FRAUD AND BRIBERY POLICY

Approved by:	TCAT Trust Board	**Date:**	17 December 2025
Last reviewed on:	December 2025		
Next review due by:	December 2028		

1 Policy Statement

The Trust's reputation with the community it serves and other stakeholders is underpinned by ethical behaviour, financial probity and honesty.

(i) The Fraud Act defines fraud as follows:

- The defendant must have been dishonest and have intended to make a gain or to cause a loss to another.
- In addition, the defendant must carry out one of these acts:
    - Making a false or misleading representation.
    - Failing to disclose to another person information which he/she is under a legal duty to disclose.
    - Abusing a position of trust.

There is no reliance on the concept of "deception". It does not matter whether the false information actually deceives anyone, it is the misleading *intention* which counts.

(ii) The Bribery Act 2010 defines four offences that constitute bribery, these are:

- Promising or giving a bribe
- Requesting, agreeing to receive, or accepting of a bribe
- Bribery of a foreign public official in order to obtain or retain business or an advantage in the conduct of business
- Failure to prevent bribery on behalf of a commercial organisation

(iii) The purpose of this Policy is to state explicitly the Trust's responsibilities with regard to fraud, bribery and corruption, either in relation to attempts on the Trust or from within it and to lay down explicitly the Trust's commitment to effective anti-fraud, bribery and corruption strategies. These are designed to:

- Encourage prevention;
- Promote detection;
- Ensure that there are clear routes for impartial investigation.

(iv) Tyne Coast Academy Trust has a zero-tolerance policy to fraud, bribery and corruption. All dealings by trustees, staff, agents, consultants and contractors and others on behalf of the Trust should be open and transparent. The Trust will take action against any person or organisation regardless of seniority or status who is found to be in breach of this Policy. Prosecutions under the Bribery Act are punishable for individuals by up to ten years imprisonment and/or an unlimited fine for the Trust. There are similar maximum penalties under the Fraud Act.

2 Scope

This Policy applies to all employees and anyone acting for, or on behalf of the Trust ("associated persons"), including trustees, other volunteers, temporary workers, students, consultants and contractors. It also applies to organisations the Trust contracts with to supply goods or services on its behalf.

This Policy applies to all Trust business and activities wherever in the world they occur.

3 Legislation

Fraud Act 2006
Bribery Act 2010

4 Responsibilities

4.1 It is the Trusts expectation that all trustees, the Chief Executive, the Executive Team, Headteachers/Principals and members of staff at all levels will be led by propriety and accountability and will ensure that they adhere to legal requirements, rules, procedures and practices. The Trust expects that the Trust's Trustees, the Chief Executive, the Executive Team, Headteachers/Principals and staff will act with the highest integrity and that individuals and organisations with whom the Trust has any contact will act towards it with integrity and without thought or action involving fraud, bribery or corruption.

4.2 All employees and associated persons are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity. 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.

4.3 Staff are encouraged and expected to raise any concerns they have, on these issues, associated with the Trust activities. They are encouraged to do this in the knowledge that such concerns will be treated in confidence, will be properly investigated, will be handled fairly and the raising of such issues does not threaten their own position. In order to ensure that such concerns may be raised in an appropriate forum, staff are invited to discuss any concerns in the first instance with their line manager or the Trust's Chief Finance Officer. If this route does not seem to be appropriate, staff may raise such concerns directly with the Company Secretary.

4.4 Any members of the Trust who are not staff are encouraged to report their concerns through the above routes or to use the Trusts Complaints Procedure.

4.5 The Trust ensures that any allegations of fraud, bribery or corruption which are received are properly followed up through clearly defined procedures. Any investigation process must not be misused and any abuse such as the raising of unfounded malicious allegations may be dealt with as a disciplinary matter.

4.6 It is anticipated that Managers will deal swiftly and firmly with those who defraud the Trust or who are corrupt and the Trust is firm in its belief that any financial malpractice will be robustly handled.

