



**Interaction &
Communication**

Academy Trust

Fraud & Corruption Policy

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Introduction

The Interaction and Communication Academy Trust (ICAT) expects employees at all levels will adopt the highest standards of propriety and accountability. This procedure is non-contractual and set out the steps that are taken to combat fraud and corruption.

Fraud is defined as: "The intentional distortion of financial statements or other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain"

In addition, fraud can be defined as: "The intentional distortion of financial statements or other records, by persons internal or external to the organisation which is carried out to mislead or misrepresent.

Corruption is defined as: "The offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of another person". In addition, "the failure to disclose an interest in order to gain financial or other pecuniary gain" (see also Declaration of Interests)

Prevention of Fraud and Corruption

The role of Trust Members and Directors:

Directors have overall responsibility for the running of the Trust. As far as fraud and corruption is concerned this will include:

- Ensuring that this policy is followed
- Being responsible for this policy and keeping it under review as appropriate
- Ensuring that internal audit or peer review is undertaken in accordance with this policy
- Ensuring that action is taken on matters arising from internal audits, peer reviews or external audits
- Ensuring that appropriate steps are taken to deal with any fraud and corruption wherever it arises

Some of these responsibilities may be carried out by committees in accordance with the Scheme of Delegation.

Members should not need to take action unless it appears that Directors are not fulfilling these responsibilities. If the failure is sufficiently serious Members may have to consider removal of Directors.

The role of Local Governors:

Local Governors will be responsible in their own schools for:

- Ensuring that this policy is followed,
- Raising any queries about this policy with the Trust
- Governors might wish to consider asking for an internal audit/peer review if they feel it will be useful for their school outside of the agreed Internal Assurance Programme as set by the Directors

- Ensuring that action is taken on matters arising from internal audits, peer reviews or external audits
- Ensuring that appropriate steps are taken to deal with any fraud and corruption wherever it arises

The Role of Managers:

Managers at all levels are responsible for the communication and implementation of this policy in their work area. They are also responsible for ensuring that their employees are aware of ICAT Finance Policy and Procedures and that the requirements are being met in their everyday business activities.

Managers are expected to create an environment where staff are able to approach them with any concerns they may have about suspected irregularities.

Managers, if appointed to do so, are responsible for initially following up any allegation of fraud and corruption received and will:

- Deal promptly with the matter
- Report the matter to the Director of Finance and Chief Executive Officer (CEO) (to ensure any procedures hereon are in line with Staff Discipline Policy)
- Obtain advice from the CEO and Director of Finance, who will advise if an investigation is appropriate and needs to be carried out.
- Record all evidence received
- Ensure all evidence is sound and adequately supported
- Contact other agencies, for example the police, when necessary notify the insurers, where appropriate.
- Implement the disciplinary and other relevant policies and procedures where appropriate.

Special arrangements may be necessary where staff are in charge of finance or payroll.

Responsibilities of Employees:

Each employee is governed in their work by policies and procedures. They are also governed by ICAT's code of conduct for employees.

Employees are responsible for ensuring that they follow all instructions given to them by management, particularly in the safekeeping of the organisation's assets.

Employees are expected always to be aware of the possibility that fraud, corruption and theft may exist in the workplace and be able to share their concerns with management. However, should he or she prefer (because the manager is unavailable or indeed may be the cause for concern), then the Resources, Audit & Risk Committee may be approached.

We recognise that a key preventative measure in dealing with fraud and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the

honesty and integrity of potential employees. The equal opportunities policy will be adhered to during this process.

Where possible written references will be obtained regarding known honesty and integrity of potential employees before employment offers are made. Checks will be made against the application form regarding qualifications and previous employment.

Responsibilities of "Internal Audit" and/or Peer review:

In addition to the formal external audit, the Board will, at least once a year, appoint an "internal auditor" or a "Peer Reviewer" (PR) to provide them with an independent oversight of each academy's and central financial affairs. This can no longer be a member of staff from the external auditor's firm. The internal audit could be carried out as a reciprocal arrangement with another trust "peer review" or an independent audit firm. In any case, the main duties are to provide the Board with independent assurance that:

- The financial responsibilities of the Board are being properly discharged
- Resources are being managed in an efficient, economical and effective manner
- Sound systems of internal financial control are being maintained and
- Financial considerations are fully taken into account in reaching decisions.

