

Counter Fraud Policy

Category:	Trust-wide Policy
Authorised By:	Finance Committee
Signed By:	Jamie Clarke - Chair of the Finance Committee and Deputy-Chair of the Board of Trustees
Author:	Keith Holroyd - Governance and Policy Officer Sudhi Pathak – Director of Finance and Operations
Version:	2
Status:	Ratified
Issue Date:	September 2020
Next Review Date:	September 2022

Version Control

<u>Ver.</u>	<u>Date</u>	<u>Comment</u>
1	May 2016	New policy
1.1	September 2017	Governance aspect updated
2	September 2020	Cyclical review

Summary of key changes from v1.1

This section highlights and summarises the key changes from the previous version (v1.1, September 2017).

Section 2 – [Purpose & Scope](#)

- New initial paragraph to clarify that this is a Trust-wide policy (*page 4*)

Section 3 - [Responsibilities](#)

- Updated bullet point, highlighting who to report suspicions to, replacing “the principal” (*page 5*)

Section 6 – [An overview of actions you should take if you suspect a fraud](#)

- Addition to the diagram of CEO where the DFO is the subject of the suspicion (*page 6*)
- Additional paragraph covering Trustees raising concerns (*page 7*)

Section 8 – [Monitoring of this policy](#)

- Change of the name of the Audit & Risk Committee to reflect the 200-21 Governance Charter (*page 7*)

Contents

1. Introduction.....	4
2. Purpose and Scope	4
3. Responsibilities.....	5
4. Managers.....	5
5. Eden Academy response	6
6. An overview of actions you should take if you suspect a fraud	6
7. What next?	7
8. Monitoring of this Policy	7

1. Introduction

The Eden Academy Trust operates a zero-tolerance approach to fraud, theft, or corruption.

Counter fraud, anti-theft and anti-corruption work is a vital part of our corporate governance framework – it helps to ensure that we are managing our resources effectively.

The Eden Academy Trust is committed to sound corporate governance and supports the principles of openness, honesty, selflessness, integrity, objectivity, accountability, and leadership. Every person who is associated with the Eden Academy Trust, the Board of Trustees, Directors, employees, and contractors, has a duty to be vigilant and help with the fight against fraud, theft, and corruption.

It is therefore imperative that all stakeholders read and understand the Counter Fraud Policy.

The Board fully endorse the Counter Fraud Policy and will ensure that action is taken against any attempt to defraud the organisation.

2. Purpose and Scope

This policy applies to all Eden Academy Trust Schools, central services, and central teams.

This policy sets out the Eden Academy's strategy for combating fraud, theft, and corruption. It applies to all Trustees, employees, workers, tenderers, contractors, consultants, and agents acting on behalf of the organisation ("*internal and external parties*"). It serves as a reminder to internal and external parties of their broader responsibilities to prevent, detect and report fraud, theft, and corruption.

The organisation has a separate Whistleblowing Policy, which aims to:

- Ensure concerns are raised without fear of reprisals;
- Provide assurance that concerns will be taken seriously;
- Provide information about how to raise concerns and explains how the Eden Academy Trust will respond.

Fraud is defined as dishonest behaviour with the intention to make personal gain or cause a loss to another.

Theft is the dishonest physical misappropriation of cash or other tangible assets belonging to another with the intention of permanently depriving the other of it.

Corruption is defined as the offering, giving, or accepting of an inducement or reward, which would influence the actions taken by the organisation through its internal and external parties.

3. Responsibilities

All internal and external parties including managers:

- You must comply with the requirements set out in this policy, the staff handbook, and the Financial Procedure rules;
- You must not accept gifts, hospitality or benefits which might be seen to compromise your integrity or judgement;
- You must comply with internal controls and systems in place;
- If you discover or suspect fraud, theft and/or corruption you must report it immediately to your line manager, Director of Finance & Operations (or CEO where the DFO is the subject of the suspicion) or anonymously through the whistleblowing procedure;
- You must take no further action once you have reported your concerns, do not share your concerns or suspicions with anyone; and
- You must make a written record of the allegation you have reported as soon as you can.

5

4. Managers

For the purposes of this policy, managers are defined as any person who is responsible for managing staff or contracts with the Eden Academy Trust. As a manager you must also:

- Ensure that all internal and external parties for whom you are responsible are aware of the risk of fraud, theft, and corruption;
- Take steps to prevent fraud, theft, and corruption through the use of appropriate internal controls and monitoring;
- Follow guidance or carry out internal checks as directed;
- Ensure that suspected fraud, theft, or corruption is reported to the Director of Finance and Operations promptly;
- Encourage staff to report suspected or discovered fraud and abuse.

