



MOWBRAY
Education Trust

Anti-Fraud, Bribery & Corruption Policy

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1 Introduction

Mowbray Education Trust is a large and complex organisation and is committed to discharging its responsibility to safeguard public funds and the highest standards of integrity. It is committed to fighting fraud and corruption whether attempted from inside or outside. Mowbray Education Trust is committed to having effective measures to prevent and detect fraud and corruption.

Mowbray Education Trust expects all members and employees to carry out their duties in accordance with appropriate legal requirements, internal codes of practice, rules and regulations and to act at all times with honesty and probity in the discharge of their functions.

In carrying out its duties and responsibilities, Mowbray Education Trust is determined to do everything it reasonably can to protect itself and the public from fraud and corruption and is committed to the rigorous maintenance of this Anti-Fraud & Corruption Strategy which will provide a framework for:

- encouraging fraud deterrence and prevention;
- raising awareness of fraud and corruption and promoting their detection;
- performing investigations and facilitating recovery of losses;
- invoking disciplinary proceeding and referrals to the Police; and
- monitoring, publishing and updating the Strategy and its related procedures and performance.

Mowbray Education Trust also expects that all outside individuals and organisations, including suppliers, contracting partners and claimants will act toward it with honesty and integrity without thought or actions involving fraud and corruption.

This Strategy is part of Mowbray Education Trust's Anti-Fraud and Corruption Framework and sits alongside policies and guidance including Whistleblowing Policy and employees' Code of Conduct, which are laid out in employee handbooks.

This policy also covers all our educational establishments:

- Ab Kettleby Primary School
 - Brownlow Primary School
 - The Grove Primary School
- Iveshead School (from point of incorporation expected December 2022)
- John Ferneley College
 - Oasis Family Centre
 - Sherard Primary School
 - Somerby Primary School

2 Definitions

Mowbray Education Trust defines the following:

Theft is ‘the dishonest taking of property belonging to another person with the intention of permanently depriving the owner of its possession’.

This may involve:

- Falsification or alteration of accounting records or other documents
- Suppression or omission of the effects of transactions from records or documents
- Recording transactions which have no substance
- Willful misrepresentation of transactions or of Mowbray Education Trust’s state of affairs

Fraud is ‘the intentional distortion of the financial statements or other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain.’ This differs from “theft” where no attempt at concealment is made. It is also important to distinguish this from negligence and accidental error where no intent exists.

The Fraud Act 2006 established three main offences of fraud, all of which carry a maximum sentence of 10 years and/or an unlimited fine. The offences are:

- fraud by false representation
- fraud by failing to disclose information or
- fraud by abuse of position.
- The following actions are among those which fall within the definition of fraud:
 - theft of company property, including information
 - misappropriation or use of company assets for personal gain
 - false accounting – dishonestly destroying, defacing, concealing or falsifying any account, record or document required for any accounting purpose
 - forgery or alteration of company documents
 - wilful destruction or removal of company records
 - any computer- related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Mowbray Education Trust owned software
 - falsification of travel and subsistence claims
 - knowingly generating or paying false claims or invoices
 - unauthorised disclosure of confidential information to third parties e.g. confidential details of current business activities or of bids or activities that the company is contemplating.

Bribery

Bribery is the offer, promise, giving, demanding or acceptance of an advantage as an inducement for action which is illegal, unethical or a breach of trust.

Bribes can take many different forms, but typically they involve corrupt intent. A bribe could be:

- the direct or indirect promise of anything of value
- the offer of a fee, reward or other advantage
- the giving of a donation.

Corruption

Corruption is the misuse of power for private gain.

The Bribery Act 2010 makes bribery and corruption a criminal offence and holds companies liable for failing to prevent acts of bribery or corruption by those working for or on its behalf, no matter where the act takes place.

3 Operating Culture

Mowbray Education Trust is determined that the culture and tone of the organisation meets the expectations of the Committee on Standards of Public Life and the Standards Board for England. It is committed to the ten principles of public life: objectivity, openness, stewardship, leadership, accountability, honesty & integrity, selflessness, personal judgement, duty to uphold the law and respect for others.

Employees are expected, and are positively encouraged, to raise any concerns relating to fraud and corruption, which they become aware of. These can be raised in a number of ways including with the employee's line manager or Chief Financial Officer. Staff can refer to the Whistleblowing policy when needed.

We expect members and employees to lead by example in ensuring opposition to fraud and corruption, and in ensuring adherence to rules and regulations, and to relevant Codes of Conduct, and that all procedures and practices are beyond reproach. The responsibility of senior managers is to ensure that all employees are aware of what is expected of them.

We require all individuals and organisations with whom it deals in any capacity to behave with integrity and without intent or actions involving fraud and corruption.

Our employees and members of the public are important elements in the stance against fraud and corruption and are positively encouraged to raise any concerns they may have on these issues which may impact on Mowbray Education Trust activities using Mowbray Education Trust's Complaints Procedures, which can be found on our website.

As part of its responsibilities, the Trust Board is required to investigate activities suspected of involving fraud and corruption, its audit and training plans are required to provide adequate coverage of the risk of fraud and corruption and also to reflect the requirements of its staff to be properly and regularly trained.