Regular peer review and/or internal audit visits to academies and ICAT will ensure that standard checks are carried out, ensuring that the controls that are already in place are adequate to reduce the risk of fraud and corruption.

When fraud or corruption has occurred due to a breakdown in ICAT systems and procedures, or the internal audit/peer review identifies a potential weakness in controls, the organisation will ensure that appropriate improvements in systems of control are implemented to reduce the risk of a reoccurrence.

Detection and Investigation

There are systems and controls in place to deter fraud and corruption, but it is often the vigilance of employees that aids detection.

In some cases, fraud is discovered by chance or 'tip off' and arrangements will be in place to enable such information to be properly dealt with. Any decision to refer the matter to the police will be made by the Chief Executive, after consultation with the Board of Directors. We will normally wish for the police to be advised, and investigate independently, where financial impropriety is discovered.

ICAT's disciplinary procedures will be used to facilitate a thorough investigation of allegations of any improper behaviour by employees.

Awareness

Induction of all employees should include the issue of this policy, staff discipline and the finance and procedures manual. It is the manager's responsibility to ensure this occurs.

Fraud and Corruption Response Plan

Reporting allegations of fraud or corruption

Concerns should be raised when employees reasonably believe that one or more of the following has occurred, in the process of occurring or is likely to occur:

- A criminal offence
- A failure to comply with a statutory or legal obligation
- Improper unauthorised use of funds
- Deliberate concealment or complicity in any of the above

All of the above should be reviewed in conjunction with the Fraud, Theft and Irregularity section in the Academies Financial Handbook including the reporting to ESFA any instances of fraud or theft above £5,000 against the trust, whether by employees, trustees or third parties, or where fraud is unusual or systematic in nature.

ICAT will ensure that any allegations received in any way, including by anonymous letter or phone calls, will be taken seriously and investigated in an appropriate manner (see also any associated policies).

ICAT will deal firmly with those who defraud the organisation, or who are corrupt, or where there has been financial malpractice. There is, of course, a need to ensure that any investigation process is not misused, and, therefore any abuse (such as employees raising malicious allegations) may be dealt with as a disciplinary matter.

Reporting fraud or corruption is a form of whistleblowing, so please see the Whistleblowing procedure for further details of how to report this and what protections are available to you.

Fraud Indicators:



The ESFA has produced a fraud indication list that shows areas where fraud can occur (see attached appendix).

Appendix 1 – EFSA Fraud Indicators:

REF	AREA	RESPONSE
1	Possible Personal Motives	
1.1	Personnel believe they receive inadequate compensation and/or rewards (recognition, job security, vacations, promotions etc.)	
1.2	Expensive lifestyle (cars, trips etc.)	
1.3	Personal problems (gambling, alcohol, drugs, debt, etc.)	
1.4	Unusually high degree of competition/peer pressure	
1.5	Related party transactions (business activities with personal friends, relatives or their companies)	
1.6	Conflicts of interest	
1.7	Disgruntled employee (recently demoted, reprimanded etc.)	
1.8	Recent failure associated with specific individual	
1.9	Personal animosity or professional jealousy	
2	Possible Organisational Motives	
2.1	Organisation experiencing financial difficulty	
2.2	Commercial arm experiencing financial difficulty	
2.3	Tight or under unusually tight time deadlines to achieve level of outputs	
2.4	Organisation governance lacks clarity and direction	
2.5	Organisation closely identified with/dominated by one individual	
2.6	Organisation under pressure to show results (budgetary, exam results etc.)	
2.7	Organisation recently suffered disappointment/reverses/consequences of bad decisions	
2.8	Organisation wants to expand its scope, obtain additional funding	
2.9	Funding award up for continuation	
2.10	Organisation due for a site visit by auditors, Ofsted or others	
2.11	Organisation has for-profit component	
2.12	Organisation recently affected by new/changing conditions (regulatory, economic, environmental etc.)	
2.13	Organisation faces pressure to use or lose funds to sustain future funding levels	