5 Prevention

A. Trustees

5.1 Trustees are required to operate within the Code of Conduct established by the Board, the Instrument and Articles of Government, the Academy Trust Handbook and any other Laws and Regulations which may, from time to time, operate.

5.2 These matters and other guidance for the attention of Trustees are drawn to their attention when they are new members through their induction and within the Governance documentation which is regularly updated by the Company Secretary.

5.3 Members of the Board are required to identify all of their business interests on an annual basis and to draw to the Company Secretary's attention any potential areas of conflict as and when they arise.

5.4 The Company Secretary will advise Trustees at any time on any issues relating to this on which they require clarification.

B Members of Staff

5.6 The Trust takes effective steps during recruitment to establish, as far as possible, the previous record of potential employees with regard to propriety and integrity. In this regard, all members of staff are treated in the same way and the policy applies to all staff, regardless of their contractual status.

5.7 All employment recruitment is conducted in accordance with the Trust's procedures and written references regarding honesty and integrity are reviewed before employment offers are confirmed.

5.8 All members of staff are expected to follow any code of conduct related to their personal professional institute and to abide by the Trust's code of conduct for staff and their contract of employment.

5.9 The Trust has in place disciplinary procedures for all categories of staff.

5.10 All staff will be informed at their initial induction of the role which they are expected to play within the Trust's framework of internal control.

5.11 Members of staff are reminded that they must disclose any pecuniary interests in contracts relating to the Trust and must not accept any fees or rewards whatsoever other than their proper remuneration. Any gifts which are received by staff must be reported to the Company Secretary and must be received in keeping with the Trust Financial Regulations.

5.12 Any member of staff issued with a credit card is required to read a copy of the Credit Card Policy and return a signed copy to the Chief Financial Officer.

C Contractors and other Third Parties
5.12 Due diligence is carried out on individuals and organisations who will be undertaking work on behalf of the Trust.

5.13 Where appropriate references are taken to determine their suitability for undertaking the work, we want them to do.

5.14 Individuals and organisations working on behalf of the Trust must either have equivalent policies in place to this one or agree to abide by the Trust policy, wherever they are located.

D Students
5.15 All students are expected to behave honestly and with integrity and abide by the student behaviour policy.

E Internal Control Systems
5.16 The Trust has defined Financial Regulations which require all members of staff to act in accordance with best practice. These internal control systems are underpinned by an Internal Audit system which is reviewed by the Board's Finance and Staffing Committee.

5.17 The Trust is committed to developing systems and procedures which are efficient and effective and incorporate such internal controls including an adequate separation of duties to ensure that error or impropriety are prevented. It is the duty of all managers to ensure that such controls, including those within a computerised environment, are properly maintained and effective and appropriately documented. These systems are audited by the Trust's Internal Audit Service.

5.18 The Trust also puts in place procedures to try and prevent the Trust being a victim of fraud by third parties, e.g. checking of supplier payment details.

F Arrangements with Other Agencies
5.19 The Trust values its partnership arrangements and wishes to continue to develop the exchange of information between the Trust and other agencies. In respect of fraud and anti-fraud and corruption, it expects to exchange information appropriately. This means that there is the need to liaise with a variety of external agencies.

6 Bribery – Definition and Further Guidance

6.1 As specified in the scope there are four offenses of bribery:

- Promising or giving a bribe
- Requesting, agreeing to receive, or accepting a bribe
- Bribery of a foreign public official in order to obtain or retain business or an advantage in the conduct of business
- Failure to prevent bribery on behalf of a commercial organisation

6.2 A bribe may include (this list is not exhaustive) the giving or receiving of:
- Cash payments (including facilitation payments)

- Gifts
- Hospitality

In order to obtain business for the Trust or to receive business (outside any official contract or agreement) from another organisation and/or individual. This applies to activities in all parts of the world regardless of local customs.

