

Anti- Fraud and Anti-Bribery Policy and Procedure

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2	S Francis	February 2026	<p>Updated following Economic Crime and Corporate Transparency Act 2023 (ECCTA). At this time, the College does not meet the ECCTA “large organisation” threshold.</p> <p>Reviewed and edited to align with DfE 2025 expectations, AoC Code of Governance, and the Economic Crime and Corporate Transparency Act 2023.</p> <p>Changes made throughout - ESFA replaced by DfE Vice Principal by Deputy and Audit CoP by Framework for auditors</p>

1. Anti-Fraud and Anti-Bribery Policy

As required by the Bribery Act 2010, it is our policy to conduct all of our activities in an honest and ethical manner. This policy is intended to deter any actions of fraud and to guide employees and anyone acting for, or on behalf of, the College (“associated persons”), including governors, other volunteers, temporary workers, consultants and contractors, in the detection and prevention of fraud, bribery and corruption. The overall aims of this policy are to:

- Improve knowledge and understanding about the risk of fraud and bribery and its unacceptability.
- Set out the College’s responsibilities in terms of deterrence, prevention, detection and investigation of fraud, bribery and corruption.
- Be clear that all suspected fraud or bribery offences will be investigated.

2. Scope

The College is committed to maintaining the highest standards of integrity and accountability. It operates a zero-tolerance policy toward fraud, bribery, and corruption.

This policy applies to all staff, governors, students, volunteers, contractors, and third parties (“associated persons”) acting on behalf of the College. All of these people are expected to:

- uphold this standard and comply with the Fraud Act 2006, Bribery Act 2010, and the Economic Crime and Corporate Transparency Act 2023 (ECCTA)(if applicable).

- remain vigilant in preventing, detecting and reporting fraud or bribery.
- report any concerns regarding any suspected fraud in accordance with the College's Fraud Response Plan (Appendix 1).

Any breach of this policy will constitute a serious disciplinary offence, which may lead to dismissal and may become a criminal matter for the individual. Where students are involved in fraudulent or bribery activity, student disciplinary procedures will apply.

3. Definitions

Fraud is the intentional use of deception to gain an unfair or unlawful advantage, including for personal or organisational benefit.

Fraud is broken down into three key sections:

- false representation
- failing to disclose information
- abuse of position

Examples in an FE context may include:

- Theft
- Misuse of funds, or other resources
- Misrepresentation of student attendance for funding purposes
- False claims for travel, time, or expenses
- Where there is fraud relating to exams/assessments or results are falsified
- Where College equipment is used for unauthorised personal use
- Where an application or CV is falsified
- Conflicts of interest in procurement

Bribery (see appendix 2) is offering, promising, giving, requesting, or accepting something of value to influence an action improperly. A bribe does not have to be cash, neither does it have to be received; offering or requesting a bribe is sufficient to contravene the [Bribery Act 2010](#).

The bribe might be made in order to:

- Gain any commercial, contractual or regulatory advantage for the College in a way which is unethical.
- Gain any personal advantage, pecuniary, or otherwise, for the individual or anyone connected with the individual.

4. Role and Responsibilities

All staff and "associated persons" are responsible for:

- The prevention, detection and reporting of bribery, fraud and other forms of corruption.
- Mandatory training on anti-fraud and anti-bribery will be provided to all staff to ensure that they are aware of their obligations and responsibilities.
- Acting with propriety in the use of College resources and the use of public funds and reporting details immediately to their line manager or other responsible person if they suspect fraud, bribery or corruption has been committed. (See appendix 3).

The Board (Corporation) has responsibility to:

- Establish and maintain an adequate system of internal control, to ensure compliance, and to prevent and detect irregularities and suspected fraud (including theft, bribery and corruption) as set out in grant funding agreements and contracts with the DfE (Department for Education)/Mayoral Combined/Strategic Authorities.
- Receive reports on fraud and irregularity
- Set ethical standards
- Approve the policy

The **Audit Committee** is responsible for overseeing this policy and shall ensure that:

- The external and internal auditor are informed of investigation outcomes and other matters of fraud, irregularity and impropriety, and that appropriate follow-up action has been planned/actioned.
- That all cases of fraud or suspected fraud, theft, bribery, corruption, irregularity, major weakness or breakdown in the accounting or other control framework are reported to the DfE, and other relevant funding authority, as soon as possible
- Risks around fraud have been identified and controls put in place to mitigate them.

