



Barrowby Church of England Primary School

Corruption, Fraud, Bribery Policy

1. Policy Statement

- 1.1 The purpose of this policy is to set out the Barrowby CE Primary School and all staff, members', Trustees' (including Local Governing Boards (LGBs)) and volunteers' responsibilities in observing and upholding our position on fraud and bribery (including corruption) in order to protect staff, members and trustees (governors) from suspicions of dishonesty and ensure that they are free from any conflict of interest with respect to the acceptance or provision of gifts, hospitality, or any other inducement from or to suppliers of goods or services to schools. It provides information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.
- 1.2 Barrowby School requires all staff, governors and volunteers to act honestly and with integrity at all times and to safeguard the public resources for which they are responsible. The School will not accept any level of fraud or bribery (including corruption). Consequently any allegation will be thoroughly investigated and dealt with appropriately. Barrowby School is committed to ensuring that opportunities for fraud, bribery and corruption are reduced to the lowest possible level of risk.

2. Scope

- 2.1 This policy applies to all trustees, governors, volunteers and employees of Barrowby School. The policy also applies to other individuals performing functions in relation to the School, such as agency workers, casual workers and contractors.

3. Definition of Fraud

- 3.1 The Fraud Act 2006 defines fraud in 3 classes:
 - Fraud by false representation – which the person knows to be untrue or misleading
 - Fraud by failing to disclose information – where a person fails to disclose any information to a third party when they are under a legal duty to disclose such information
 - Fraud by abuse of position – where a person occupies a position where they are expected to safeguard the financial interests of another person, and abuses that position. This includes cases where the abuse consisted of an omission rather than an overt act
- 3.2 In all three classes of fraud, the person must have acted dishonestly with the intention of making a gain for themselves or anyone else or causing loss to someone or exposing another to the risk of loss.
- 3.3 “Representation” may be as to fact or law or as to a state of mind of the person making it or the state of mind of a third party.
- 3.4 “Gain” and “loss” relates only to gain or loss in money or other property (of any kind) but can be temporary or permanent. Gain includes keeping what one has as well as getting what one does not have whilst loss includes not getting what one might get as well as parting with what one has.

3.5 Fraud under the above definitions is a criminal offence and, if convicted, can carry a maximum sentence of 10 years imprisonment.

4. Definition of Bribery (including corruption)

4.1 The Bribery Act 2010 defines 4 offences:

- Offering, promising or giving a financial or other advantage for the improper exercise of functions or activities
- Requesting or agreeing to receive or accepting a financial or other advantage
- Bribing a foreign official who exercises a public function in order to obtain or retain business
- Failure by a commercial organisation to prevent bribery by someone associated with it.

4.2 A bribe can be defined as the offering of money, goods or other benefits (e.g. food, drink, entertainment) to a staff member with a view to altering decision processes or outcomes in favour of the person or associate of the person offering the benefit. One of the most common forms of perceived bribery within a corporate institution is inappropriate offers of gifts, hospitality and benefits in kind from a third party. These are discussed in more detail in section 5 below.

4.3 Indirect or collateral offers of financial advantage should also be included within the definition e.g. where an offer is being made by a person other than the person who is trying to manipulate the outcome.

4.4 Bribery under the above definitions is also a criminal offence and, if convicted, can carry a maximum sentence of 10 years imprisonment.

5. Examples of Fraud or Bribery

5.1 The following list indicates possible ways in which fraud or bribery could take place although this is by no means an exhaustive list: Falsification of employee expense claims – e.g. claims for journeys which did not take place.

- Falsification of supplier invoices. This could involve collusion with a supplier (e.g. a relative of an employee).
- Falsification of payroll records – e.g. by the introduction of non-existent employees.
- Misappropriation of pupils' money by a member of staff (e.g. for a trip).
- Misappropriation of employees' own money by a member of staff
- Causing expense to the School that should have been borne by an individual – e.g. the private use of stationery, photocopiers etc. to an unacceptable degree.
- Bribery can be in the form of favouring one particular contractor or service provider over and above others in return for receiving personal benefit.
- Inappropriate gifts or offers of hospitality from a third party

6. Your Responsibilities

6.1 Staff and Governors must ensure that they read, understand and comply with this policy.

6.2 The prevention, detection and reporting of fraud, bribery and other forms of corruption are the responsibility of all those working for or under the control of the School. All staff and governors are required to avoid any activity that might lead to, or suggest, a breach of this policy.