5. Eden Academy response

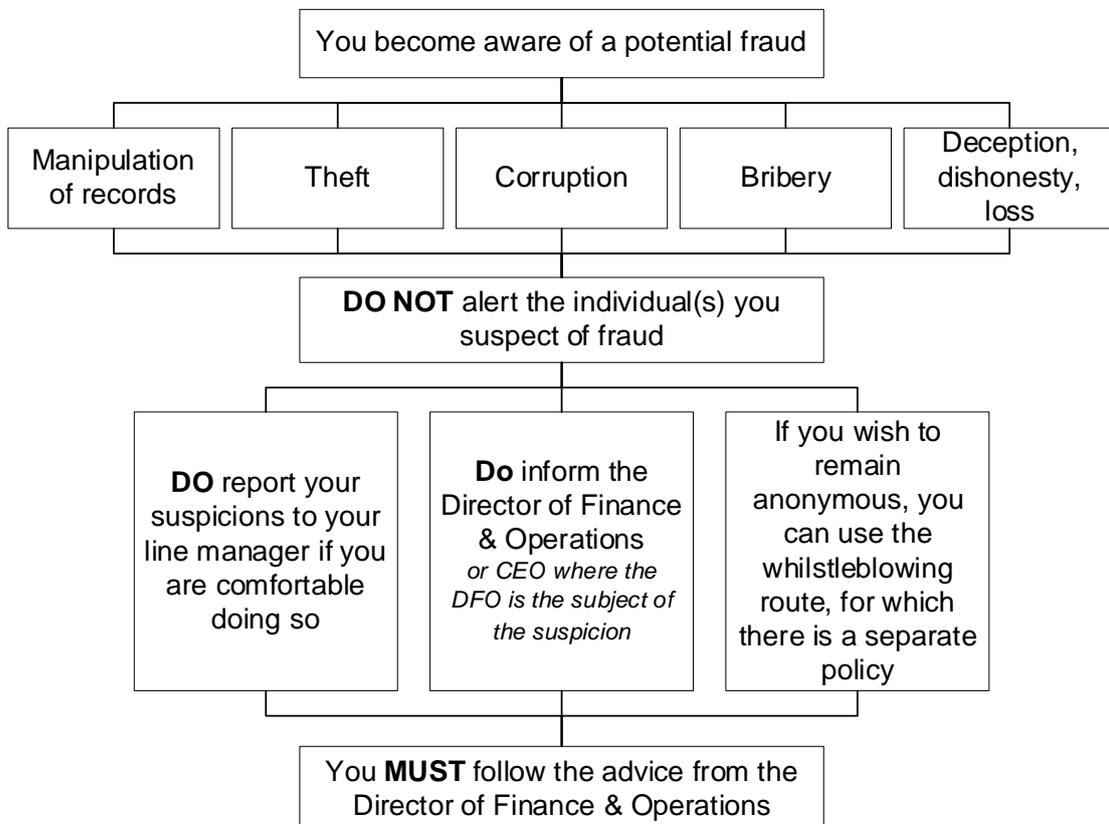
If evidence of fraud or corruption against the organisation by the public, internal or external parties is found all appropriate available sanctions will be pursued. This may be through the criminal and civil courts, disciplinary proceedings, or notification to a relevant professional body even where there is no criminal investigation or police involvement.

Reports of fraud or corruption will be investigated by the organisation and consideration given as to whether or not this policy has been breached.

The organisation will report fraudulent activity or corruption to the police for potential prosecution, not only as a deterrent but also to assist with recovery of losses and to conform with insurance requirements. The Trust will take steps to recover any loss by acts of fraud or corruption.

In the event of conviction for a criminal offence the organisation will notify the media unless it is not in the public interest to do so.

6. An overview of actions you should take if you suspect a fraud



**Act quickly to help minimise losses and ensure perpetrators cannot
destroy evidence**

The Trust can recover losses

Trustees wishing to raise concerns should do so directly with the Chair of the Board of Trustees. If the concern is regarding the Chair of the Board of Trustees, then concerns should be raised with the Chair of the Board of Members. Trustees also have the option of raising concerns externally with the ESFA although internal reporting should be considered first. Education & Skills Funding Agency: 0370 267 0001

7. What next?

It is important that the organisation finds out how the fraud was possible and what lessons can be learned. A report should be produced which honestly identifies the weaknesses and suggests actions to reduce/eliminate the problems in the future. The report should be about improvements and not about blame. The report should identify the problem areas and include an action plan with 'SMART' targets.

7

8. Monitoring of this Policy

The Audit & Risk Committee will oversee any further development of the Counter Fraud Policy, which is subject to at least bi-annual review.