



Anti-Fraud, Bribery and Corruption Policy

1.0 Policy Summary

Charity trustees have a duty to manage their charity's resources responsibly and ensure that funds are protected, applied and accounted for.

Age UK Notts is committed to operating with the highest standards of integrity and promoting a culture in which accountability flourishes. Age UK Notts opposes fraud, bribery & corruption as it erodes free and fair competition, damages good government and harms society at large. Age UK Notts operates a zero-tolerance policy towards fraud, bribery & corruption.

Age UK Notts will assess the risks of fraud, bribery and corruption, establish processes and controls to minimise these risks, and regularly review the effectiveness of its control systems

Age UK Notts requires all staff to immediately report any incidents or suspicions of fraud, bribery or corruption to an appropriate manager or another person named in Raising Concerns. The charity will not penalise anyone for raising a concern in good faith.

Age UK Notts will take all reports of fraud, bribery and corruption seriously, and investigate proportionately and appropriately.

Age UK Notts requires all those receiving charity funds or representing the charity, including its donors, suppliers, grant recipients, partners, contractors and agents, to act in accordance with this policy. This includes reporting to the charity any suspected or actual instances of fraud, bribery or corruption involving charity assets or staff & volunteers.

1.1 Relevant legislation

Fraud Act 2006

Bribery Act 2010

Criminal Finances Act 2017

Regulatory requirements and applicable guidance including Managing Public Money. Trustees are required under charity law to safeguard the assets of the charity.

1.2 Scope

This policy applies to the Age UK Notts group, including all legal entities owned and controlled by the charity.

This policy is applicable to, and must be followed by, all staff & volunteers including consultants and contractors. Failure to comply could result in disciplinary action, including dismissal.

2.0 Policy Statement

Age UK Notts has a 'zero tolerance' policy towards fraud, bribery and corruption. This means that the charity:

- a) does not accept any level of fraud, bribery or corruption within the organisation or by any other individual or organisation receiving charity funds or representing the charity; and
- b) will always seek to take disciplinary and/or legal action against those found to have perpetrated, be involved in, or assisted with fraudulent or other improper activities in any of its operations.

Age UK Notts is committed to developing an anti-fraud culture and keeping the opportunities for fraud, bribery and corruption to the absolute minimum.

The charity requires all staff to act honestly and with integrity at all times and to safeguard the resources for which they are responsible.

3.0 Definitions

3.1 Fraud

Fraud is knowingly making an untrue or misleading representation with the intention of making a gain for oneself or another or causing a loss, or risk of loss, to another.

Examples of fraud may include:

- falsifying expense claims
- submitting false supplier invoices
- understating the receipt of cash
- enabling tax evasion by paying suppliers in cash for a lower price

3.2 Bribery

Bribery is the offering, promising, giving, accepting or soliciting of money, a gift or other advantage as an inducement to do something that is illegal or a breach of trust in the course of carrying out an organisation's activities.

Examples of bribery may include:

- a potential supplier offering you some money or a gift to influence a tendering process
- a job applicant offering to pay you to increase his/her chance of being offered employment
- a contractor offering a gift (e.g., cash) to a member of staff in return for acceptance of a quote for works

It is illegal to give or receive a bribe under the Bribery Act and organisations are liable for bribes taken or given on their behalf where it does not have adequate procedures in place.

3.3 Facilitation payments

Facilitation payments are payments which induce officials to perform routine functions they are otherwise obligated to perform. Facilitation payments are bribes and there is no exemption for them under the Bribery Act. Facilitation payments do not include legally required administrative fees and legitimate fast-track services.

3.4 Corruption

Corruption is the misuse of entrusted power for personal gain. This would include dishonest or fraudulent behaviour by those in positions of power, such as managers or

government officials. It would include offering, giving and receiving bribes to influence the actions of someone in a position of power or influence, and the diversion of funds for private gain.

3.5 Tax Evasion (Fraud)

Tax evasion is any deliberate omission, concealment or misinterpretation of information, or the false or deceptive presentation of information or circumstances in order to gain a tax advantage.

