and members of staff. Directors, governors and members of staff may not:

- Hold any interest in any equipment or property held or used for the academies.
- Acquire any interest in the disposal of school equipment or property at the end of any contract between the MAT or academy and any third party.

## **9. School community**

This policy does not attempt to cover every aspect of theft, fraud corruption and bribery. It is intended to promote a framework whereby all members of the MAT community may work constructively together for the good of the MAT, its academies and all who work and learn here.

This policy will be reviewed at least every three years and contributions from all categories of staff will be sought and welcomed.

The most important aspect of our policy and practice is to demonstrate the highest standards of integrity in all we do.

## **10. Roles and responsibilities:**

### **10.1 Staff, Governors and Directors**

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

- Standards (MAT Board) and Standards & Values (local governing bodies) Committees meet regularly.
- A requirement for all staff, governors and directors to declare prejudicial interests and not contribute to business related to that interest.
- A requirement for staff, governors and directors to disclose personal interests.
- All staff, governors and directors are made aware of the understanding on the acceptance of gifts and hospitality.
- Clear recruitment policies and procedures.

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

### **10.2 Responsible Officer**

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 directors with on-going independent assurance that:

- The financial responsibilities of directors 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.

### **10.3 Business Manager(s)**

The Business Manager of each academy has a responsibility for ensuring that effective systems of internal controls are maintained and will safeguard the resources of the Trust and each academy.

In respect of fraud, it is therefore the responsibility of the Business Manager 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 Trust and each academy's financial position.

## 10.4 External Audit

The Trust's Annual Report and Financial Statements include an Independent Auditors' Report which 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 Trust 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.

## 11 Reporting a suspected fraud:

- 11.1. All allegations of suspected fraud and corruption are to be brought to the attention of the CEO and also referred to the Headteacher of the relevant academy, unless this individual is involved in the irregularity in which case the CEO should be informed. In the case of the CEO being suspected of fraud, the Chair of the Trust Board is to be notified. Further guidance is provided in the Trust Whistle blowing Policy.
- 11.2. All reported irregularities will be thoroughly investigated in accordance with the Trust's Disciplinary Procedures. In the case of the CEO being suspected of fraud the Chair of the Trust Board would, in accordance with Trust's Disciplinary Procedures, arrange the investigation.
- 11.3. The Trust must notify ESFA as soon as possible of any instances of fraud, theft and/or irregularity exceeding £5,000 individually, or £5,000 cumulatively in any financial year. Unusual or systematic fraud, regardless of value, must also be reported. The following information must be provided:
  - Full details of the event(s) with dates
  - The financial value of the loss
  - Measures taken to prevent recurrence
  - Whither it was referred to the police (and if not why)
  - Whether insurance or the RPA have offset any loss.
- 11.4. The ESFA may conduct or commission investigations into actual or potential fraud, theft or irregularity, either because of a notification from the Trust itself or from other information received. ESFA may involve other authorities, including the police.

## 12 Response to allegations

- 12.1 The CEO will have initial responsibility for coordinating the initial response. In doing this he/she will consult with the Human Resource advisors regarding potential employment issues. The CEO will also see legal advice from the Trust's solicitors on both employment and litigation issues before taking any further action.
- 12.2 The appropriate ABM and Headteacher will ascertain whether the suspicions aroused have substance. In every case, and as soon as possible after the initial investigation, they will pass the matter on to the Chair of MAT Standards Committee. Even if there is no evidence to support the allegation, the matter must be reported.
- 12.3 The Standards Committee will undertake the management of the investigation.

- 12.4 They will, if appropriate, conduct a preliminary investigation to gather factual information and reach an initial view as to whether further action is required.
- 12.5 They will determine whether the findings, conclusions and any recommendations arising from the preliminary investigation should be reported to the Chair of the LGB.
- 12.6 If further investigations are required, they will determine which outside agencies should be involved (police, auditors).
- 12.7 The CEO is required to notify the MAT Board 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 MAT Board fully informed between Board meetings of any developments relating to serious control weaknesses, fraud or major accounting breakdowns.
- 12.8 If evidence of fraud is forthcoming the MAT Board will inform the Department for Education as required by the Funding Agreement and will consider whether to refer the matter to the police.

### **13 Confidentiality and safeguards**

- 13.1 The MAT Board 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 MAT Board 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.
- 13.2 This does not mean that if the person raising the concern is already the subject of a disciplinary, redundancy or other procedure, that those procedures will be halted because of the concern being reported.

### **14 Monitoring, evaluation and review**

The Trust Board will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Trust and its academies

### **15 Links with other policies**

This policy should be read in conjunction with the Trust's:

- Whistle-blowing Policy
- Staff Code of Conduct
- Disciplinary Procedures

## **APPENDIX 1 - Guidance on Gifts & Hospitality**

These guidelines will help you to judge what sort of gift, and what level of hospitality is acceptable.

The following general rules apply and must guide decisions on receipt of gifts and hospitality as an employee of the Trust:

- 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 £50 in value. You should notify the Academy Business Manager of any gift or hospitality over this value for entry in the Register of Business Interests.
- 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 prompter 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 Trust /academy, seeking employment with the Trust /Academy or is in dispute with the MAT/academy, even if you are not directly involved in that service area.
- Where items purchased for the MAT/academy include a 'free gift', such a gift should either be used for MAT/academy business or handed to the Business Manger to be used for charity raffles.
- If you are in doubt about the acceptability of any gift or offer of hospitality it is your responsibility to consult the Business Manager or Headteacher.
- A gauge of what is acceptable in terms of hospitality is whether this MAT/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 considered, it may be acceptable to join other company/organisation guests at:
  - Sponsored cultural and sporting events, or other public performances, as a representative of the Trust /academy.
  - Special events or celebrations. but, consider the number of these events, and always take into consideration what public perception is likely to be if they knew you were attending.
  - Acceptability depends on the appropriateness of the invitations, in terms of the level of hospitality, the frequency and the status of the invited employee. In all such cases the Headteacher 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 you are visiting a company to view equipment that the MAT/academy is considering buying, you should ensure that expenses of the trip are paid by the MAT/academy. Acceptance of refreshments and/or a working lunch may be acceptable, but care must be taken to ensure that the Trust's purchasing and/or tender procedures are not compromised.
  - Acceptance of sponsored hospitality that is built into the official programme of conferences and seminars related to your work are 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 Trust /academy must be agreed in advance with a Headteacher. 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 Trust/academy