



# **ANTI-FRAUD POLICY**

Date approved by Directors  
24<sup>th</sup> April 2024

# TENTERDEN SCHOOLS TRUST

## Anti-Fraud Policy

This policy will be reviewed annually

**DATE OF POLICY:      APRIL 2024**

**DATE OF REVIEW:      APRIL 2025**

**Member of staff responsible for Policy:**

**Chief Executive Officer & Trust Finance Director**

**Signed**



**Chief Executive Officer**

**Signed**



**Chair of the Trust Board**

# **Tenterden Schools Trust Anti-Fraud Policy**

## **1.0 Purpose**

The purpose of this policy is to reinforce Tenterden Schools Trust's intolerance of fraud, corruption and bribery. Compliance with this Anti-Fraud Policy will assist in the delivery of more effective risk management, covered more fully in the Tenterden Schools Trust Risk Management Policy.

## **2.0 Introduction**

Tenterden Schools Trust will not tolerate fraud, corruption or abuse of position for personal gain, wherever it may be found. Tenterden Schools Trust considers that all instances of fraud, corruption and other dishonest practices endangers the achievement of its policies and objectives as they divert its limited resources from the provision of education. There is a clear recognition that the abuse of the resources, assets and services undermines the reputation of Tenterden Schools Trust and its schools and also threatens its sound financial standing.

This policy statement:

- Defines fraud, corruption and bribery.
- Identifies the scope of the policy.
- Sets out Tenterden Schools Trust'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.
- Lists other policies that refer to countering fraud.

## **3.0 Definitions**

### **3.1 Fraud**

Fraud is a range of abuse and malpractice that is covered by the Fraud Act 2006, as amended from time to time. 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 name of Tenterden Schools Trust or its schools 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 or any of its schools to pay for them.

### **3.2 Corruption**

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

### **3.3 Bribery**

This is covered by The Bribery Act 2010, as amended from time to time. Bribery can be defined as:

- giving, promising to give, or offering 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
- giving, promising to give or offering a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure
- accepting payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them
- accepting 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
- retaliating against or threatening a person who has refused to commit a bribery offence or who has raised concerns under this policy.

### **3.4 Facilitation Payments**

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

### **3.5 Gifts and Hospitality**

This policy is not meant to change the requirements of Tenterden Schools Trust's approach to gifts and hospitality as set out within the Finance Manual and its Scheme of Delegation. These make it clear that all offers of gifts and hospitality of a value of £50 or over should be registered whether they are accepted or not.

### **4.0 Scope of Policy**

The Policy Statement applies to all Tenterden Schools Trust members and directors, members of its schools' local governing bodies, and all employees (full time, part time, temporary and casual) who work for Tenterden Schools Trust and its schools. Tenterden Schools Trust 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, Tenterden Schools Trust 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. Tenterden Schools Trust recognises the importance of the seven principles of public life and expects all directors, governors, employees and those acting as its agents to conduct themselves according to them.

These are: Honesty, Integrity, Selflessness, Objectivity, Openness, Accountability and Leadership. Through observance of these principles Tenterden Schools Trust requires

its members, directors, school governors, employees and its agents to be alert to the possibility of fraud, corruption and dishonesty in all their dealings. Tenterden Schools Trust 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.

## **5.0 Culture & stance against fraud and corruption**

Tenterden Schools Trust is determined that the culture and tone of the organisation will be one of honesty and opposition to fraud and corruption of any kind. It expects that its members, directors, school governors and employees at all levels to lead by example in ensuring adherence to legal requirements, financial rules, codes of conduct and prescribed procedures and practices.

References are made to anti-fraud behaviours in the following policies and procedures:

- Whistleblowing policy
- Professional conduct policy
- Data Protection policy
- Staff Disciplinary policy
- Safeguarding policies
- Trust Financial Manual
- Job descriptions for Members, Directors, Governors and Staff
- Audit and Risk Committee terms of reference
- Safer recruitment
- Vetting of contractors
- Declarations of business interests

Tenterden Schools Trust 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. Instances of internal fraud, corruption and bribery will be dealt with according to the Trust's Disciplinary Procedures. Tenterden Schools Trust's Finance and Resources Committee is responsible for overseeing its financial management and its internal control framework. The Audit and Risk Committee recommends to the Board arrangements for independent review of compliance with the control framework and reviews independent audit/responsible officer assurance and compliance reports.

## **6.0 Raising Concerns**

Members, directors, governors and employees are an important element in Tenterden Schools Trust'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 Tenterden Schools Trust's activities. Tenterden Schools Trust's senior management and directors will be robust in dealing with financial malpractice of any kind. Members, directors, governors and employees of Tenterden Schools Trust should follow the guidance issued in the Whistleblowing Procedure. All concerns reported, by whatever method, will be treated in confidence and will be reviewed and investigated by a director, governor or member of staff deemed to be appropriate and best placed to do so. This may mean that, depending on the level, type and details of the concerns raised, that they are investigated by senior Tenterden Schools Trust managers, directors, governors or in the case of very serious concerns, the Police.

## **7.0 Responsibility for this Policy**

The Chief Executive Officer in conjunction with the Director of Finance, has overall responsibility for the maintenance and operation of this policy.