REF	AREA	RESPONSE
2.14	Record of previous failure(s) by one or more organisational areas	
2.15	Sudden change in organisation practice or pattern of behaviour	
3	Internal Controls Are Weak	
3.1	Management demonstrates lack of attention to ethical values (lack of communication regarding importance of integrity and ethics, lack of concern about presence of temptations and inducements to commit fraud, lack of concern regarding instances of fraud, no clear fraud response plan or investigation policy)	
3.2	Management fails to specify needed levels of competence	
3.3	Management displays a penchant for taking risks	
3.4	Lack of an appropriate organisational and governance structure with defined lines of authority and reporting responsibilities	
3.5	Institution lacks policies and communication relating to individual accountability and best practices e.g. rement and subsistence f alcohol rations of interest	
3.6	Lack of personnel policies and recruitment practices	
3.7	Institution lacks personnel performance appraisal measures or practices	
3.8	Management displays lack of commitment towards the identification and management of risks relevant to the preparation of financial statements (does not consider significance of risks, likelihood of occurrence or how they should be managed)	
3.9	There is inadequate comparison of budgets with actual performance and costs, forecasts and prior performance; no regular reconciliation of control records and lack of proper reporting to governing body	
3.10	Management of information systems is inadequate (no policy on information technology security, computer use and access, verification of data	

REF	AREA	RESPONSE
	accuracy completeness or authorisation of transactions)	
3.11	There is insufficient physical security over facilities, assets, records, computers, data files, cash; failure to compare existing assets with related records at reasonable intervals	
3.12	There is inadequate or inappropriate segregation of duties regarding initiation, authorisation and recording of transactions, maintaining custody of assets	
3.13	Accounting systems are inadequate (ineffective method for identifying and recording transactions, no tracking of time periods during which transactions occur, insufficient description of transactions and to which account they should be allocated to, no easy way to know the status of funds on a timely basis, no adequate procedure to prevent duplicate payments or prevent missing payment dates, etc.)	
3.14	There is a lack of internal, ongoing monitoring of controls which are in place; failure to take any corrective actions, if needed	
3.15	Purchasing systems/procedures inadequate (poor or incomplete documentation of purchase, payment, receipt; poor internal controls as to authorisation and segregation of duties)	
3.16	Subcontractor records/systems reflect inadequate internal controls	
3.17	Management is unaware of or displays lack of concern regarding applicable laws and regulations e.g. Companies Acts, Charities Acts, Funding Agreement, Child Protection	
3.18	Specific problems and/or reportable conditions identified by prior audit, other audits, or other means of oversight have not been corrected History of problems Slow response to past findings or problems Unresolved present findings	
3.19	No mechanism exists to inform management and governors of possible fraud	
3.20	General lack of management oversight	

REF	AREA	RESPONSE
4	Transactional Indicators	
4.1	Related party transactions with inadequate, inaccurate or incomplete documentation or internal controls (business/research activities with friends, family members or their companies)	
4.2	Not-for-profit entity has a for-profit counterpart with linked infrastructure (shared board of governors or other shared functions and personnel)	
4.3	Specific transactions that typically receive minimal oversight	
4.4	Previous audits with findings of questioned costs presence of non-compliance with applicable laws or regulations and internal controls adequate management response to any of above qualified opinion	
4.5	Transactions and/or accounts are difficult to audit or subject to management judgment and estimates	
4.6	Multiple sources of funding with inadequate, incomplete or poor tracking failure to segregate funds and/or existence of pooled funds	
4.7	Unusual, complex or new transactions, particularly if occur at year end, or end of reporting period	
4.8	Transactions and accounts operating under time constraints	
4.9	Cost sharing, matching or leveraging arrangements where industry money or other donation has been put into a foundation (as in a foundation set up to receive gifts) without adequate controls to determine if money or equipment has been spent/used and whether it has gone to allowable costs and at appropriate and accurate valuations; outside entity such as foundation provided limited access to documentation	
4.10	Travel accounts with	

