



Anti-Fraud, Bribery and Corruption Policy

Policy and Procedure

Document Status	Live & Current
Document Type	Policy POL016
Version	1
Issue	2
Document Date	January 2019
Review Date	January 2020
Reviewer	Thomas Nolan
Publication	Controlled Hard Copy and Server

Introduction

Barfection Limited conducts its business in a legal and ethical manner, and operates a zero-tolerance attitude to fraud, bribery and corruption.

Staff and learners are responsible for acting honestly and with integrity, and they must ensure that their activities, interests and behaviours do not conflict with these obligations, regardless of their seniority. Staff and learners must report all reasonable suspicions of fraud and bribery.

1. Purpose

1.1 The purpose of this policy is to provide definitions of fraud, bribery and corruption, and to define authority levels, responsibilities for action and reporting lines in the event of suspected, attempted or actual fraud, bribery or irregularity.

2. Policy principles

2.1 Barfection Limited has a zero-tolerance approach to fraud, bribery and corruption, and as such all forms of fraud, bribery and corruption are prohibited.

2.2 This policy applies to Barfection Limited employees, other members of Barfection Limited and any other associated person acting on Barfection Limited's behalf. It applies to all Barfection Limited's activities and operations and to all of its dealings and negotiations with third parties in all countries in which its employees, agents, partners and associates operate.

2.3 For the purposes of fraud, this policy applies to all learners contracted with Barfection Limited, no matter where they are situated, including learners studying with collaborative provision and apprentices.

2.4 Barfection Limited will address risks of fraud, bribery and corruption by ensuring adequate and proportionate measures are developed and implemented to mitigate them.

3. Definition of Fraud

3.1 Fraud describes several activities including theft, false accounting, embezzlement, bribery and deception. The Fraud Act 2006 defines three class of fraud:

- False representation: a person commits fraud by intentionally and dishonestly making a false representation. A false representation includes intentionally giving a misleading or untrue statement.
- Failing to disclose information: a person commits a fraud if they dishonestly fail to disclose information.
- Abuse of position: a person commits a fraud if they dishonestly abuse their position.

3.2 To have committed a fraud a person must have acted dishonestly, and with the intent to:

- make a gain for themselves or anyone else
and/or
- cause loss to anyone else, or expose anyone else to a risk of loss

4. Definition of Corruption

4.1 Corruption is the misuse of power for personal gain

5. Definition of Bribery

5.1 Bribery is where a financial or other advantage is offered as a reward to another party to persuade them to carry out their functions improperly. Bribery can be through the offering, promising, giving, demanding or accepting of an advantage such as gifts, hospitality, fees, rewards, jobs, internships, examination grades or favours.

5.2 An action is still classed as bribery regardless of whether the bribe is given or received directly or through a third party or whether it is for the benefit of the recipient or someone else.

- 5.3 Staff are required by the Bribery Act 2010 to not either directly or indirectly:
- Offer, give, solicit or accept any bribe, either in cash or any other form, to or from any person, company or other party. This applies no matter where that person is located and whether they are a public official or body, or a private person or company.
 - Give or retain any commercial, contractual or regulatory advantage through unethical or illegal means when conducting business on behalf of Barfection Limited or its subsidiaries.
- 5.4 Staff must understand and strictly comply with the UK anti-bribery laws in all countries of the world. There is further guidance available on facilitation payments, which are common in some countries, and this is also outlawed under the Bribery Act.
- 5.5 The action or exchange of a bribe does not need to have taken place – promising to give or agreeing to receive a bribe would be considered bribery
- 5.6 Arrangements with third parties will be subject to clear contractual terms, including specific provisions requiring them to comply with standards and procedures relating to the prevention of bribery and corruption. Barfection Limited will not engage, or continue business with, any individual or third party who we know or reasonably suspect of engaging in fraud, bribery or corruption.
- 5.7 Staff will not suffer penalty or other adverse consequences for refusing to pay a bribe even if a refusal may result in loss of business or a delay in proceedings.

6. Key Responsibilities

- 6.1 The Directors are responsible for developing, implementing and maintaining adequate systems of internal control to prevent and detect fraud, bribery and corruption.
- 6.2 Staff are responsible for familiarising themselves with the types of fraud,

dishonesty, bribery and corruption that might occur, monitoring compliance with internal controls and agreed policies and procedures, and notifying their line manager (or any of the people specified in the procedure below) or any indications of fraudulent activity.

- 6.3 Learners must act with integrity in respect of their studies, and to provide full, accurate and truthful information when seeking any form of support or financial assistance. They should report any activity of the employees of Barfection Limited or other staff which they consider may be in breach of this policy.

7. Communication

- 7.1 Barfection Limited ensures that its fraud, bribery and corruption prevention, and associated policies and procedures, are embedded and understood throughout the organisation through internal and external communication, including training that is proportionate to the risk it faces.
- 7.2 Staff are responsible for ensuring the communication of Barfection Limited's Anti-Fraud, Bribery & Corruption Policy and other relevant policies to associated person(s). Unit managers will monitor and review their procedures and action plans to ensure their suitability, adequacy and effectiveness in relation to this policy and implement improvements as appropriate.
- 7.3 This document is publicly available to learners and prospective learners on Barfection Limited's website.

8. Due Diligence

- 8.1 Barfection Limited will apply due diligence procedures, taking a proportionate and risk-based approach, in respect of persons and organisations that perform or will perform services for or on behalf of Barfection Limited in order to mitigate identified bribery risks.
- 8.2 Where appropriate, staff will complete enough due diligence when entering into arrangements with others to ensure they are not acting corruptly, and to periodically monitor their performance to ensure ongoing compliance. They will take appropriate

action in response to any information uncovered as a result of due diligence which gives rise to concern and report any such actions to the Directors.