**Churches Together in England**

**Anti-fraud, Bribery, Corruption & Malpractice Policy**

**(Incorporating ‘Whistle-blowing’)**

# Introduction

Churches Together in England (CTE) is committed at all times to maintaining the highest standards of honesty, openness and accountability.

CTE’s expectation on propriety and accountability is that Trustees, the General Secretary, and employees at all levels will lead by example in ensuring adherence to rules, and that all procedures and practices are above reproach.

CTE also expects and requires individuals and organisations that it comes into contact with to act towards CTE with integrity and without thought or actions involving fraud, bribery, corruption or malpractice.

This Anti-Fraud, Bribery, Corruption & Malpractice Policy is designed to:-

* Encourage prevention;
* Promote detection; and
* Identify a clear pathway for investigation.

CTE is also supported in this through a high degree of external scrutiny of its affairs by its external auditor and HMRC.

# Prevention

CTE recognises that a key preventative measure in the fight against fraud, bribery, corruption and malpractice are its employees. Through effective HR procedures CTE will:

1. Positively encourage its employees to raise serious concerns that they may have about any aspect of CTE’s work or the conduct of its employees or trustees or others acting on behalf of CTE. Concerns can be expressed using the provisions of the CTE’s “Whistleblowing Policy” (see Annex).
2. Ensure that its employees take effective steps when recruiting new staff to establish, as far as possible, through written references the known honesty and integrity of potential employees before employment offers are made.
3. Provide all employees with appropriate information, guidance and training in their responsibilities and duties to ensure that best practice is regularly highlighted and reinforced
4. Employees are expected to follow any Code of Conduct related to their personal professional qualifications and also to abide by CTE’s Employee Code of Conduct
5. Deal with an employee who attempts to defraud CTE or who is corrupt or is guilty of serious malpractice of whatever description through the disciplinary process. An employee who abuses the procedure by raising unfounded malicious allegations will also be subject to invocation of the Disciplinary Procedure.
6. Employees are expected to conform to the highest standards of transparency and integrity in connections of gifts and hospitality.
7. Gifts of trivial value (examples would be items of stationery and calendars) may be kept by the employee receiving them. Receipt must be notified to the employee’s line manager and recorded in a register kept by the General Secretary.
8. More expensive items (items with an estimated value of £25 or more) may be accepted provided their receipt is (i) notified to the employee’s line manager and recorded in a register kept by the General Secretary and (ii) shared with other employees either by way of a raffle for charity or (in the case of perishable foodstuffs) made available to all in a staff room. The provider of the gift should be thanked in writing and a copy of the correspondence kept by the sender.
9. Should staff receive a book token as a thank you after, for example, a lecture or presentation, this may be accepted provided receipt is notified to their line manager and recorded in a register kept by the General Secretary.
10. Any offer of corporate hospitality (invitations to sporting events, concerts etc) should only be accepted after consultation with the employee’s manager who should give written consent. A copy of the written consent should be sent to the General Secretary so that the hospitality may be recorded in the register. All employees should exercise caution in accepting hospitality to ensure that their integrity and independence from the supplier of the hospitality is not compromised. Offers of very expensive gifts or hospitality (holidays, fine wine, jewellery etc) should always be politely declined and the offer notified to the employee’s line manager.
11. Employees must not give or offer gifts, inducements, bribes or considerations of any sort in connection with CTE’s business. This is a criminal offence under the Bribery Act 2010.

**Detection and Investigation**

Preventative systems, particularly internal control systems, within CTE have been designed to provide indicators of any fraudulent activity or malpractice, and generally, if complied with fully, they should be sufficient in themselves to deter fraud. Despite the best efforts of managers and auditors, many frauds/ malpractices are discovered by chance or by "tip-off".

Concerns expressed anonymously make investigations difficult to undertake. However, they will be considered for investigation at the discretion of the General Secretary.

Depending on the nature and anticipated extent of the allegations, a member of Staff or a Trustee of CTE not involved in the allegation will normally work closely with the General Secretary and other staff members as well as other agencies such as the Police to ensure that all allegations and evidence are properly investigated and reported upon.

If the allegations are of a professional or very specialist malpractice nature, the investigation will be carried out by a specialist appointed by CTE.

CTE will normally wish the Police to independently prosecute offenders where financial impropriety is discovered.