It is a criminal offence if an organisation fails to stop those acting on its behalf from facilitating tax fraud.

3.6 Gifts and hospitality

These can range from small gifts (such as diaries) to expensive hospitality (tickets for major events, holidays etc). Hospitality or promotional expenditure which is proportionate and reasonable to demonstrating goods or services or reflecting your good relations is unlikely to qualify as a bribe. However extravagant gifts and hospitality may be used to disguise bribes that are intended to induce improper behaviour (e.g., to fix the outcome of a tendering process). See Age UK Notts' Code of Conduct Policy and Gift Policy for further information.

4.0 Responsibilities

Age UK Notts entrusts all individuals across the organisation to take a proactive role in improving the organisation's anti-bribery policy and practice.

4.1 Trustees

The trustees will provide leadership, resources and active support for the implementation of this policy. They are responsible for ensuring that this policy and any associated policies are fit for purpose and complied with.

4.2 Joint Chief Executive

The Joint Chief Executive is responsible for ensuring that these policies and procedures are implemented consistently and with clear lines of authority. The Joint Chief Executive and Senior Leadership Team will actively and visibly lead the organisation's anti-bribery policy and practice.

4.3 Human Resources Team

The Human Resources Team is responsible for ensuring that the spirit of this policy is incorporated into all aspects of Age UK Notts' people management including recruitment, promotion, training, performance evaluation, remuneration and reward – and that these policies are continually improved in consultation with volunteers and staff.

4.4 Finance Team

The Finance Team is responsible for ensuring that the spirit of this policy is incorporated into all aspects of Age UK Notts' finance management including corporate accounting, gifts, volunteer and staff expenses and donations – and that these policies are continually improved in consultation with volunteers and staff.

4.5 Managers

Managers are responsible for holding their direct reports and project partners to account. They are responsible for ensuring that their projects are properly planned and that risks are assessed and managed in line with this policy.

4.6 Individuals

Individuals are responsible for not giving or receiving bribes and challenging instances where bribery may occur. They are also responsible for reporting all bribery that they are aware of via the procedures laid out in this policy.

5.0 Fraud & Bribery prevention

5.1 Top level commitment

Age UK Notts is committed to tackling fraud & bribery at the highest level. Age UK Notts clearly articulates its zero-tolerance policy on fraud & bribery externally on its website.

5.2 Risk assessment

Age UK Notts risk assesses the organisation and reviews the risks presented by fraud & bribery as part of this.

Age UK Notts recognises that the threat of fraud & bribery varies across countries, areas of work, partners and transactions and that our organisation must respond proportionately to those risks. Therefore, in addition to the organisational risk assessment, a fraud risk assessment is in place to cover projects/activities which involve working in high-risk areas.

The link Trustee for fraud will be responsible for ensuring this fraud risk assessment is reviewed in conjunction with the fraud owner on an annual basis and is satisfied that the controls are in place to mitigate the risks. The results of this review will be presented at the following Board meeting.

5.3 Due diligence

5.3.1 Recruitment

Age UK Notts recognises that good anti-bribery practice starts from the outset of employing an individual. All volunteers and staff will be briefed on Age UK Notts' anti-fraud & bribery policy, as part of the organisation's induction.

5.3.2 Working overseas

As Age UK Notts is a local charity supporting older people in Nottingham & Nottinghamshire it is unlikely that volunteers and staff will manage projects or work overseas. If volunteers and staff undertake these duties guidance must be obtained from a senior manager before they begin assignments. Managers must assess and manage the risks associated with working in specific countries or sectors before assignments start (see 5.2).

5.3.3 Working with service suppliers and in partnerships

Age UK Notts is liable under the Bribery Act if a person "associated" with it bribes another intending to obtain or retain business or a business advantage for Age UK Notts. The act's definition of an associate is deliberately broad to include individuals, incorporated and unincorporated bodies supplying services to Age UK Notts (rather than just goods) or acting on Age UK Notts' behalf as a partner or agent.

