

## Counter Fraud Policy

Organisation	Leeds Beckett University
Author(s)	Head of Regulatory Compliance & Assurance
Developed in consultation with	University Registrar & Secretary University Executive Team
Owner	Registrar & Secretary's Office
Target audience	All colleagues, Board of Governors, Contractors and others performing work for or on behalf of the University.
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Links to other internal policies / procedures	<a href="#">Financial Regulations</a> - specifically the sections on Travel, Gifts and Hospitality, Purchasing, Research Grants and Contracts. <a href="#">Procurement Procedures</a> <a href="#">Reportable Events Procedure</a> <a href="#">Conflicts of Interest Policy</a> <a href="#">Anti-Bribery &amp; Corruption Policy</a> <a href="#">Whistleblowing Policy &amp; Procedure</a> <a href="#">Ethics and Integrity Framework</a> <a href="#">Online training</a> relating to fraud, anti-bribery and cyber security
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A PDF copy of the final approved version should be forwarded to [governance@leedsbeckett.ac.uk](mailto:governance@leedsbeckett.ac.uk) for inclusion in the policy register and consideration to the Publication Scheme. The original master copy should be retained on file by the policy owner.

# Counter Fraud Policy

## Introduction

1. The University is committed to upholding high standards of honesty and integrity in its operations. The University has a zero-tolerance attitude towards fraud and fraud found to have been committed by colleagues will be treated as a serious disciplinary offence.
2. The University will take reasonable, proportionate and practicable measures to reduce the risk of its exposure to incidents of fraud.
3. All instances of actual, attempted or suspected fraud will be investigated promptly in line with this policy and associated procedures and guidance and appropriate action taken.
4. The University will seek to recover funds and assets lost through fraud.

## Purpose and Scope

5. The purpose of this policy is to:
  - (a) Define fraud and offences under fraud legislation and provide examples of fraud risks in a Higher Education context.
  - (b) Encourage the reporting fraud or fraud related risks in line with University procedures.
  - (c) Promote the detection and investigation of fraud.

## Application

6. This policy applies to all colleagues of the University, this includes all individuals working within the University at all levels and grades, including officers, employees (whether permanent, fixed term or temporary), workers, trainees, seconded staff, agency staff, volunteers, interns or any other person working in any context within the University.
7. This policy also extends to individuals performing services for or on behalf of the University which may include University subsidiaries, recipients of grants, partners, collaborative arrangements, joint ventures, agents and advisors.

## What is fraud?

8. Fraud can be defined as any intentional act or omission designed to deceive others, resulting in the victim suffering a loss and/or the perpetrator achieving a gain.
9. Under the Fraud Act 2006, there are three specific offences:
  - (a) fraud by false representation
  - (b) fraud by failing to disclose information
  - (c) fraud by abuse of position

10. Fraud can be committed by people both within and outside of the University.
11. Individuals can be prosecuted under the Fraud Act 2006 if they are found guilty of the above offences. The criminal act is the attempt to deceive and therefore attempted fraud is treated as seriously as accomplished fraud.

### **Identifying fraud**

12. All organisations are at risk of fraud and the University is no exception. Examples of fraud that can occur in a Higher Education setting include (but are not limited to):
  - (a) Employee fraud against employers: e.g. payroll fraud, falsifying expense and/or overtime claims, theft of cash, assets and/or intellectual property, misuse of procurement card
  - (b) Cyber-crime: individuals using computers and technology to commit crimes e.g. phishing attacks, spamming and hacking.
  - (c) Provision of fake references and/or qualifications when seeking employment with or a promotion within the University
  - (d) Academic fraud (e.g. plagiarism, cheating in assessments and examinations, false qualifications, falsification of data, tampering with evidence).
  - (e) Unauthorised use of University assets for personal gain

### **Responsibilities/Duties**

13. **Colleagues** are responsible for:
  - (a) acting honestly and with integrity in the exercise of their duties.
  - (b) ensuring that they have read, understood and comply with this policy and any associated procedures and guidance.
  - (c) reporting any incidences of actual, attempted or suspected fraud.
  - (d) Assisting with investigations in relation to fraud.
  - (e) Completing mandatory training relating to fraud, anti-bribery and cyber security.
14. **Managers** are responsible for:
  - (a) Ensuring that the colleagues that they manage are aware of the policy.
  - (b) Ensuring that the colleagues that they manage complete mandatory training relating to anti-bribery, fraud and cyber security.
  - (c) Considering fraud risks in their area and how they can be mitigated.

15. The **Vice Chancellor**, as the University's Accountable Officer, is responsible for ensuring that material adverse events are reported to the OfS including any material suspected or actual fraud or financial irregularity in line with the Reportable Events Procedure.
16. The **Finance Director** is responsible for overseeing the development and implementation and maintenance of robust financial risk management and internal control systems that assist in the prevention and detection of fraud.
17. The **University Registrar & Secretary** is responsible for:
- (a) ensuring that the Policy is implemented, maintained and reviewed at appropriate intervals;
  - (b) overseeing the implementation of the Fraud and Bribery Response Plan on receipt of reports of actual or suspected incidents of fraud or irregularity; and
  - (c) maintaining a register of fraud related incidents documenting the nature of the incident, the outcome of any investigation and any actions taken to prevent and detect similar incidents.
18. The **Head of Internal Audit** is responsible for:
- (a) liaising with the Finance Director and University Registrar & Secretary as required as part of investigations into actual or suspected fraud; and
  - (b) providing reports on incidents of material fraud to the Audit Committee.
19. The **Audit Committee** is responsible for approving this policy and for receiving reports on fraudulent activity that has been identified and preventative measures taken to avoid repetition of the activity.

### **Reporting Fraud**

20. Concerns relating to a breach or potential breach of this policy whether by should be reported immediately to your line manager or where appropriate with the University Registrar & Secretary: [registrarsecretary@leedsbeckett.ac.uk](mailto:registrarsecretary@leedsbeckett.ac.uk)
21. Concerns can also be raised under the University's Whistleblowing Policy in the knowledge that they will be treated in confidence and in accordance with the Public Interest and Disclosure Act 1998. Further information is set out in the University's Whistleblowing Policy and Procedure.

### **Investigating Fraud**

22. The University has a Fraud and Bribery Response Plan which sets out how and who will be responsible for investigating the reported fraud.

**Dissemination**

23. This Policy shall be made available to all members of the Board of Governors, colleagues and individuals that carry out work for and on behalf of the University. It will be published on the University's website and staff intranet.

**Monitoring and Compliance**

24. This policy will be reviewed every two years by the Registrar & Secretary's Office, or at the conclusion of an investigation if sooner. Any proposed amendments or changes will be put to the Audit Committee for approval.

25. Our internal auditors monitor the systems of internal control, risk management controls and governance processes which include the adequacy of the counter fraud measures implemented by the University.