BOHUNT
EDUCATION TRUST

# Anti-Fraud, Bribery and Corruption Policy

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| Approved by: Board of Trustees | | Date: 15th July 2025 |
| Next review date: | July 2027 | |

## Contents

## 1. Purpose

Bohunt Education Trust (the Trust) has introduced and reviewed this Policy which provides the operational framework within which the ethos of Enjoy Respect Achieve is reflected in its processes to prevent fraud, bribery, and corruption and to manage gifts and hospitality. This Policy ensures the Trust's legal duties and charitable purposes are met effectively in this area.

## 2. Legislation and Guidance

This Policy complies with and discharges the Trust's legal duties including (but not limited to) with respect to:

- The Academy Trust Handbook
- The Bribery Act 2010
- Fraud Act 2006
- Serious Crime Acts 2006 and 2015
- Standards of Conduct in Public Life
- The Companies Act 2006 (as amended)
- Money Laundering Terrorist Financing and Transfer of Funds Regulations 2017

This Policy meets the Trust's legal obligations under its funding agreement and its articles of association.

## 3. Definitions

**Associated Persons** means all employees and anyone acting for, or on behalf of, the Trust including governors, trustees, members, other volunteers, temporary workers, consultants and contractors

**Bribery** is defined in the Bribery Act 2010 as:

- 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

**Corruption means t**he offering, giving, soliciting or acceptance of an inducement or reward that may influence the actions of any person. Both parties are equally guilty of an offence.

**Facilitation Payments** unofficial payments made to public officials in order to secure or expedite decisions, actions or steps

**Fraud** means a range of abuse and malpractice that the Theft Act 1968, the Fraud Act 2006 and common law addresses. It includes:

- making a dishonest representation for your own advantage or to cause another a loss
- dishonestly neglecting to disclose information when you had a duty to do so
- abusing your position, if you have a duty to protect the financial interests of others and you fail in this for the purpose of your own gain to cause another to make a loss
- false accounting
- using accounting documents which you know are misleading

- conspiring with others to commit fraud by agreeing to do something which causes loss to a third party

Fraud can also 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.

**Gifts** means gifts, hospitality or other personal benefits

**Pecuniary Interests** means mean any interest or relationship which could lead to suggestions that an individual's objectivity and integrity is compromised. It includes any financial or other remunerative benefit or personal gain (whether directly financial or not) which a member of staff receives (or is perceived to be able to receive) as a result of their authority or office
Examples given in Academy Trust Handbook include (but are not limited to and the list below is not an exhaustive list):

- directorships, partnerships and employments with businesses (whether that business has dealings with BET or not);
- trusteeships and governorships at other educational institutions and charities;
- relevant material interests from close family relationships between the academy trust's members;
- trustees or local governors and relevant material interests arising from close family relationships between those individuals and employees.

**Standards in Public Life** means the seven principles of public life defined by the Nolan Committee 1995

## 4. Equalities Assessment Impact Statement

The Trust is committed to treating all people equally and with respect irrespective of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation. We are committed to eliminating discrimination and recognise children's diverse circumstances. We ensure that we meet our duties under the Equality Act 2010.

We have reviewed the effect of this policy on those who may face additional or different barriers to securing its benefits than the population as a whole and there are no specific mitigations or steps required to secure the benefits of this Policy for any individual or group.

## 5. Roles and Responsibilities

This policy applies to all Associated Persons. All associated persons play a key role in the implementation and delivery of the Standards in Public Life and set the tone, the approach and the culture by which the Standards in Public Life are demonstrated.

### 5.1 Trust Board

The Trust Board approves this policy and delegates oversight of its monitoring and effectiveness to the Finance, Audit and Risk Committee.

The Committee, supported by the internal and external audit service, reviews the adequacy of the measures taken by the Trust to test compliance and to draw attention to any weaknesses or omissions. Key determinants of the standards of behaviour in any organisation will be the standards observed by Trustees.

The Trust Board and its committees are committed to ensuring that their behaviour is always demonstrably selfless, impartial and consistent with the public service values of probity and accountability.

### 5.2 CEO and CFO

The CEO is responsible to the Trust Board for implementing this Policy and ensuring that the behaviour of Trust Executive Leadership is always demonstrably selfless, impartial and consistent with the public service values of probity and accountability.