7. Procedure for Reporting Suspected Fraud or Bribery

7.1 Staff must notify their line manager or the Head Teacher as soon as possible if they believe or suspect that a conflict with this policy has occurred, or may occur in the future. Individual Governors must inform the Head Teacher and Governors.

7.2 Some examples of activity that may indicate bribery or corruption are listed below. The list is not intended to be exhaustive and is for illustrative purposes only.

- You become aware that a third party engages in, or has been accused of engaging in, improper business practices;
- You learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a "special relationship" with foreign government officials;
- A third party insists on receiving a commission or fee payment before
- committing to sign up to a contract with us, or carrying out a government function or process for us;
- A third party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
- A third party requests an unexpected additional fee or commission to
- "facilitate" a service;
- A third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- A third party requests that a payment is made to "overlook" potential legal violations;
- A third party requests that you provide employment or some other advantage to a friend or relative;
- You receive an invoice from a third party that appears to be non-standard or customised;
- A third party insists on the use of side letters or refuses to put terms agreed in writing;
- You notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided;
- A third party requests or requires the use of an agent, intermediary,
- consultant, distributor or supplier that is not typically used by or known to us;
- You are offered an unusually generous gift or offered lavish hospitality by a third party.

7.3 If staff or governors encounter any of these red flags while working for or on behalf of the School they must report them promptly to the Head Teacher using the Barrowby School Whistleblowing Policy.

7.4 Vigorous and prompt investigations will be carried out into all cases of actual or suspected fraud or bribery discovered or reported.

8. What to do if you are a victim of bribery or corruption

8.1 It is important that staff/governors tell the Head Teacher as soon as possible if they are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that they are a victim of another form of unlawful activity.

9. Protection

- 9.1 Barrowby School is committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Head teacher immediately. If the matter is not remedied, and you are an employee, you should raise it formally using the Barrowby School Grievance Procedure.
- 9.2 This policy aims to provide avenues for staff and governors to raise concerns where he/she has a reasonable belief that any of the following has been, or is likely to be, committed:
- a criminal offence;
 - a miscarriage of justice;
 - an act creating risk to health and safety;
 - an act causing damage to the environment;
 - a breach of any other legal obligation; or
 - concealment of any of the above;
- 9.3 It is not necessary for the employee or governor to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. It is the responsibility of the Barrowby School to ensure that an investigation takes place.
- 9.4 Where an employee is concerned that the nature of the disclosure is not covered in the list above, advice may be sought on the use of the appropriate policy from Barrowby School or from a trade union or professional association.

10. Corruption, Fraud, Bribery Policy

This policy is reviewed by the Head teacher, staff and Governors in accordance with Barrowby School's Policy and Review Cycle for approval by the Full Governing Body, every 3 years.

Last reviewed: November 2023

Next review: November 2026

Appendix 1 – Register of Gifts

In the interests of transparency, a Register of Gifts and Hospitality is kept by the Finance Team.

Any member of staff or governor who accepts an offer of a gift or hospitality over the value of £10 must ensure this is recorded in this register, specifying:

- (a) Nature of gift/hospitality. In the case of a gift, it should be specified whether it is a personal gift for the recipient or a related party, such as a partner, or a corporate gift accepted by the recipient on behalf of Barrowby School
- (b) Value of gift / hospitality. If the exact cost is not known an estimate should be provided.
- (c) Name of firm / individual concerned.
- (d) Date gift / hospitality accepted.
- (e) Name of member(s) of staff/governor involved.

The School must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties, and therefore all staff must report all hospitality or gifts offered to the Head Teacher or School Business Administrator.

Staff and Governors must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with the Barrowby School expenses policy and specifically record the reason for the expenditure.