

Policy: Anti-Fraud Policy

First approved: 17th December 2008

Last reviewed: 6 December 2018

Due for review: 6 December 2021

1.0 Introduction

The Triangle Trust takes the most serious view of any attempt to commit fraud by staff, Trustees, applicants for funding and those working on their behalf.

This statement sets out the Triangle Trust's policy on fraud, details of its responsibilities for its prevention and the response when fraud is suspected. The Triangle Trust requires staff and Trustees to act honestly and with integrity at all times and to safeguard the resources for which they are responsible. Fraud is an ever-present threat to these resources and hence must be a concern for all staff and Trustees.

Any applicants found to be responsible for fraudulent activity will not be able to receive funding from the Triangle Trust again. Staff involved in impropriety of any kind will be subject to disciplinary action, including prosecution, if appropriate.

2.0 What is Fraud?

Generally, fraud involves the intention to deceive a person or organisation in order to obtain an advantage, avoid an obligation or cause loss. For Trusts, the term fraud can be used to describe a range of activities, including deception, applications for double funding, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion.

The term also includes the use of information technology equipment to manipulate programmes or data dishonestly, the theft of IT equipment and software and the intentional misuse of computer time and resources.

3.0 Responsibilities

The Trustees

The Trustees are responsible for overseeing effective management, in line with appropriate financial conduct. The Trustees are ultimately responsible for managing risk. This includes:

- Developing and maintaining effective controls to help prevent or detect fraud;
- Ensuring vigorous and prompt investigations if fraud occurs;

- Taking appropriate disciplinary and/or legal action against perpetrators of fraud.

The Director

The Director is responsible for the day-to-day operations and management of the Trust. They are responsible for ensuring adequate processes, checks and IT systems are in place to prevent and detect fraud.

The Director will report any actual or suspected fraud (including any suspicious acts or events) immediately to the Chair. They will assist in any investigations by making available all relevant information and co-operating in interviews.

4.0 Fraud response plan

Actions to be taken within the first 48 hours

The Director in consultation with the Chair (or another nominated Trustee) will:

- Make an initial assessment of the extent and nature of the fraud.
- Limit the possibility of further damage – for example by suspending any further payment of grant instalments.
- Make an initial assessment about whether police, lawyers, the Charity Commission and insurers should be involved at this stage and agree who is responsible for this external contact.
- Make a decision about the sharing of information with others e.g. other funders known to be funding an organisation under suspicion.

5.0 Preserving and securing evidence

Matters must be handled very carefully in order to preserve evidence for any later prosecution.

All relevant evidence will be collected, including grant applications and offer letters, grant acceptance papers, records of conversations and meetings with the funded group; payment records; audited accounts; bank statements and receipts.

Professional support will be sought if further details or interviews are required.

6.0 Follow-up

The Chair or another nominated Trustee, in consultation with the Director, will:

- Decide whether to take any necessary legal action.
- Reconsider whether the fraud or suspected fraud should be reported to the police, lawyers, the Charity Commission, insurers, other funds and the media.
- Agree and implement improvements to relevant control systems.
- Report to Trustees setting out what went wrong and what has been done to prevent a similar fraud from happening again.