The Chief Financial Officer has a responsibility to the CEO for ensuring that effective systems of internal financial controls are maintained and will safeguard the resources of the Trust. This includes:

- Implement and maintain systems of accountability and control to ensure that s resources are properly applied in the way it intended. These systems include, as far as is practical, adequate internal controls to detect and report immediately not only significant errors but also importantly, fraud, bribery and corruption;
- Proper procedures and financial systems;
- Effective management of financial records;
- Management of each Academy's and Trust's financial position;
- Anti-fraud awareness training;
- Providing an annual report of "zero return" or otherwise reporting by exception to the next succeeding Finance, Audit and Risk Committee should any matters arise under this Policy.

### 5.3 Heads of Schools

Heads of Schools should ensure that their behaviour and that of their senior staff is always demonstrably selfless, impartial and consistent with the public service values of probity and accountability and that they demonstrate in the implementation of policies, processes and procedures their promotion of these standards, Heads of Schools will operate all systems of internal control appropriately and ensure that any irregularities are immediately reported to CFO and CEO.

### 5.4 Local Governing Bodies

As committees of the Board of Trustees, local governors will ensure that their behaviour is always demonstrably selfless, impartial and consistent with the public service values of probity and accountability. In accordance with terms of reference, local governing bodies will also keep under review the monitoring of any steps required to secure the adequacy of the measures taken by the Trust to deliver this policy and report any omissions or inadequacies.

### 5.5 All Associated Persons including all staff and all the above

**5.5.1** All Associated Persons will act with integrity and without thought or actions involving fraud and corruption. Where relevant, the Trust and each member 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.

**5.5.2** The Trust recognises the importance of the Standards in Public Life and expects all Associated Parties to conduct themselves according to them. The Trust has provided detailed advice on the disclosure of Pecuniary Interests appropriate to the role performed by any Associated Person and it is the duty of Associated Persons to take reasonable steps to limit the possibility of fraud, corruption or bribery.

**5.5.3** Through observance of these principles all Associated Persons will be alert to the possibility of fraud, corruption and dishonesty in all their dealings. Recognising a potential fraud, corrupt practice or bribe and being able to report it is just as important as the measures to prevent and detect.

**5.5.4** The Trust also requires that Associated Persons 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.

**5.5.5** The Trust is determined that the culture and tone of the organisation will be one of honesty and opposition to fraud, bribery and corruption of any kind. BET expects all Associated Parties at all levels to lead by example in ensuring adherence to legal requirements, financial rules, codes of conduct and prescribed procedures and practices.

## 6. Bribery and Corruption

Bribery and Corruption are 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;

Facilitating payments are not authorised in any circumstance and are not legal.

## 7. Fraud

### 7.1 General examples of fraud

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.

### 7.2 Fraud via Cyber Attacks

The Trust is also vigilant to the omnipresent and significant risk of cybercrime involving malicious attacks on software and email hacking. People can illegally gain access to an email account in various ways, many of which rely on the behaviour of otherwise innocent Associated Parties, including:

- opening and responding to spam emails
- opening emails that contain viruses
- opening phishing email messages that appear to be from a legitimate business

The disclosure of Trust information via a phishing e-mail is recorded as a risk of financial loss and identity theft in the Trust Risk Register as well as a data protection breach and the Staff Acceptable Use Policy, and each School's Student Acceptable Use Policy covers this.

### 7.3 Fraud and Other irregularities

Other irregularities could apply to the Trust as well as individual academies, and includes:

- failure to observe the Trust's Financial Manual, policies and procedures
- breach of our Funding Agreement with the ESFA
- breach of the requirements of the Academy Trust Handbook
- spending grant income in ways inconsistent with the purposes for which it was intended

### 7.4 Prevention of Fraud

In education, the biggest area of fraudulent transactions has arisen through misappropriation and the Trust's Finance Policy and Manual set specifically detailed mechanisms to address the three areas most vulnerable to fraud: cash handling, cheque handling and the operation of the purchase ledger.
The misuse of information technology is also a major risk in financial transactions and again. In assessing the level of fraud risk the Trust refers to ESFA guidance such as the 'Anti-fraud checklist for Academy Trusts' and the 'Fraud Indicators' document', and external guidance such as
The Trust's financial management procedures are carefully designed and consistently operated
in particular, the financial policies and procedures within the Trust's Finance Manual. The Trust will ensure that management procedures for the Trust and within Academies, as described below, are effective and that staff receive training in their operation appropriate to their role as set out in Section 10 below:

- segregation of duties and appropriate oversight in the use of financial systems
- clear roles and responsibilities, with set levels of authority for authorising transactions
- system protection with electronic access restrictions to prevent the possible misuse of information technology.

