



Fraud Policy

Brierley CE (VC) Primary School

Our Vision

Though we are many, we are one body. Together, we learn and grow.

God is at the heart of all we do, shining His light to guide us on our journey. Together, we face change and transformation with courage.

In love, we nurture all to be resilient, hopeful and aspirational; to become the very best version of ourselves, knowing that we are loved.

Each member of our school community is honoured and celebrated for their unique character and qualities: difference is met with dignity and compassion. Though we are many, we are one body.

Our community at Brierley stretches beyond the school, where we share God's message of love through our actions, our thoughts and our words as we continue on life's path.

POLICY STATEMENT

Barnsley Metropolitan Borough Council is committed to protecting the public funds that it administers, and consequently the Council will not tolerate any abuse of its services. The Council is determined to prevent, deter and detect all forms of fraud, bribery and corruption committed against it, whether that be internal or from outside the Council.

The Council is determined that the culture and tone of the organisation is one of honesty and rigorous opposition to fraud, bribery and corruption. Thus, the Council is committed to ensuring all of its business is conducted in an open, honest, equitable and fair manner, in accordance with the Corporate Equality Policy, and is accountable to all the people within the borough of Barnsley.

The measures adopted by the Council in its commitment to the prevention, deterrence and detection of fraud, bribery and corruption are set out in detail in the Council's **Corporate Anti-Fraud and Corruption Strategy** which incorporates the requirements of the Bribery Act 2010.

The Council is determined that there will be no safe areas for anyone who attempts to defraud the Council. Where fraud, bribery or corruption is proved the Council will take positive action against the perpetrators. The form of action taken will depend on the level and circumstances of the fraud discovered. In all instances action considered will involve disciplinary procedures (against council employees), prosecution and the recovery of Council assets and funds.

DEFINITION OF FRAUD, BRIBERY AND CORRUPTION

In order to keep up with the continual evolving ways fraud might be perpetrated in a modern society the Fraud Act 2006 came into force on 15th January, 2007. The aim of the Fraud Act is to encompass all types of fraudulent conduct. Even so, no one precise legal definition of fraud exists. The Act attempts to deal with fraud as a more general offence with the emphasis on behaviour rather than focussing upon deception.

The Fraud Act introduces a new general offence of fraud which might be committed in three ways:

- Fraud by false representation,
- Fraud by failing to disclose information, and
- Fraud by abuse of position.

'Fraud' has moved away from the concept of the deceit of another to the dishonest intent of the fraudster to make a gain or cause a loss or risk of a loss. Thus, the arena of fraud is far more reaching than the simple crime of theft.

The Bribery Act 2010 came into force on 1st July 2011 and creates offences of:

- Accepting a bribe,
- Bribery of another person,
- Bribing a foreign official, and
- Failure to prevent bribery

The Council recognises corruption as per the definition suggested by the Audit Commission:

Corruption

The offering, giving, soliciting or acceptance of an inducement or reward, for performing an act, or failing to perform an act, which may influence the action of any person.

REPORTING FRAUD, BRIBERY AND CORRUPTION

The Council encourages and expects its employees and Elected Members to report incidents of suspected fraud, bribery and corruption. A Whistleblowing Policy is in place to facilitate the reporting of concerns by employees and Elected Members where the normal reporting to a line manager is not appropriate. The public are able to utilise the corporate complaints procedure.

INVESTIGATING ALLEGATIONS OF FRAUD, BRIBERY AND CORRUPTION

A **Fraud Response Plan** has been prepared to guide managers on action to be taken should they receive an allegation of fraud or corruption.

In normal cases it will be the Council's Internal Audit Division that will undertake the investigation. Matters of a criminal nature will be referred to the Police.

MONITORING FRAUD, BRIBERY AND CORRUPTION

The Audit Committee will have responsibility for monitoring the performance and effectiveness of the Corporate Anti-Fraud and Corruption Strategy through the annual Internal Control Framework review process.

The Audit Committee will make recommendations to the Council to make any necessary changes to the Anti-Fraud and Corruption Policy or Strategy.

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