# Reporting Procedures

Employees may use the provisions of the “Whistleblowing Policy” to report suspicions or concerns.

Alternatively employees should express their concerns to their line manager. If necessary, a route other than their normal line manager may be used to raise such issues. Examples internally are:

* The General Secretary;
* Trustees of CTE

Other routes could be:

* Appointed External Auditors of CTE
* Trade Union representatives;

*Members of the CTE’s Member churches are also encouraged to report concerns through any of the above avenues or, if appropriate, through CTE’s complaints procedure.*

**Investigating suspected Fraud / Bribery**

###### **Initial Steps**

Once malpractice/irregularity is suspected, it is critical that any investigation is conducted in a professional manner aimed at ensuring that the current and future interests of both CTE and the suspected individual(s) are protected. The latter is equally important as a suspicion should not be seen as a guilt to be proved.

For each notified suspicion, an investigation will be undertaken by a nominated person appointed by the General Secretary. The complainant will be regularly updated on the progress of the investigation, i.e. this will take the following format:-

* Acknowledge receipt of the concern;
* Set out the way in which the complaint will be dealt with;
* Give an estimate of how long it will take to provide a final response;
* Tell the complainant whether any initial enquiries have been made, and;
* Tell the complainant whether further investigations will take place, and if not, why not.

***Subsequent Steps***

Having due regard to findings, the General Secretary together with the Chairman of the Board must:

* Initially assess whether there is a need for an employee to be suspended. The decision should be kept under review at all stages of the ensuing investigation;
* Identify a course of action (what, who, when, how, where);
* Identify the reporting process (by whom, to whom, when and how);
* Ensure that strict confidentiality is continuously maintained;

The nominated person investigating the complaint should:-

* Open a file which should be indexed and all details recorded no matter how insignificant they may initially appear in chronological order, it should include notes on:-

- telephone conversations;

- face-to-face discussions;

- records/documents reviewed;

- tests undertaken and results.

* Ensure the correct form of evidence is obtained and appropriately retained:

- prime documents;

- certified copies;

- physical items;

- secondary evidence (e.g. discussions etc.);

- circumstantial;

- hearsay.

* Ensure interviews are conducted in the right manner (In particular that the requirements of the Police and Criminal Evidence Act are complied with when interviewing suspects if appropriate to the circumstances).

**Liaison with the police or the external agencies.**

###### **Police**

The experts at investigating criminal activity/fraud are the Police. They will also advise on the likely outcome of any intended prosecution. Initial contact with the Police should only be undertaken following discussion between the General Secretary and Chair of the Board of Trustees of CTE (as appropriate).

If the Police decide that a formal investigation is necessary, all employees are required to co-operate fully with any subsequent requests or recommendations. All contact with the Police following their initial involvement will usually be via the General Secretary or other nominated person.

Where the Police decide to formally investigate, this will not prejudice any internal disciplinary procedures; these should continue as normal. However, the internal investigation and the Police investigation should be co-ordinated to make maximum use of resources and information.

###### **Other External Agencies**

Discussions may also have to be held with other external agencies such as Charity Commission or HMRC.

**Reporting Fraud/ Malpractice**

***Interim Report***

Depending on the individual circumstances of the matter under investigation, as soon as the initial "detection" stage of the investigation has been completed, an interim confidential report, which may be verbal but is more likely to be in a written format, should be made by the nominated officer to the General Secretary and the Chairman of the Board.

The interim report should set out:

* the findings to date;
* the interim conclusions drawn from those findings, and
* should seek approval to continue the investigation if this is appropriate.

If it is decided to continue the investigation, then future reporting arrangements and any changes to the planned action should be confirmed.

***Final Report***

This report will supersede all other reports and be the definitive document on which the General Secretary (in a disciplinary situation) and possibly the Police (in a criminal situation) will base their initial decisions. It will be issued as soon as possible after the completion of all necessary investigatory work.

The format of the Final Report will not always be the same as each case is unique, but will frequently set out:

* how the investigation arose;
* who the suspects are;
* their position in CTE and their responsibilities;
* how the investigation was undertaken;
* the facts and evidence which were identified;
* summary of findings and recommendations, both regarding the fraud itself and any additional work required on the system weaknesses identified during the investigation.

CTE accepts that the complainant needs to be assured that the matter has been properly addressed. Thus, subject to any legal constraints, the complainant will receive information about the outcomes of any investigations in an appropriate and timely manner.