## 8. Gifts and Hospitality

As a general guideline, Gifts should not be accepted or offered by any member of staff, except as provided for below. Any breach of this Policy could lead to disciplinary action and may constitute gross misconduct.

### 8.1 General

BET encourages and expects staff, trustees and governors to use their networks and contacts for its benefit. It is however a fundamental requirement on all staff, the contravention of which would be considered to be gross misconduct, that they must not derive any financial benefit beyond their agreed salary from the decisions they make or contribute to, which involve the education of students, or the spending of the significant sums of public money that are entrusted to the Trust or its schools. Therefore, staff shall not use their authority or office for personal gain beyond their agreed salary and shall seek to uphold and enhance the standing of the BET by:

- maintaining an unimpeachable standard of honesty and integrity in all their business and other relationships
- complying with the letter and spirit of the law in contractual obligations, rejecting any business practice that might be deemed improper
- at all times in their business and other relationships, act to maintain the interests and good reputation of BET

### 8.2 Action to take on a breach

Any employee who becomes aware of a breach of this policy must refer to the Staff Code of Conduct and BET's Whistleblowing Policy and report the alleged breach immediately to his or her line manager who will instigate investigations as necessary.

### 8.3 Pecuniary Interests and Related Party Transactions

Any personal interest that may impinge, or might reasonably be deemed by others to impinge, on an employee's impartiality, or conflict with the duty owed to BET in any matter relevant to an employee's duties (such as conflicting business interests) shall be declared in writing in accordance with BET's Guidance on pecuniary Interests and Related Party Transactions. Any member of staff aware of any business dealings conferring personal gain, or involving their relatives or associates must make an appropriate entry in the Register of Business Interests.

### 8.4 Gifts from student or parents or public or organisations

Staff are permitted to accept gifts, rewards or benefits from students, students' families, members of the public, or organisations which BET has official contacts with, only where they are isolated gifts of a trivial character, or inexpensive seasonal gifts (such as chocolates, flowers, diaries or calendars). Therefore, gifts should not be accepted if they appear to be disproportionately generous, or could be construed as an inducement to effect a decision or action, whether business, educational, or other. Where purchased items include a "free gift", such a gift should be either used for BET business or handed to the Trust to be used at charity raffles, pupil prizes, etc.

### 8.5 Hospitality

In relation to conventional hospitality (lunches, outings, tickets for events, etc), it may be accepted provided that it is normal and reasonable in the circumstances. However, invitations for the following should not be accepted:

- where there is no reasonable business justification for doing so
- where an invitation is disproportionately generous
- where the invitation could be seen as an inducement to affect a business or other decision.

### 8.6 Value

Any hospitality or gift other than of a nominal value (£15) or facilities provided during the normal course of business should be reported to your School Finance Officer. -

- Who the gift is from
- Date the gift is received
- Details of the gift
- Action taken (whether the gift is retained or refused or passed on, etc)

### 8.7 Granting of hospitality

BET encourages and seeks cooperative relationships between staff, trustees, governors, stakeholders and external organisations. Accordingly, there can be occasions where it is appropriate for BET to provide and fund limited gifts, in particular hospitality, which will principally be dealt with in-house.

Likewise, it may be appropriate for leaving gifts to be provided to staff leaving the employment of BET, particularly after a long period of service. Such gifts are often supplemented with private contributions from continuing members of staff. No gifts of alcohol may be made with School or BET funds.

## 9. Detection

### 9.1 Internal Management Systems

Effective management systems are imperative if fraud is to be detected rapidly; the systematic review of every transaction minimises the risk of processing an irregular transaction. Detective checks and balances must be designed into systems and applied consistently. This includes segregation of duties, reconciliation procedures and review of management accounting information.

### 9.2 Internal or External Audit Reviews

The work of internal and external auditors or inspectors may result in the detection of suspected fraud and irregularity or may suggest improvements in controls to help prevent and detect any irregularities.