The College is obliged to:

- report to the DfE and other funding bodies - where the amounts are significant (exceeding £5,000 in value), where there is likely to be public interest because of the nature of the fraud or the people involved, the particulars of the fraud are novel or complex, or the fraud is systematic or unusual in nature.

The Senior Leadership Team/ Principal are responsible for:

- Establishing an effective counter fraud strategy which sets out the approach to raising awareness, prevention, detection, investigation and sanction (including seeking redress where appropriate) of suspected fraud.
- Developing and maintaining effective controls to prevent fraud, bribery and corruption
- Carrying out prompt investigations if fraud, bribery or corruption occurs and reporting the matter to the authorities.
- SLT through the Deputy Principal shall be responsible for implementation and management of this policy.

The Deputy Principal will normally act as Investigating Officer (see Appendix 1)

Managers are responsible for implementing and ensuring control measures are being complied with.

5. Key Principles

- The audience of this policy is all for staff and associated persons who will be made aware of this via publication on the intranet. Students and members of the public who wish to access the policy may do so through the website.
- The document will be published on the intranet and website.

6. Implementation

Wherever possible the College will attempt to recover any sums lost through fraud or theft using the civil and/or criminal law and relevant insurance policies.

Bribery does not always result in a loss and the corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another.

The College prohibits employees and associated persons from offering, giving, soliciting or accepting any bribe. The bribe might include cash, a gift or other inducement, to or from any person or organisation, wherever they are situated, and irrespective of whether or not they are a public official/body or private person or company, by any individual governor, employee, agent or other person or body acting on the College's behalf.

Employees and associated persons are requested to remain vigilant in preventing, detecting and reporting bribery. Employees and associated persons are expected to report any concerns regarding any suspected bribery in accordance with the College's procedures contained in this Policy.

Gifts and Hospitality over the value of £45 from any source must be declared and added to the Gifts

Register. Any gifts or entertainment offered in excess of £45 should be approved by the individual's line manager prior to accepting them to ensure that there is no appearance of impropriety as well as being notified to the Director of Governance, if accepted.

- Staff **can** accept gifts or gratuities of insignificant items such as diaries or publicity items of no commercial value such as small gifts (chocolates, handicrafts, single bottle of wine) from students, for example at the end of a term. It is very important that on internally assessed courses that any gift cannot be perceived or portrayed as possibly having an influence on assessment decisions. These items do not require to be declared or added to the Gifts Register.
- Staff and Governors, while on College business, can accept modest levels of hospitality. Attendance at dinners when representing the College should be reported to the Director of Governance.
- Staff and Governors must not accept corporate hospitality or entertainment designed by third parties or which could be perceived by others to reward or influence staff of the College with whom they are conducting business or purchasing goods and services.
- Staff and Governors may not accept cumulative or regular offers of hospitality from any individual or organisation. These shall be refused and reported.
- If a member of staff is uncertain as to the value of a gift they should declare the gift to the Director of Governance and add it to the Gifts Register.
- If a member of staff is concerned about the intent or nature of a gift they should discuss this with their line manager.
- If in any doubt about whether a gift may be accepted, the matter can be referred to the Director of Governance for a decision. The default position is to refuse a gift unless it would cause serious offence to do so.

7. Reporting Fraud or Bribery See Appendix 1

It is the responsibility of all staff and associated persons to be aware and report suspected fraud/bribery. (appx 1).

They are encouraged to come forward and give information where they honestly believe someone may have committed or is about to commit and act of fraud or bribery.

The person reporting the fraud should not:

- Contact the suspect to determine facts or demand restitution.
 - Discuss case facts outside the College
 - Discuss the case with anyone within the College other than those staff mentioned in the College policy.
 - Attempt to carry out investigations or interviews unless specifically asked to do so by the College.
- I. All fraud, including any suspected or attempted fraud, will be reported to Action Fraud to help identify systematic risks potentially affecting whole sectors (for example cybercrime).
 - II. All proven allegations shall be reported to the Governing Board.
 - III. The police shall be notified of all instances of actual irregularity of a criminal nature.
 - IV. External persons without a relationship to the College that seek to commit fraud against the College (e.g. external scammers/cyber fraud) will not be dealt with under this policy and rather will be reported to Report fraud or financial irregularity to DfE - GOV.UK with any additional follow up activity as may be required depending on the severity of the fraud involved. A list of Action Fraud reports will be made to Audit Committee.

