THE HOWARD PARTNERSHIP TRUST
(Oxted School)

ANTI-FRAUD, CORRUPTION & BRIBERY POLICY

Date created: July 2014
Review period: 4 years
Last reviewed:
Next due for review: July 2018

Responsible Body: The Howard Partnership Trust Board
Executive Contact: Director of Business & Finance
Local Governing Body Committee: F & F / Resources

Purpose: To set out the Trust’s commitment to minimise the risk and impact of fraud, corruption and bribery, and to clarify expectations of standards of personal and professional conduct, propriety and accountability.

Introduction

The Howard Partnership Trust has zero tolerance towards fraud, bribery, corruption and theft. It aims to be an honest and ethical institution with an unequivocal commitment to discharging effectively its responsibility to safeguard public and private funds in order to demonstrate the highest standards of integrity. The Trust’s objectives are to develop and maintain an anti-fraud, anti-corruption and anti-bribery culture across all aspects of Partnership and schools.

This culture will support:

- an ethos for:
  - Deterring fraud, corruption and bribery
  - Preventing fraud, corruption and bribery that cannot be deterred
  - Detecting fraud, corruption and bribery that cannot be prevented
  - Investigating and facilitating recovery of losses
  - Invoking staff disciplinary proceedings
  - Applying sanctions against people who commit fraud, corruption 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

Personal Conduct

All Trustees, Governors, employees, volunteers and associated persons must:

- Act honestly and adhere to Trust and school policies, internal controls or procedures designed to prevent fraud, bribery and / or corrupt activities.
- Not undertake or become involved in any activity which may be constituted or perceived as fraudulent, bribery or corrupt, including accepting any facilitation payments or inducements (an ethically questionable payment of any description made in order to procure or speed up the provision of services).
- Be alert to irregular activities or requests from other employees, suppliers, or the general public that may indicate fraud, corruption or bribery related activity.
- In conjunction with the Internal Complaints & Concerns Policy take timely steps to report:
  - Identified weaknesses or inadequate controls that could elevate the risk of either a bribe, corrupt or fraudulent activity going on unnoticed.
  - Any incident of fraud, corruption or bribery whether it is suspected or actual.
  - All incidents where facilitation payments or bribes have been offered or sought.
Failure to escalate and report is a serious matter and could result in disciplinary action.

**Systems of Internal Control**

The Trust will commit to:
- Conduct an appropriate risk assessment for any potential fraudulent, bribery and corruption risks.
- Employ due diligence procedures covering all parties to a business relationship.
- Establish operational systems which incorporate adequate and effective internal controls to minimise the incidence and impact of fraud, bribery and corruption.
- Implement and monitor HR policies and procedures to reduce the risk of employing dishonest staff.
- Provide clear, practical, accessible and enforceable procedures to prevent fraud, bribery and corruption. These may be found within the Governor and Staff Codes of Conduct and the Expenses and Benefits Policy. They include guidance on the provision of gifts, political and charitable contributions, and bona fide hospitality or promotional benefits to ensure that all such expenditures are transparent and ethically sound.
- Develop communication and embed training for staff in relation to anti-fraud, bribery and corruption.
- Monitor and review effective compliance with this policy.
- Show transparency at all times to ensure disclosure to the appropriate parties, including the Company auditors, Responsible Officer, Audit Committee and Governor Finance & Facilities/ Resources Committees.

**THPT’s Response to Criminal Activity**

- In accordance with the Internal Complaints & Concerns Policy, all allegations will be assessed and, where required, investigated.
- Investigations will be conducted by appropriate personnel (engaging external expertise when appropriate) and comply with relevant legislation.
- Where there is sufficient evidence, incidents (including those involving employees) will be reported to the relevant law enforcement and regulatory authorities for appropriate action.
References:

THPT Internal Complaints & Concerns Policy
Staff Code of Conduct
THPT Expenses and Benefits Policy
Trustee / Governors’ Code of Conduct (signed annually by individual Trustees / Governors)
Register of Interests for Trustees, Governors, Senior Leadership Team and Staff
THPT Finance Policy
THPT Procurement Policy
THPT Staff Discipline & Grievance Policy
THPT Recruitment & Selection Policy
THPT Finance Manual
Education Funding Agency Academies Financial Handbook issued by the Department for Education
UK Bribery Act 2010
Code of Conduct for Board Members of Public Bodies June 2011

Definitions

**Fraud** – is generally defined as false representation; failure to disclose information when there is a legal duty to do so, and an abuse of position.

**Bribery** – is generally defined 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.

The UK Bribery Act (2010) introduces a specific corporate offence of failing to prevent bribery. This offence is designed to make companies responsible for bribery committed by persons acting on their behalf. Companies must be able to demonstrate the existence and application of adequate procedures.

**Corruption** - is generally defined as the offering, giving, soliciting or acceptance of an inducement or reward which may influence actions being taken. It is abuse of entrusted power for private gain.