

National Back Exchange

Policy on Countering Fraud & Corruption



Contact:

Email: admin@nationalbackexchange.org

Website: www.nationalbackexchange.org

Reviewed: Nov 2021

Version: 1.3

INTRODUCTION

- 1.1 In the National Back Exchange, as in any other public sector organisation, it is paramount that resources are properly used and safeguarded. It is important that all those who work in the Association are aware of the risk of fraud and what they should do if they become aware or suspect that fraud is occurring. It is also a responsibility of the Association to provide a structure for the investigation of incidents involving fraudulent activity based on the NHS Providers - Fraud, Bribery and Corruption Standards. The Standing Financial Instructions of the Association have been amended to reflect these new requirements.

Please Note

All investigations will be the responsibility of the Finance Director.

2 SCOPE

- 2.1 The policy applies to all offences committed against the Association by employees, contractors, or members of the Association and or the public.
- 2.2 This policy should be read in conjunction with the National Back Exchange Whistle Blowing Policy and Procedure.

3 OBJECTIVES

- 3.1 To provide direction to all employees and members within the Association in relation to the action they should take if they suspect a person of a fraudulent act or that an act may have been committed.
- 3.2 To provide a framework for employees and members to report concerns.
- 3.3 To detail the National Board of Directors responsibilities in relation to the investigation of fraudulent actions.

4 DEFINITIONS

Fraud – Fraud can be broadly defined as the deliberate use of deception or dishonesty to disadvantage or cause loss (usually financial) to another person or party

Corruption – The definition (in the context of the Prevention of Corruption Acts) is the offering, giving, soliciting or acceptance of an inducement or reward, which may influence the action of any person.

Reasonably Held Suspicion – Any suspicion other than those that are malicious or found to be groundless.

5 MEMBERS' and EMPLOYEES' RESPONSIBILITIES

- 5.1 All members and employees have a duty to:

- Protect assets belonging to the Association, its employees, and members of the Association and / or the public.
- Report to the Association any incident or occurrence where they have a reasonably held suspicion that an offence may have been committed. This report should be to the Finance Director or if they suspect the Finance Director may be involved to the Chairman. If for any reason a member of staff does not wish to take the matter up with the Finance Director or Chairman they may contact the Trustees or exceptionally they may ring the NHS Fraud and Corruption Reporting Line on 0800 028 4060.
- Adhere to Association Policies, procedures and guidance relating to Association property and service.
- Co-operate with any investigation and provide a statement if this is required.

6 MEMBERSHIP

- 6.1 If an individual member is notified of or suspects that an offence may have been committed they must report the matter immediately to the Finance Director, Chairman or Trustee.
- 6.2 They must make notes of anything they hear or see relating to the suspicion including dates, times, descriptions etc.
- 6.3 They must **not** conduct any type of investigation themselves.
- 6.4 They must co-operate fully with those conducting the investigation and provide any evidence that they require during the course of enquiries together with providing a statement if required.

7 BOARD OF DIRECTORS RESPONSIBILITIES

- 7.1 **The Finance Director is required to:**
- Take responsibility for all fraud matters and in conjunction with the Chairman monitor and ensure compliance with the Secretary of State's Direction on Fraud and Corruption.
 - Document any notification of an alleged fraud.
 - Advise staff and the Board of Directors on fraud issues.
 - Carry out reactive and proactive investigations in conjunction with those appointed by the Board of Directors and maintain documented records of all investigations.
 - Liaise and reach agreement with the Chairman and Trustees where the appropriate sanction is felt to be prosecution before the Association takes any future action.
 - Liaise with the Chairman concerning any employment / membership issues arising from the investigation and ensure there is proper liaison with the Chairman on matters of employment law or where disciplinary action is felt appropriate.

- Ensure in conjunction with the Chairman that the investigation team has access to all premises, records or data owned or controlled by the Association together with all employees / members who may have information to provide where this is relevant to the detection and investigation of cases of Fraud and Corruption.
- Ensure that the outcome of each investigation is reported to the Board of Directors of the Association and the Association's Trustees, as required.
- Liaise with the Chairman and Marketing Director on any issues involving publicity concerning an investigation.

7.2 The Chairman is required to:

- Support and advise the Finance Director and Board of Directors throughout the course of an investigation.
- Advise the Board of Directors on the appropriateness of suspension of the employee / member where disciplinary action is proposed.
- Liaise with the Finance Director and provide support in relation to any employment law issues or any employee related consequence.

7.3 Responsibilities of other Board members of the Association:

Only those Board members nominated by the Finance Director, Chair or Trustees of the Association should carry out fraud investigations.

8 POLICY REVIEW

8.1 This policy shall be reviewed at least every two years by the Board of Directors

This strategy and its associated policy and procedure will be reviewed in 2023.

Signed (following approval by and on behalf of the Association Board):

.....Chairman

Date:

Date	Version Number	Status	Summary of Changes	Consulting Group / Persons	Changes made by
17/3/2020	1.1	Active	Updated wording in Introduction / Definitions / Telephone Number	NBE Exec	Treasurer / Communications Officer
Oct 2020	1.2	Active	Removal of NBE	NBE Exec	Vice Chair



			address		
Nov 2021	1.3	Active	Reference to Executive Committee changed to Board of Directors	Board of Directors	Vice Chair