8. Legislation and Regulatory Compliance

- Fraud Act 2006
- The Bribery Act 2010
- **Framework for auditors and reporting accountants of colleges**
- **Seven Principles of Public Life** – Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership

- Economic Crime and Corporate Transparency Act 2023 (ECCTA)

The College **does not currently** meet the ECCTA “large organisation” thresholds.

Under the ECCTA, the College could be held criminally liable if it fails to prevent fraud by associated persons acting on its behalf. This applies to “large organisations” meeting two of the following:

- Turnover over £36 million
- Balance sheet total over £18 million
- More than 250 employees

Regardless of whether these thresholds are met, the College will adopt proportionate anti-fraud procedures including:

- Risk assessments
- Staff and governor training
- Enhanced oversight and investigation capability

9. Risk Review

The impact of this policy has been assessed and reviewed alongside other control considerations within the College. As fraud and bribery are criminal offences, the impact of this is wide ranging and any breaches could have significant operational, financial and reputational impacts. As such annual training and awareness amongst the whole staff is a key requirement to adherence with this policy.

Due diligence/risk assessment must be carried out when engaging in new arrangements/contracts. The College has clear internal financial controls to mitigate the risk of bribery or fraud.

10. Monitoring and Review Moved from “reporting”

- A report summarising the application of this policy and any reported incidents will be submitted to the Audit Committee termly.
- All allegations, concerns raised and investigation outcomes shall be reported to the Audit Committee.
- The Gifts Register will be reviewed annually by the Audit Committee.
- The Anti-Fraud and Anti-Bribery Policy will be reviewed by the Deputy Principal and Director of Governance and SLT then Audit for recommendation to Board for approval.
- The Anti-Fraud and Anti-Bribery Policy require approval from the Audit Committee before ratification by the Board of Governors.
- The College is obliged to report to the DfE and relevant the Strategic/Mayoral Combined Authority, where the amounts are significant (exceeding £5,000 in value), where there is likely to be public interest because of the nature of the fraud or the people involved, the particulars of the fraud are novel or complex, or the fraud is systematic or unusual in nature as soon as possible.
 - Annual internal and external auditor reports to the Audit Committee
 - Annual reports to the Audit Committee on any instances of fraud, bribery or whistleblowing
 - Maintaining and monitoring of robust control mechanisms set out in the financial regulations to both prevent and detect fraud and theft.
- *This policy will be reviewed every two years or in response to legislative changes.*
- Regular dialogue between the Deputy Principal and Director of Governance to highlight any changes in legislation or guidance that need to be adopted.
- Regular review of any incidents to ensure lessons are learnt and procedures implemented to prevent future occurrences.
- All staff must complete **mandatory training** on fraud and bribery as part of their induction with updates at regular intervals.

11. Related Policies and Documents

- Financial regulations
- Whistleblowing Policy

- Anti-Money Laundering Policy
- Gifts and Hospitality

12. Equality Impact Assessment

The College judges that this policy does not adversely affect individuals with protected characteristics under the Equality Act 2010.

Appendix 1 – Fraud Response Procedure

1.0 Reporting Allegations or Concerns

- The College's financial statements and regularity auditor has a duty to plan and conduct the financial statements and regularity audit so that there is a reasonable expectation of detecting material misstatements in the accounts arising from irregularities, including fraud, or breaches of regulations.
- Where the financial statements and regularity auditor identifies a serious weakness or an accounting or other control breakdown it must be reported to the Principal, the Chair of the Governing Board and the Chair of the Audit Committee without delay.
- The Head of the audit service shall issue written procedures to the auditors on the action to be taken if they suspect or discover fraud or irregularity and should make appropriate arrangements to be informed by the College, as soon as possible, of all suspected or discovered fraud, whether internal or external. The Principal and Chair of the Audit Committee should also be informed.
- The Governing Board has approved a Whistleblowing Policy for College staff who, whether past or present, are encouraged to raise legitimate concerns without fear. All allegations or concerns should be raised internally in the first instance, orally or in writing, directly with the Director of Governance. If the matter concerns the Director of Governance, it should be raised with the Principal.
- In cases involving the Director of Governance, the matters should be raised directly with the Principal. If the employee is not satisfied that their concern is being properly dealt with, they may, after informing the Director of Governance, refer to the Principal, or if the allegation concerns the Principal, directly contact the Chair of the Audit Committee.
- Allegations or concerns from a student or member of the public shall be dealt with in the same way as an allegation or concern raised by a member of staff.