REF	AREA	RESPONSE
	<p>inadequate, inaccurate or incomplete documentation or poor internal controls such as appropriate authorisation and review</p> <p>variances between budgeted amounts and actual costs</p> <p>claims in excess of actual expenses</p> <p>reimbursement for personal expenses</p> <p>claims for non-existent travel</p> <p>collecting duplicate payments</p>	
4.11	Credit card accounts with inadequate, inaccurate or incomplete documentation or internal controls such as appropriate authorisation and review	
4.12	Accounts in which activities, transactions or events involve handling of cash or wire transfers; presence of high cash deposits maintained with banks	
4.13	Assets and inventory are of a nature to be easily converted to cash (small size, high marketability, lack of ownership identification, etc.) or easily converted to personal use (cars, houses, equestrian centres, villas etc.)	
4.14	Accounts with large or frequent shifting of budgeted costs from one line item to another without adequate justification	
4.15	<p>Payroll (including fringe benefits) system: Controls inadequate to prevent an individual being paid twice, or paid for non-delivery or non-existence; or</p> <p>outsourced but poor oversight of starters/leavers and payments</p>	
4.16	Consultant agreements which are vague as to work, time period covered, rate of pay, product expected; lack of proof that product or service actually delivered	
4.17	<p>Subcontract agreements which are vague as to work</p> <p>time period covered</p> <p>rate of pay</p>	

REF	AREA	RESPONSE
	<p>product expected</p> <p>Lack of proof that product or service actually delivered</p>	
5	Possible methods of committing/concealing fraud	
5.1	<p>Auditee issues such as</p> <p>Refusal or reluctance to turn over documents</p> <p>Unreasonable explanations</p> <p>Annoyance at questions</p> <p>Trying to control the audit process (timetables, access, scope)</p> <p>Auditee blames a mistake on a lack of experience with financial requirements or regulations governing funding</p> <p>Promises of cooperation followed by subsequent excuses to limit or truncate co-operation</p> <p>subtle resistance</p> <p>Answering a question that wasn't asked</p> <p>Offering more information than asked</p> <p>Providing wealth of information in some areas, little to none in others</p> <p>Explaining a problem by saying "we've always done it that way", or "someone at EFA/DfE (or elsewhere) told us to do it that way" or "Mr X said he'd take care of it"</p> <p>A tendency to avoid personal responsibility (overuse of "we" and "our" rather than "I"); blaming someone else</p> <p>Too much forgetfulness</p> <p>Trying to rush the audit process</p>	
6	Record Keeping /Banking/Other	
6.1	<p>Documents</p> <p>g documents</p> <p>ments are copies, not originals</p> <p>ments in pencil</p>	

REF	AREA	RESPONSE
	<p>ed documents</p> <p>signatures/incorrect person signing</p>	
6.2	Deviation from standard procedures (all files but one handled a particular way; all documents but one included in file, etc.)	
6.3	Excessive journal entries	
6.4	Transfers to or via any type of holding or suspension account	
6.5	Inter-fund loans to other linked organisations	
6.6	Records maintained are inadequate, not updated or reconciled	
6.7	Use of several different banks, or frequent bank changes; use of several different bank accounts	
6.8	Failure to disclose unusual accounting practices or transactions	
6.9	<p>Uncharacteristic willingness to settle questioned costs</p> <p>Non-serial-numbered transactions or out-of-sequence invoices or other documents</p> <p>Duplicate invoices</p> <p>Eagerness to work unusual hours</p> <p>Access to/use of computers at unusual hours</p> <p>Reluctance to take leave</p> <p>Insistence on doing job alone</p> <p>Refusal of promotion or reluctance to change job</p>	
6.10	<p>Creation of fictitious accounts, transactions, employees, charges</p> <p>Writing large cheques to cash or repeatedly to a particular individual</p> <p>Excessive or large cash transactions</p> <p>Payroll checks with unusual/questionable endorsements</p> <p>Payees have similar names/addresses</p> <p>Non-payroll checks written to an employee</p>	
6.11	Defining delivery needs in ways that can only be met by one source	



REF	AREA	RESPONSE
6.12	Continued reliance on person/entity despite poor performance	
6.13	Charging items to project account for personal purposes (books and supplies bought for family members, home gym equipment charged to project account etc.)	
6.14	Materials erroneously reported as purchased; repeated purchases of same items; identical items purchased in different quantities within a short time period; equipment not used as promised, doesn't work, doesn't exist	