Age UK Notts requires all individuals engaging suppliers of services and working with partners on behalf of Age UK Notts to ensure that:

- service suppliers and partners are selected through a transparent and competitive selection process. See Age UK Notts' Financial procedures, Environmental and Sustainable policy and Code of Conduct for more information
- due diligence is carried out on partners and suppliers before entering into contracts (see 5.2)

5.3.4 Charitable and political donations

A political contribution is a donation made to a politician, a political party or a political campaign. Charities are not permitted to make political donations and therefore political donations are not permitted on behalf of Age UK Notts.

Volunteers and staff should ensure that any donation received or made by Age UK Notts is not an incentive to conduct its business improperly. All donations must be approved in line with Age UK Notts' Code of Conduct, Financial Management Policy and Procedures and Grant Making Policy.

5.4 Communication

All volunteers, staff and suppliers must understand and comply with Age UK Notts' anti-fraud & bribery policy. To ensure that this is communicated, Age UK Notts will:

- clearly articulate its zero-tolerance policy on bribery externally on its website
- publish this policy on *The Oracle*
- reference this policy in the code of conduct and gift policy
- brief all volunteers and staff on Age UK Notts' anti-bribery policy, as part of the organisation's induction as a minimum

6.0 Procedures

6.1 Internal Reporting - What volunteers and staff should do if they suspect or witness actual instances of fraud, bribery or corruption

All volunteers and staff must immediately report any suspected or actual instances of fraud, bribery or corruption. This includes offers to pay bribes, solicitation of bribes and demands to make facilitation payments. Failure to report could result in disciplinary action.

Reports should be made to line managers. If volunteers or staff are not comfortable reporting their concerns to their line manager, concerns should be reported to a member of the Senior Leadership team.

Age UK Notts will not penalise anyone for raising a concern in good faith, even if it turns out to be unfounded. Any member of staff who harasses or victimises someone for raising a concern in good faith will themselves be subject to disciplinary action.

6.2 Investigation

To enable proper investigation, volunteers and staff should record the details of any fraud/bribery or requested or attempted fraud/bribery, as soon as possible after the event. Any instances of actual or potential fraud/bribery should be properly and promptly investigated in line with the procedure outlined in the Age UK Notts' Public Interest Disclosure/Whistleblowing Policy.

The objectives of an investigation should be to:

- Confirm whether fraud or a bribe has taken place, and to identify who was responsible.
- Confirm whether internal controls and anti-fraud/bribery procedures have worked in practice.
- Identify any improvements required to anti-fraud/bribery procedures.

Depending on the findings of the investigation, subsequent action will be determined. This may involve disciplinary action against volunteers and staff involved or external reporting to:

- A senior official or director of another organisation, if the person making the bribe /committing the fraud is from that organisation
- Local police/ law enforcement agencies (if deemed appropriate)
- Serious Fraud Office (in the UK has primary responsibility for the UK Bribery Act)
- HMRC where the fraud is related to tax
- Relevant government department where the fraud/bribe took place
- The Charity Commission, if the matter is considered a “serious incident”
- Transparency International UK

See Age UK Notts’ Disciplinary and Whistleblowing Policies for further information.

7.0 Monitoring and review

This policy will be reviewed annually or after a significant change in operations or a significant incident, whichever is sooner in consultation with Age UK Notts’ volunteers and staff.

