



## ANTI-FRAUD, CORRUPTION AND BRIBERY POLICY

### Purpose

The purpose of this policy is to confirm Aspire North East Multi Academy Trust's (the Trust) commitment against fraud. The fulfillment of this Anti-fraud, Corruption and Bribery Policy will assist in the delivery of more effective risk management, on which the Trust has produced its own separate policy.

### Introduction

The 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 Trust activity.

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

The purpose of this Policy Statement is to set out for trustees, governors and employees, the 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
  - Sets out responsibilities for countering fraud

### Definitions

#### Fraud

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

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.

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 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 Trust to pay for them.

## **Corruption**

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

## **Bribery**

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

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;

## **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.

## **Gifts and Hospitality**

This policy is not meant to change the requirements of the Trust's approach to gifts and hospitality as set out within the Code of Conduct for Employees. These make it clear that all offers of gifts and hospitality of a value of £25 or over should be registered whether they are accepted or not.

all employees (full time, part time, temporary and casual) who work for the Trust.

The 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 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.

The Trust recognises the importance of the seven principles of public life defined by the Nolan Commitd ( ) and by-15 Td(r)7 (

The 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.

The Trust's Finance and General Purpose Committee is responsible for overseeing internal control and financial management.

## **Raising Concerns**

Trustees, Governors and employees are an important element in the 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 Trust's activities.

The Trusts senior management and Trustees / Governors, will be robust in dealing with financial malpractice of any kind.

Trustees, Governors and employees of the Trust should follow the guidance issued in the **Trust's Internal Whistleblowing Policy** and associated procedure.

All concerns reported, by whatever method, will be treated in confidence and will be reviewed and investigated by a member of staff deemed to be appropriate and best placed to do so. This may mean that, depending on the level, type and details of the concerns you raise, that your concerns are investigated by senior Trust managers, Trustees, Governors or in the case of very serious concerns, the Police.

The Trust is obliged to report to the ESFA all instances of fraud that are over £5000 in value (individually or cumulatively) in any financial year or are 'systematic or unusual' in nature regardless of their value.

## **Responsibility for this Policy**

The Chief Executive Officer in conjunction with the Chief Financial Officer, has overall responsibility for the maintenance and operation of this policy. From time to time they will review and report on this policy.

This policy will be regularly reviewed and any significant amendments proposed to the Board of Trustees. The Trust's arrangements for the deterrence, prevention and detection of fraud will be regularly reviewed by those officers charged with responsibility for the policy.

<b>Last review date:</b>	14.02.24
<b>Person Responsible:</b>	Chief Financial Officer
<b>Associated Policies:</b>	Whistleblowing