

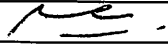


**The Park Federation Academy Trust**  
**Anti-Fraud, Corruption and Bribery Policy**  
**November 2014**

## Version History

Version	Date	Status and Purpose	Changes overview
1	05 <sup>th</sup> December 2014	Draft for comment	
2	19 <sup>th</sup> December 2014	Approved	

## Approval

Signed by Chair	
Date of approval	19 DECEMBER 2014
Date of review	18 DECEMBER 2015

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Once issued, as a minimum this document shall be reviewed on an annual basis by the originating team/function. Any amendments shall be identified by a vertical line adjacent to the right hand margin.

To enable continuous improvement, all readers encouraged to notify the author of errors, omissions and any other form of feedback.

Unless there is primary legislation relating to this policy or the Academy finds it necessary to make changes, these procedures will be reviewed every three years to ensure they are up to date, reflect current best practice and are working effectively. Any changes that are to be incorporated into instruction and training arrangements will be effectively communicated to employees and other relevant parties.

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## **1.0 Purpose**

The purpose of this policy is to confirm the Park Federation Academy Trust's commitment against fraud. The fulfilment of this Anti-fraud, Corruption and Bribery Policy will assist in the delivery of more effective risk management.

## **2.0 Introduction**

2.1 The Park Federation Academy Trust is determined to demonstrate that it will not tolerate fraud, corruption or abuse of position for personal gain, wherever it may be found, in any area of Academy Trust activity.

2.2 The Academy considers that all instances of fraud, corruption and other dishonesty endanger the achievement of the Academy'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 Academy's resources, assets and services undermines the Academy's reputation and also threatens its sound financial standing.

2.3 The purpose of this Policy Statement is to set out for Board of Directors, Academy Council Governors, Trust Members, and employees, the Academy Trust's main objectives for countering fraud and corruption. This policy statement -

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

## **3.0 Definitions**

### **3.1 Fraud**

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

3.1.2 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.

3.1.3 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 Academy 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 Academy Trust to pay for them.

### **3.2 Corruption**

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

### **3.3 Bribery**

#### **3.3.1 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

#### **3.3.2 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;

#### **3.3.3 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.

#### **3.3.4 Gifts and Hospitality:**

This policy is not meant to change the requirements of the Academy Trust's approach to gifts and hospitality. All offers of gifts and hospitality should be registered where they have a value greater than £25.00, whether they are accepted or not. Each Academy must maintain a register for all gifts.

## **4.0 Scope of Policy**

4.1 This policy applies to all employees and anyone acting for, or on behalf of, the Academy Trust (“associated persons”), including employees of The Park Federation Academy Trust acting for the Academy Trust, Board of Directors, Academy Council Governors, Trust Members, other volunteers, temporary workers, consultants and contractors.

4.2 The Academy 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 Academy 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.

4.3 The Academy Trust recognises the importance of the seven principles of public life defined by the Nolan Committee 1995, and expects all Board of Directors, Academy Council Governors, Trust Members, employees and those acting as its agents to conduct themselves according to them.

4.4 Through observance of these principles the Academy Trust requires the Board of Directors, Academy Council Governors, Trust Members and employees and its agents to be alert to the possibility of fraud, corruption and dishonesty in all their dealings.

4.5 The Academy 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.

## **5.0 Culture and stance against fraud and corruption**

5.1 The Park Federation Academy 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.

5.2 The Academy Trust expects that the Board of Directors, Academy Council Governors, Trust Members 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.

5.3 The Academy 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, fraud and corruption.

## **6.0 Raising Concerns**

6.1 Board Directors, Academy Council Governors, Trust Members, and Academy Trust employees and anyone acting for, or on behalf of, the Academy Trust (“associated persons”), are an important element in the Academy 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 Academy Trust's activities.

6.2 The Academy Trust's Senior Management Team and Board of Directors will be robust in dealing with financial malpractice of any kind. The Board of Directors, Academy Council Governors, Trust Members and employees of the Academy Trust and 'associated persons' should follow the guidance issued in **The Park Federation Academy Trust's Whistleblowing Policy**.

6.3 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 or Chief Operating Officer in which case the concern should be raised with the Chief Executive 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 Executive Officer or if the complaint is against the Chief Executive Officer by the Finance and Operations Director or another member of the Board of Directors or, in the case of very serious concerns, the Police.

## **7.0 Monitoring and review**

7.1 This Policy has been approved by the Board on the 19<sup>th</sup> December 2014 and is to be reviewed by the Board of Directors on an annual basis.

7.2 The internal monitoring of the implementation of this policy will be the responsibility of the Chief Operating Officer who will produce reports for the Board of Directors as required.

7.3 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 Chief Executive Officer.