Related policies:

- Financial Management policy and procedures
- Code of Conduct
- Gift Policy
- Public Interest Disclosure (Whistleblowing) policy
- Disciplinary policy
- Environmental and Sustainable Purchasing Policy
- Grant Making Policy

Anti-Fraud, Bribery and Corruption Policy

Owner	Michelle Elliott	
Issue Number	Amendment & Date	Name
1.0	Draft Policy 6 th December 2011	M Tinkler
1.1	Changes following feedback from Finance and HR	M Tinkler
1.2	Agreed management team meeting 11/1/12	M Tinkler
	Agreed by Board 25 th January 2012	M Tinkler
1.3	Reviewed by Mick Tinkler (1 st January 2013)	M Tinkler
1.4	Reviewed by Mick Tinkler (20 th December 2013) – minor update	M Tinkler
1.5	Reviewed by Mick Tinkler (15 th December 2014) – minor update	M Tinkler
1.6	Reviewed by Mick Tinkler (14 th January 2016)- no changes	M Tinkler
1.7	Reviewed by Mick Tinkler (15 th December 2017) – minor changes	M Tinkler
1.8	Reviewed by Mick Tinkler (11 th December 2019) – minor changes	M Tinkler
1.9	Reviewed by Mick Tinkler (1 st January 2020) – added red flag examples and change of owner to ME	M Tinkler
2.0	Reviewed by Michelle Elliott 20 th April 2022 – addition of fraud elements	M Elliott
	Agreed by Board 19 th May 2022	S Cartazzo

Appendix A: Corruption indicators

Taken from the Serious Fraud Office website, 20 December 2013

<http://www.sfo.gov.uk/bribery--corruption/corruption-indicators.aspx>

This list is not exhaustive and the ingenuity of those involved in corruption knows no bounds! You should beware of:

- Abnormal cash payments
- Pressure exerted for payments to be made urgently or ahead of schedule
- Payments being made through 3rd party country, e.g., goods or services supplied to country 'A', but payment is being made, usually to shell company in country 'B'
- Abnormally high commission percentage being paid to a particular agency. This may be split into 2 accounts for the same agent, often in different jurisdictions
- Private meetings with public contractors or companies hoping to tender for contracts
- Lavish gifts being received
- Individual never takes time off even if ill, or holidays, or insists on dealing with specific contractors him/herself
- Making unexpected or illogical decisions accepting projects or contracts
- Unusually smooth process of cases where individual does not have the expected level of knowledge or expertise
- Abusing decision process or delegated powers in specific cases
- Agreeing contracts not favourable to the organisation either with terms or time period
- Unexplained preference for certain contractors during tendering period
- Avoidance of independent checks on tendering or contracting processes
- Raising barriers around specific roles or departments which are key in the tendering/contracting process
- Bypassing normal tendering/contractors' procedure
- Invoices being agreed more than contract without reasonable cause
- Missing documents or records regarding meetings or decisions
- Company/charity procedures or guidelines not being followed
- The payment of, or making funds available for, high value expenses or school fees etc. on behalf of others.

Six Red Flags to Help You Spot Workplace Bribery & Corruption

The following [red flags](#) indicate that bribery might be taking place:

1. Purchasing unnecessary or inappropriate items

If someone purchases unnecessary or inappropriate items, it could be an indication that there is a corrupt relationship in play. This could be between an employee and the supplier or contractor. It is important to be alert for items of large quantities, particularly if there is no visible need for such items.

2. Questionable invoices

Has an invoice been submitted without any supporting documentation? Does it appear unprofessional and/or unmarked? Always look for a pattern of questionable invoices as this can indicate that the invoices are being used to fund bribe payments.

3. Continued acceptance of poor-quality goods

If an employee or customer is continually accepting poor quality goods, especially after complaints have been made, this could be a strong indicator for corruption.

4. Conflict of interest

Does an employee have a personal or economic interest in a particular transaction? Does their behaviour change when it comes up? Are they acting differently or suspicious? All this could indicate a conflict of interest.

5. Unqualified third party

Look out for signs of corruption if the third party your company is dealing with seems unqualified for the job he/she is contracted to perform.

6. Incomplete travel and expenses

Incomplete travel and expenses forms could indicate an employee is trying to hide something. It could be that they are being used to obtain money for improper payments.

By being aware of the potential signs of bribery and corruption, we can help stop it from taking place in the workplace. Not only will people know the signs to look out for, but the raised awareness could help put people off and prevent corruption from happening in the first place.