### 9.3 Reporting Suspected Fraud and Irregularity/Raising Concerns

All Associated Persons are an important element in BET's defence against bribery, fraud, corruption or any form of irregularity. If an Associated Person has genuine reason to suspect that fraud or irregularity is taking place (or has taken place), they are expected to bring this to the attention of the Trust in one of the following ways:

- reporting suspicions to the Head of School, CFO or CEO as appropriate;

- reporting suspicions using the Trust's Whistleblowing Procedure so that you report concerns with the Head of School (or if relating to the Head of School, the CEO) in the first instance except when it relates to the CEO, in which case the concern should be raised with the Chair of the Board. This may mean that, depending on the level, type and details of the concerns you raise, that your concerns are investigated by the Head of School, the CEO, the Chair of the Board of the Trust or, in the case of very serious concerns, the Police
- where the suspected or actual impropriety, irregularity relates or could include personal information must also be reported within 24 hours of becoming aware to DPO under Trust data beach reporting system

### 9.4 Potentially Suspicious Behaviour

Staff members who have committed serious financial irregularities may attempt to conceal this by taking few holidays, regularly working alone, late or at weekends, being resistant to delegation or resenting questions about their work. The ESFA 'Fraud Indicators' document may be helpful to refer to where concerns may exist. If in doubt, staff members should report their suspicions anyway, provided they are supported by at least one piece of reliable information or evidence and they are made in good faith

### 9.5 Responding to Concerns Raised

BET's senior management, governors and trustees will be robust in dealing with financial or irregular malpractice of any kind. Any suspected or actual fraud, bribery, or corruption will be reported to the Police or other investigative agencies, irrespective of the status of the individual within the organisation. The Trust will also undertake disciplinary action and reserves the right to take legal action

## 10. Training

### 10.1 Training for relevant Staff

Appropriate staff are trained in fraud awareness to enable the identification and reporting of **potential fraudulent activities.**

### 10.2 Recruitment

There are clear recruitment policies and procedures in place and include screening potential new members of staff before appointment, including for posts with financial responsibility. For example:

- Identity and right to work checks are made
- References should cover a reasonable, continuous period and any gaps should be explained
- An official employer's reference should be obtained
- Offers of appointment to be made subject to receipt of satisfactory references and any doubts about the contents of the reference should be resolved before
- Confirming the appointment. If this is done by telephone, a written record of the discussion should be kept to comply with employment law
- Essential qualifications and DBS checks are made

Recruitment procedures require that members of recruitment panels will declare any relationships or connections with candidates prior to their involvement with the process.

## 11. Internal and External Audit

### 11.1 Internal audit

The Internal Audit Team may provide independent assurance on the processes and controls put in place by management to prevent or detect fraud and irregularity or to manage the risk of fraud and irregularity. Members of the Internal Audit Team, with the requisite skills and expertise, may also provide advice on, lead or conduct special investigations into suspected fraud, irregularities, misconduct or alleged impropriety. Fraud investigations should not be undertaken without the requisite skills, knowledge and expertise as this may compromise a fraud investigation or a criminal case.

### 11.2 External audit

The Trust's Annual Report and Financial Statements include an Independent Auditors' Report. This report includes a view as to whether the financial statements give a true and fair view and whether proper accounting records have been kept by the Trust throughout the financial year. In addition, it reports on compliance with the accounting requirements of the Companies Act 2006 and confirms compliance with the financial reporting and annual accounting requirements issued by the Department of Education.

Any investigation carried out in relation to alleged irregularities is linked to the Trust's HR Policies, including but not limited to the Disciplinary Policy.

## 12. Monitoring and review

This Policy is to be reviewed by the Board of Trustees on a two yearly basis.

The internal monitoring of the implementation of this policy will be the responsibility of the Chief Finance Officer who will produce reports for the Board of Trustees and each Local Governing Body as required.

The responsibility for ensuring that this policy and its associated processes and procedures remain appropriate and comply with changes in legislation will be held by the CEO.

## 13. Links to Other policies

- Safer Recruitment
- LGB and Trustee Code of Conducts
- Staff code of conduct
- Accounting Policy
- Acceptable Use Policies
- Data Protection Policy