

Every Child Matters Academy Trust Anti-fraud and Corruption Policy

The terms Trust and School (and levels within e.g. governors and trustees) are interchangeable and apply to all schools within the Trust

1. Policy Statement

Every Child Matters Academy Trust (Trust) is committed to the prevention of fraud, bribery and corruption and to the promotion of an anti-fraud culture throughout the Trust.

The culture and tone of the Trust is one of honesty and is opposed to fraud, bribery and corruption. There is an expectation and requirement that all individuals and organisations associated in whatever way with the Trust will act with integrity, and that Trust employees at all levels will lead by example in these areas.

The aim of this Policy is to:

- encourage the prevention of fraud and corruption
- promote the early detection of fraud and corruption
- clarify the responsibilities of Trustees, Governors and employees
- explains how suspicions of fraud and corruption can be reported and
- summarise the procedure for investigations.

This policy is a clear message from the Governing Body that it will endeavour to take all possible steps to prevent and eliminate fraud and corruption. It identifies a clear path for both Governors and employees to report any suspicions of fraud and corruption without any fear of discrimination.

2. Definitions of theft, fraud, bribery and corruption

Fraud

The Fraud Act 2006 came into force on 15 January 2007. It repeals the deception offences enshrined in the 1968 and 1978 Theft Acts and replaces them with a single offence of fraud which can be committed in three separate ways:

- False representation
- Failure to disclose information where there is a legal duty to do so
- Abuse of position

The Act also created four new offences of:

- Possession of articles for use in fraud
- Making or supplying articles for use in fraud
- Obtaining services dishonestly
- Participating in fraudulent business

Whilst the 2006 Act does not provide a single definition of fraud, it may be described as:

"Making dishonestly a false representation with the intention to make a gain for oneself or another, or to cause loss to another or expose him to a risk of loss."

or

"Dishonest conduct with the intention to make gain, or cause a loss or the risk of a loss to another"

Theft

Theft is defined in the 1968 Theft Act:

“A person shall be guilty of theft if he dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it”.

Bribery

The Bribery Act 2010 came into force on 1 July 2011 and provides a more effective legal framework to combat bribery in the public and private sectors.

This Act creates:

- two general offences covering the offering, promising or giving of an advantage, and requesting, agreeing to receive or accepting of an advantage
- a discrete offence of bribery of a foreign public official
- a new offence of failure by a commercial organisation to prevent a bribe being paid for or on its behalf (it will be a defence if the organisation has adequate procedures in place to prevent bribery)

Corruption

The Trust defines the term "corruption" as:

“The offering, giving, soliciting or accepting of any inducement or reward which would influence the actions taken by the body, its members or officers.”

3. Key Responsibilities

The Trust is responsible for:

- Regularly reviewing the Anti-Fraud, Bribery and Corruption Policy and compliance to ensure it remains effective and relevant to the needs of the Trust
- Ensuring that the Policy is brought to the attention of all employees
- Ensuring that staff recruitment is carried out in accordance with the Recruitment and Selection Policy to ensure that only honest employees are offered contracts of employment
- Declaring any interests or offers of gifts or hospitality which are in any way related to the performance of their duties in relation to the Trust
- Supporting the concept of induction and training particularly for employees involved in internal control systems, to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced

The Headteacher is responsible for:

- Developing, implementing and maintaining adequate systems of internal control to prevent and detect fraud
- Monitoring compliance with internal controls and agreed policies and procedures
- Investigating all allegations of fraud and commencing disciplinary action where appropriate
- Notifying the Chair of the Governing Body of any indications of fraudulent activity
- Notifying the Executive Director of Children, Young People and Families (CYP&F) and Executive Director of Finance of any alleged financial irregularities
- Reporting to the Governing Body on all aspects of fraud risk management
- Declaring any interests or offers of gifts or hospitality which are in any way related to the performance of their duties in relation to the Trust

Employees are responsible for:

- Familiarising themselves with the types of fraud and dishonesty that might occur within the Trust
- Ensuring that the Trust's reputation and assets are protected against fraud
- Reporting known or suspected fraud
- Complying with the Trust's policies and procedures
- Declaring any interests or offers of gifts or hospitality which are in any way related to the performance of their duties in relation to the Trust.

4. Reporting Suspicions

The Trust's employees are an important element in its stance on fraud and corruption and they are positively encouraged to raise any concerns that they may have on these issues where they are associated with the Trust's activity.

Any concerns should be reported immediately in the knowledge that such concerns will be treated in confidence and properly investigated.

A Whistle-blowing Policy is in place to facilitate the reporting of concerns by employees, volunteers and trustees / governors where the normal reporting to a line manager is not appropriate.

A copy of the Whistle-blowing Policy can be found on the shared drive or it can be obtained from the office.

Staff and Governors should not attempt to investigate any fraud themselves - Please refer to Fraud Response Plan below

5. Fraud Response Plan

All allegations of fraud, loss, financial irregularity, bribery or corruption involving the Trust's finances and/or assets will be reported to the **ESFA** in accordance with the **Academy Trust Handbook**.

The Governing Body and the Headteacher are responsible for investigating allegations of fraud or corruption.

Where offences are suspected, investigations are carried out to establish the **facts** in a fair and objective manner.

The investigation process will include the:

- Screening of the allegations or information to gauge their credibility
- Securing of all evidence which must be retained in its original format (i.e. not written on or marked in anyway) and stored securely
- Interviewing of witnesses and taking of statements
- Interviewing of people suspected of being involved and taking of statements
- Liaison with departments or other agencies (including the Police)

The investigation will be conducted in accordance with legislation in conjunction with guidance from the school's Human Resources advisor.

Where evidence of fraud or irregularities is found, the Trust will consider taking further action. This may include:

- Implementing the Trust's disciplinary procedures where an employee is involved
- Advising the **ESFA**
- Referral to the Police, where appropriate, in order for them to consider taking criminal action
- Reporting the control weakness identified during the investigation to the Governing Body and advising them how the weakness has been addressed to prevent future irregularities
- Seeking compensation for all losses incurred

6. References

Additional information with regards to procedural matters can be found by referring to the following documents which are available from the Headteacher or Trust Finance Officer:

- Whistleblowing Policy
- Code of Conduct for employees
- Gifts and Hospitality Policy
- **Academy Trust Handbook**
- Financial Procedure Manual
- Disciplinary Policy

Approved by the Resources Committee on 21/03/2024

To be reviewed Spring term 2026



Chair



CEO