



SAINTS PETER AND PAUL
CATHOLIC HIGH SCHOOL

Counter Fraud and Corruption Policy

Date of Board Approval

February 2022

1. Introduction

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

2. Scope

- 2.1 This Policy applies to all members of Governing Bodies and all employees (full time, part time, temporary and casual) who work for the School.
- 2.2 The School 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 School 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.

3 Definitions

3.1 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 School'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 School to pay for them.

3.2 Corruption

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

3.3 Bribery

Bribery is a form of corruption. The Bribery Act 2010, set out 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)

4. Aims

- 4.1 The purpose of this policy is to set out the principles of the School approach to preventing and responding to fraud and corruption. The School's overarching principle is a commitment to a zero-tolerance approach to all forms of fraud and corruption at all levels of the organisation.
- 4.2 The purpose of this policy is to set out for governors and employees, the School's main objectives for countering fraud and corruption. This policy:
 - Identifies the scope of the applicability of the policy.

- Defines fraud, corruption, and bribery.
- Sets out the School'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 and corruption.

5. Responsibilities

- 5.1 The Principal, Director of Finance and Resources and Admin/Finance Officer staff, have overall responsibility for the maintenance and operation of this policy.
- 5.2 This policy will be regularly reviewed, and any significant amendments proposed to the School's Board. The School's arrangements for the deterrence, prevention and detection of fraud will be regularly reviewed by those officers charged with responsibility for the policy and our external auditors.

6. Seven Principles of Public Life

- 6.1 The School recognises the importance of the 7 principles of public life defined by the Nolan Committee 1995, and expects all directors, governors, employees, and those acting as its agents to conduct themselves according to them. The seven principles are worthy of being read by all.
- Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest,
 - Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties,
 - Selflessness - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
 - Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit,
 - Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands
 - Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office,
 - Leadership - Holders of public office should promote and support these principles by leadership and example
- 6.2 Through observance of these principles the School requires its governors, employees, and agents to be alert to the possibility of fraud, corruption, and dishonesty in all their dealings.
- 6.3 The School 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.

7. Culture and Stance against Fraud and Corruption

- 7.1 The School is determined that the culture and tone of the organisation will be one of honesty and opposition to fraud and corruption of any kind.
- 7.2 The School expects that the governors, 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. The School 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.

7.3 The School will not tolerate dishonesty on the part of any director, governor, staff member or any person or organisation involved in any way with the School. Where fraud or corruption is detected, the School will rigorously pursue appropriate action against the persons concerned including legal and/or disciplinary action, and wherever possible and deemed appropriate, will take action to recover any losses suffered.

7.4 The School Governors Resources Committee is responsible for overseeing internal control and financial management.

7.5 Bribery is not tolerated by the School under any circumstances. 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;
- 7.6e retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy

7.6 The School will implement procedures to counter bribery including:

- a. High-level commitment - The Governors and senior management will commit to and oversee the implementation of a policy of zero tolerance, recognising that bribery is contrary to fundamental values of integrity, transparency and accountability and undermines organisational effectiveness.
- b. Risk assessment - Bribery risk assessment will form part of the School's overall and ongoing risk management process.
- c. Devise and implement robust anti-bribery procedures - The School will devise, implement, and maintain robust procedures, which are proportionate to the risks and to the size, resources, and complexity of its operations. A "financial advantage" could include corporate hospitality. The statutory guidance suggests that it will not amount to a bribe provided that the hospitality: has a legitimate business aim (including developing relationships) is reasonable, proportionate, and appropriate in the circumstances (including with reference to what is normal in the particular industry).
- d. Due-diligence assessment of partners, agents, and contractors - The School will assess the bribery risk associated with entering into partnership or contracting arrangements with other entities and then carry out periodic due diligence based on that risk assessment. Partnership or contractual arrangements will include a check that these organisations have policies and procedures which are consistent with these principles and guidance.
- e. Dissemination and communication - To establish effective internal and external communication of its policy and procedures. The School will undertake training and awareness programmes to ensure staff, agents and partners are aware of the potential risks, how bribery might affect them, what they should do if they are offered a bribe, and the consequences should they be found to have made or received a bribe.

7.7 Monitoring and evaluation - Implementation of anti-bribery procedures will be monitored as part of overall risk management and internal control processes. Periodic reviews of anti-bribery procedures will be made and reported as part of governance and accountability processes. Collective action -The School will commit to sharing information and strengthening collective action to prevent bribery.

7.8 Facilitation Payments are not tolerated and are illegal. Facilitation payments are unofficial payments made to public officials in order to secure or expedite actions.

7.9 Gifts and Hospitality. In line with the School's Financial Regulations all offers of gifts and hospitality of a value of £30 or over should be registered whether they are accepted or not. This extends to all gifts including those received by teaching staff at Christmas or the end of term and any offers of sponsorship in respect of staff or school events.

8. Raising Concerns

8.1 Governors and employees are an important element in the School'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 School's activities.

8.2 The School's senior management and governors will be robust in dealing with financial malpractice of any kind.

8.3 Governors and employees of the School should follow the guidance issued in the School's Whistleblowing Policy.

8.4 All concerns reported, by whatever method, will be treated in confidence and will be reviewed and investigated by the Director of Finance and Resources who should be notified of all suspicions and incidents in the first instance. This may mean that, depending on the level, type, and details of the concerns you raise, that your concerns are investigated by the School's senior managers, governors or in the case of very serious concerns, the Police. A decision to involve the Police in any investigation will be taken by the Chair of Governors in consultation with the Principal. A summary of all counter fraud activity will be reported on an annual basis to the Board.

8.5 The School is obliged to report to the LA all instances of fraud that are over £5,000 in value (individually or cumulatively) in any financial year or are 'systematic or unusual' in nature regardless of their value.

9. Equality Statement

9.1 Those within the School who have responsibilities defined within this policy will carry out their duties with regard to the School's Equality Statement and commitment to abide by the Equality Act 2010:

- accepting our legal duty to ban unfair treatment and achieve equal opportunities in the classroom, the workplace and in wider society. We have regard for our duty to eliminate unlawful discrimination, harassment and victimisation and advance equal opportunity to foster good relations.

10. Legal Considerations

10.1 The School recognises its responsibility to apply the law in relation to the use of public sector monies and will accept and apply the definitions of Fraud and Bribery as set out in the Fraud Act 2006 and Bribery Act 2010.

11. Related Policies

- Whistleblowing Policy
- Financial Regulations – July 2018