



The Park Federation Academy Trust

Anti-Fraud, Corruption and Bribery Policy 2023

Version History

Version	Date	Status and Purpose	Changes overview
1	17 th November 2014		First Approved
2	September 2019	Periodic Review	<ul style="list-style-type: none">• Clarity on Conflict of Interest• What to do if subject to a bribe• Link to HR Policies
3	July 2020	Periodic review	
4	July 2021	Periodic review	
5	September 2022	Periodic review	
6	September 2023	Periodic review	6.4 added to reflect notification of fraud to the ESFA

Approval

Signed by the CEO and Federation Principal
on behalf of the Board of Directors



Dr. Martin Young

Date of approval
Date of review

September 2023
September 2024

Notes on Document Control

This document is the property of The Park Federation Academy Trust and its contents are confidential. It must not be reproduced, loaned or passed to a 3rd party without the permission of the authoriser.

It is controlled within the Park Federation Academy Trust Admin Server where the electronic master is held and can be accessed on a read only basis, subject to security permissions.

Users of the document are responsible for ensuring that they are working with the current version.

Paper or electronic copies may be taken for remote working etc. However, all paper copies or electronic copies not held within the Admin Server are uncontrolled.

Hence the footer 'DOCUMENT UNCONTROLLED WHEN PRINTED' which must not be changed.

Once issued, as a minimum this document shall be reviewed on an annual basis by the originating team/function. Any amendments shall be identified by a vertical line adjacent to the right hand margin.

To enable continuous improvement, all readers encouraged to notify the author of errors, omissions and any other form of feedback.

Contents

		Page
1.0	Purpose	4
2.0	Introduction	4
3.0	Definitions	4
4.0	Scope of Policy	5
5.0	Culture & stance against fraud & corruption	5
6.0	Raising concerns	6
7.0	Monitoring and review	7

1.0 Purpose

The purpose of this policy is to confirm the Park Federation Academy Trusts commitment against fraud. The fulfilment of this Anti-fraud, Corruption and Bribery Policy will assist in the delivery of more effective risk management.

Associated Documentation and Policies: The Park Federation Academy Trust (TPFAT) Policies: Disciplinary policy, Staff Code of Conduct, Gifts and Hospitality policy, Whistleblowing policy and other legislation.

2.0 Introduction

2.1 The Park Federation Academy Trust 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 Academy Trust activity.

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

2.3 The purpose of this Policy Statement is to set out for Board of Directors, Academy Council Members and employees, the Academy Trusts main objectives for countering fraud and corruption. This policy statement -

- Defines fraud, corruption and bribery.
- Identifies the scope of the applicability of the policy.
- Sets out the Academy Trusts intended culture & stance against fraud, corruption and bribery.
- Identifies how to raise concerns and to report malpractice.
- Sets out responsibilities for countering fraud

3.0 Definitions

3.1 Fraud

3.1.1 Fraud is a range of abuse and malpractice that is covered by the Fraud Act 2006.

3.1.2 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.

3.1.3 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 Academy Trusts 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 Academy Trust to pay for them.

3.2 Corruption

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

3.3 Bribery

3.3.1 The Bribery Act 2010:

There are 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) The Bribery Act 2010

3.3.2 Bribery is 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, in this case it should be reported immediately to the Principal, Chief Executive Officer or Chief Operating Officer who will inform the Chair of the Finance and Operations Committee;
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy;

3.3.3 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.

3.3.4 Gifts and Hospitality:

This policy is not meant to change the requirements of the Academy Trusts approach to gifts and hospitality. All offers of gifts and hospitality should be registered as required under this policy. Each Academy must maintain a register for all gifts.

4.0 Scope of Policy

4.1 This policy applies to all employees and anyone acting for, or on behalf of, the Academy Trust (“associated persons”), including employees of The Park Federation Academy Trust acting for the Academy Trust, Board of Directors, Academy Council Members, other volunteers, temporary workers, consultants and contractors.

4.2 The Academy 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, the Academy 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.

4.3 The Academy Trust recognises the importance of the seven principles of public life defined by the Nolan Committee 1995, and expects all Board of Directors, Academy Council Members, employees and those acting as its agents to conduct themselves according to them.

4.4 Through observance of these principles the Academy Trust requires the Board of Directors, Academy Council Members, employees and its agents to be alert to the possibility of fraud, corruption and dishonesty in all their dealings.

4.5 The Academy 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.

4.6 Annually staff are required to declare pecuniary interests regarding relationships with any parties that contract with the Trust. Declarations would be considered by the Chief Executive Officer and as necessary the Board of Directors. If you suspect their maybe a conflict of interest such as procuring a service from a friend or relative then this should be discussed with the Principal, Chief Executive Officer or Chief Operating Officer.

5.0 Culture & stance against fraud & corruption

5.1 The Park Federation Academy 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.

5.2 The Academy Trust expects that the Board of Directors, Academy Council Members 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.

5.3 The Academy 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.

5.4 Where an allegation is made against a staff member or matter is brought to the Trusts attention, a thorough investigation will take place in accordance with the Trusts policies.

6.0 Raising Concerns

6.1 Board Directors, Academy Council Members, Academy Trust employees and anyone acting for, or on behalf of, the Academy Trust (“associated persons”), are an important element in the Academy Trusts 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 Academy Trusts activities.

6.2 The Academy’ Trusts Senior Management Team and Board of Directors will be robust in dealing with financial malpractice of any kind. The Board of Directors, Academy Council Members, employees of the Academy Trust and ‘associated persons’ should follow the guidance issued in **The Park Federation Academy Trusts Whistleblowing Policy**.

6.3 All concerns reported, by whatever method, will be treated in confidence. Concerns should be raised with the Principal in the first instance, except when it relates to the Principal or Chief Operating Officer in which case the concern should be raised with the Chief Executive Officer. This may mean that, depending on the level, type and details of the concerns you raise, that your concerns are investigated by the Principal, the Chief Executive Officer or if the complaint is against the Chief Executive Officer by The Finance and Operations Director or another member of the Board of Directors or, in the case of very serious concerns, the Police.

6.4 The Board of Directors are aware that they must notify the ESFA, as soon as possible, of any instances of fraud, theft and/or irregularity exceeding £5,000 individually, or £5,000 cumulatively in any financial year. Unusual or systematic fraud, regardless of value, must also be reported. The following information is required:

- full details of the event(s) with dates
- the financial value of the loss
- measures taken to prevent recurrence
- whether it was referred to the police (and if not why)
- whether insurance or the RPA have offset any loss

7.0 Monitoring and review

7.1 This Policy was first approved by the Board at its meeting held November 2014 and is to be reviewed by the Board of Directors on an annual basis.

7.2 The internal monitoring of the implementation of this policy will be the responsibility of the Chief Operating Officer who will produce reports for the Board of Directors as required.

7.3 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 Chief Executive Officer.