Where appropriate, we co-operate with other local authorities and public sector bodies in the prevention, detection and investigation of fraud and corruption.

Although Mowbray Education Trust encourages its employees to report concerns acting in good faith, any maliciously motivated and unfounded allegations may be dealt with through its disciplinary procedures.

4 Prevention

It is the corporate responsibility of Mowbray Education Trust to put in place preventative measures to fight fraud and corruption to minimise risk.

Mowbray Education Trust's policies, Schemes of Delegation together with the Financial Regulations, and Codes of Conduct set out a framework for dealing with the affairs of Mowbray Education Trust and all members and employees have a duty to comply with their provisions. This includes the duty of employees to act within statutory regulations.

Members and staff must operate in accordance with Mowbray Education Trust's Procedure Rules and Code of Conduct.

Mowbray Education Trust has put in place systems and procedures to manage and discharge its functions in an efficient and effective way. These systems incorporate internal controls to prevent and deter fraud and corruption. Employees must ensure that working practices comply with the systems and Audit Services will regularly evaluate the appropriateness and effectiveness.

Thorough documentation, including manuals and operating procedures, and effective control is expected of all financial and operational systems and they must be issued to relevant staff. These must be regularly reviewed to ensure in line with best practice and effective internal controls.

Employee recruitment is required to be in accordance with procedures laid down in the Trust's human resources procedures and, in particular adequate checks made appropriate to the posts and before any appointment is made.

Employees are required to disclose any offers of gifts, hospitality or interests that could conflict with the interests of Mowbray Education Trust or might affect their judgement. The Academy will maintain a register to record and monitor disclosures, and our expenses policy sets out our rules for such gifts.

5 Detection and Investigation

All managers are responsible for the prevention and detection of fraud, corruption and other irregularities. Managers should pay special attention to particular circumstances, which may indicate an irregularity.

It is the responsibility of all employees, in particular Managers to immediately inform the Chief Financial Officer if a fraud or other irregularity is suspected. If there are concerns about the Chief Financial Officer the disclosure should be made to the CEO.

They should also ensure that:

- any supporting documentation or other evidence is secured; and
- confidentiality is maintained so as to not prejudice any subsequent investigation

Reporting of suspected irregularities to the Chief Financial Officer is essential becauseit:

- ensures the consistent treatment of information;
- facilitates proper investigation, including compliance with statutory;
- requirements and appropriate liaison at correct stages with the Police; and
- ensures the proper implementation of relevant system improvements.

Mowbray Education Trust will take appropriate action following an investigation including disciplinary action, civil recovery, referral to the Police etc.

Mowbray Education Trust will work in partnership with other organisations for the detection and investigation of fraud and corruption. These organisations include but are not limited to, the Police/Fraud Squad, and Audit Commission.

6 Training

Training and guidance are vital in maintaining the effectiveness of this Strategy and its general credibility. Mowbray Education Trust supports induction and work-related training, particularly for employees involved in internal control systems, to ensure that their responsibilities and duties are regularly highlighted and reinforced, and best practice is followed across the Mowbray Education Trust. It is the responsibility of line managers to ensure that all scheduled training and refreshers are undertaken and records are kept and monitored by HR.

7 Review

Mowbray Education Trust has in place a clear framework of systems and procedures to deter and investigate fraud and corruption. It will ensure that these arrangements are fair, monitored and updated to keep pace with future developments in preventative measures.

8 Log of Changes to Document

Date	Version	Page	Change	Who:
Mar 16	V1.0	Original document		Board
Dec 16	V1.0	Throughout	Job titles updated. Paragraph numbering removed Format updated	SM
Sep 18	V1.0	Throughout	COO changed to CFO	SC
Oct 18	V1.0	Whole document	Reviewed and approved by MET Audit committee meeting on 10 th October 2018	SC
Sept 19	V1.0	All Pages	Annual Review – Addition on front page of version control panel and reformatting for policy consistency – no content changes made.	CFO/Assistant Operations Manager
Sept 19	V1.0	All Pages	Annual approval	MET Audit Committee
Nov 20	V1.0	All pages Page 4 Page 8	Spacing incorrections made Definitions – Members <u>and</u> officers (from or) Training – Additional last sentence added on whose responsibility it is to ensure training are	Trust Board Nominee (MC)
Dec 20	V1.0	All pages / Page 4 / Page 8	All changes suggested approved	Interim CFO

Oct 21	V1.0	<p>Name</p> <p>Section 1 – Introduction</p> <p>Section 2 – Definitions</p>	<p>Name of policy updated to 'Anti Fraud, Bribery & Corruption' policy</p> <p>Added in wording to clarify 'This policy also covers all our educational establishments.....'.</p> <p>Updated definitions of Theft, Fraud and Corruption and gave additional examples.</p> <p>Included the definition of 'Bribery and the Bribery Act 2010 which is a very important component which needs to be considered.</p>	Chief Finance Officer
Oct 22	V1.0	Throughout	Iveshead comment added with regards to point of incorporation.	COO