6.3 This Policy does not prohibit appropriate corporate gifts and hospitality being given and received. The overriding principle is that gifts, hospitality and entertainment, whether received or provided should be reasonable and proportionate. Bona fide hospitality and promotional activity that seeks to improve the image of the organisation, better to present products and services, or establish cordial relations is recognised as an established and important part of doing business.

6.4 Before offering or receiving gifts and hospitality the trustee, member of staff, agent or other person or organisation operating on behalf of the Trust should assess whether it fits these categories; e.g. low value, part of business (such as meal whilst visiting an organisation), chance to improve business relations. If there are any doubts the matter should be discussed with the Chief Financial Officer or Company Secretary prior to acceptance.

6.5 Further guidance on the processes to be followed for gifts and hospitality is included in the Trust Financial Regulations and the Staff Code of Conduct.

6.6 Generally Trust funds should not be used for donations to charities (excluding any set up by the Trust) or political parties. Any exceptions to this should be approved by the Finance and Staffing Committee of the Governing Body.

7 Fraud – Definition and Further Guidance

7.1 As defined in the scope fraud is where:

- The defendant must have been dishonest and have intended to make a gain or to cause a loss to another.
- In addition, the defendant must carry out one of these acts:
    - Making a false or misleading representation.
    - Failing to disclose to another person information which he/she is under a legal duty to disclose.
    - Abusing a position of trust.

This includes (not an exhaustive list) such actions as:

- Receiving payment for goods and services that have either not been received by the Trust or payment for goods and services received is deliberately made to someone other than the supplier
- Claiming for overtime that has not been worked or expenses that have not been incurred on behalf of the Trust

7.2 The Trust financial regulations, expenses policy and internal finance and HR guidance provide further information on Trust processes to deter fraudulent activity.

8 Detection and Investigation

8.1 It is the responsibility of Trust Managers to prevent and detect fraud and corruption although it is often the alertness of other members of staff and members of the Trust community to the indicators which enable detection to occur and for appropriate action to take place.

8.2 All members of staff are required by Financial Regulations to report all suspected irregularities to the Chief Executive. Such reporting is essential to ensure:

- Consistent treatment of information regarding fraud and corruption;
- Proper investigation by an independent team;
- Proper implementation of an investigation plan;
- Optimum protection of the Trust's interests.

8.3 If the suspected fraud, bribery or other form of corruption is thought to involve the Chief Executive or any other senior postholder, the member of staff shall notify the Chair of the Finance and Staffing Committee directly of their concerns regarding irregularities and Chair will initiate action under the appropriate Trust procedure which is likely to include the disciplinary procedure. The Chair of the Finance and Staffing Committee may be contacted via the Company Secretary.

8.4 Depending on the nature and anticipated extent of the allegations, the Trust may notify a firm of accountants who can manage forensic investigations and work will take place closely with the Managers and any other agencies such as the Funding Bodies and Police to ensure that all allegations and evidence are properly investigated and reported upon.

8.5 A key outcome must be the maximum recovery for the Trust.

8.6 The Trust's disciplinary procedures will be used for the outcome if the investigation proves improper behaviour.

8.7 Where financial impropriety is discovered, the Trust's presumption is that the Police will be called in. Referral to the Police is a matter for the Chief Executive and referral to the Police will not prohibit action under the disciplinary procedure.

8.8 Any significant incident involving fraud or irregularity is to be notified to the Funding Body's Chief Auditor.

8.9 Following any fraud investigation, a report of the outcome should be given to the Finance and Staffing Committee.

9 Training and Updates

9.1 Staff and others working on behalf of the Trust will be made aware of the Policy via each Headteacher who will receive briefings at the senior management team meetings and they will pass on relevant information to the staff in their areas. The policy will also be available electronically to all staff.

Version Number	Purpose/Change	Author	Approval	Date
1	Policy first developed as a Trust wide policy.	J Cuthbertson Chief Finance Officer	Trust Board	December 2020
2	Policy reviewed minor amendments only	M Dobrianski Chief Operating Officer	Trust Board	17/12/2025