1.1 Investigating Allegations

The investigation of allegations or concerns raised shall, in the first instance, be normally carried out by the Head of Department or Deputy Principal as appropriate in conjunction with the Director of Governance except:

- In any case involving the Deputy Principal, the investigation shall be carried out by the Principal and Director of Governance
- In any case involving the Director of Governance, the investigation shall be carried out by the Principal in consultation with the Chair of the Audit Committee
- In any case involving the Principal, the investigation shall be carried out by the Director of Governance to the Corporation in consultation with the Chair of the Audit Committee.

All matters reported by the financial statements and regularity auditor and audit service shall be investigated by the Principal and Director of Governance except:

- In any case involving the Director of Governance, the investigation shall be carried out by the Principal in consultation with the Chair of the Audit Committee.
- In any case involving the Principal, the investigation shall be carried out by the Director of Governance in consultation with the Chair of the Audit Committee.

Where the Governing Board believes that these arrangements may not be satisfactory, it may commission a separate investigation by the audit service or another suitable external body.

1.2 Communication

Where an allegation or concern is raised, the Director of Governance (or the Principal, where the concern relates to the Director of Governance) will issue a written acknowledgement to the informant via email address. The informant will be kept updated on the progress of the investigation and informed of the outcome.

Appendix 2 – The offences under the Bribery Act 2010

1. Active Bribery

- 1.1 An offence is committed where an individual or the College gives, promises or offers any financial or other advantage which is intended to induce or reward the improper performance of a public function or business activity or is made in knowledge or belief that acceptance of the financial or other advantage will itself amount to improper performance.
- 1.2 It does not matter whether the financial or other advantage is given, promised or offered directly or through a third party.
- 1.3 The financial or other advantage does not actually have to be given – the offer is sufficient to commit the offence.
- 1.4 Reasonable and proportionate corporate hospitality should not be caught by the Act. However, entertaining which is disproportionate, lavish or beyond what would be reasonably necessary to 'cement good relations' may be evidence of intent to induce or reward improper performance.

2. Passive Bribery

- 2.1 An offence is committed where an individual or the College requests, accepts or agrees to receive a financial or other advantage which is intended to induce or reward the improper performance of a public function or business activity.
- 2.2 It does not matter whether the financial or other advantage is requested, accepted or agreed directly or through a third party.
- 2.3 The financial or other advantage does not actually have to be received - requesting or agreeing to accept it is sufficient to commit the offence.
- 2.4 Reasonable and proportionate corporate hospitality should not be caught by the Act. However, entertaining, which is disproportionate, lavish or beyond what would be reasonably necessary to 'cement good relations' may be evidence of intent to induce or reward improper performance.
- 2.5 It does not matter who pays the bribe, e.g. if a director pays a bribe to ensure that his company is awarded a contract that is still caught by the Act.

3. Bribing a Foreign Official

- 3.1 An offence is committed where an individual or the College gives, promises or offers any financial or other advantage to a foreign official which is intended to:
- Influence that foreign official in the performance of his/her official functions; and
 - Secure business or an advantage for the College.
- 3.2 It is only a bribe if the financial or other advantage is not required or permitted under local laws.
- 3.3 A belief that local practice permits the payment is not a defence.
- 3.4 There is no exception for facilitation payments (small bribes paid to facilitate routine Government action).

4. Corporate Offence

- 4.1 The offence is committed where the College fails to prevent any employee or other “associated person” (see below) from committing “active bribery” or bribery of a foreign official on College’s behalf.
- 4.2 “Associated person” is someone who is providing the College with services so includes employees, governors, agents, consultants, contractors and external partner organisations.
- 4.3 The bribe is caught even if it takes place outside the UK.
- 4.4 The bribe must be intended to induce or reward the improper performance of a public function or business activity.
- 4.5 The bribe must also be intended to secure business or other advantage for the College.
- 4.6 Knowledge of the bribe by the College is irrelevant.
- 4.7 The College is automatically liable for the bribery unless it can show that it had “adequate procedures” to prevent the bribery.
- 4.8 If the College is a member of a company (e.g. joint venture or spin-out) the College is only liable for the corporate offence in respect of bribes paid by that company if that company is providing services to the College and the bribes are paid for the benefit of the College rather than the company itself.

Appendix 4: Reporting Fraud or Bribery