**Conclusion**

CTE has in place a clear network of systems and procedures to assist in the fight against fraud, bribery, corruption and malpractice. It is determined that these arrangements will keep pace with any future developments in both preventative and detection techniques regarding fraudulent or corrupt activity that may affect its operation.

Approved by Churches Together in England

Signed

Dated

Reference Minute

**Annex 1**

**The Public Interest Disclosure Act 1998**

**Internal Procedure**

Employees will usually be the first to know when someone inside or connected with CTE is doing something illegal or improper and CTE recognises that its employees may feel apprehensive about voicing their concerns. This may be because speaking up would be disloyal to colleagues or to CTE or that the concerns will not be taken seriously or fear that there may be repercussions for continued employment.

CTE does not believe that it is in anyone’s interest for employees with knowledge of wrongdoing to remain silent. CTE takes all malpractice very seriously whether it is committed by senior managers, staff suppliers or contractors.

To ensure that employees are protected against victimisation or disciplinary action CTE has adopted the principles of the Public Interest Disclosure Act 1998 and will protect employees who report wrong doing or malpractice in the workplace. The aim of the policy is to ensure that as far as possible our employees are able to inform us about any wrong doing or malpractice which they believe has occurred or is likely to occur.

The procedure to be followed if seeking to make a disclosure is set out at Annex 2.

Further information about the procedure, its intention and its operation are set out at Annex 3 in the form of commonly asked questions and answers.

**Annex 2**

**Procedures for dealing with suspicions and allegations**

**Reporting Concerns**

There are existing procedures in place to enable employees to lodge a grievance relating to personal employment. The ‘Whistleblowing” Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

* conduct which is an offence or a breach of law;
* disclosures related to miscarriages of justice;
* health and safety risks, including risks to the public as well as other employees;
* damage to the environment;
* the unauthorised use of funds;
* possible fraud, bribery or corruption;
* sexual or physical abuse of children, young people and vulnerable adults
* other unethical conduct.

Therefore, any serious concerns that employees have about any aspect of CTE’s work or the conduct of its senior staff, employees or trustees or others acting on behalf of CTE, can be reported under the “Whistleblowing” Policy. This may be about something that:

* makes employees feel uncomfortable in terms of known standards/ experience or the standards employees believe CTE subscribes to;
* is against CTE’s Memorandum and Articles of Association (including Financial Procedure Rules), and/or various policies; or
* falls below established standards of practice; or
* amounts to improper conduct.

CTE recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the fraud/malpractice. CTE will not tolerate harassment or victimisation and will take action to protect the notifying employee when a concern is raised in good faith. CTE further guarantees that the identity of the complainant will be kept confidential.

CTE has a number of reporting arrangements available to its employees:

***Line Management***

If an employee discovers a suspected fraud/corruption and malpractice, then it should be reported to the line manager as a matter of urgency. Whilst line managers should establish as many details as possible (by discussion with the notifying employee only), he/she should formally report the incident to the General Secretary.

**Annex 3**

**THE PUBLIC INTEREST DISCLOSURE ACT 1998**

**INTERNAL PROCEDURE**

**(Whistleblowing)**

**What sort of activities should be reported using this procedure?**

It is impossible to give an exhaustive list of activities that constitute misconduct or malpractice but broadly speaking CTE would expect you to report the following:

* Criminal offences
* Failure to comply with legal obligations
* Miscarriage of justice
* Financial impropriety
* Bribery
* Actions which endanger the health and safety of staff or members of the public
* Abuse of property belonging to CTE
* Actions which are intended to conceal any of the above

It will not always be clear that a particular action falls within one of these categories and employees will need to use their own judgement. However CTE would prefer you to report concerns rather than keep quiet.

**Will there be repercussions for my employment if I make a report?**

If you make a report in good faith then, even if it is not confirmed by an investigation the concern will be valued and appreciated. In particular you will not be liable to disciplinary action. However if you make a false report maliciously or for personal gain then you may face disciplinary action.

**Do I need proof of wrongdoing to make my report?**

CTE does not expect you to have absolute proof of any misconduct or malpractice that you report. However you will need to be able to show reasons for your concern.

**Will my identity be protected if I make a report?**

Everything possible will be done to keep your identity secret if you so wish. However there may be circumstances, e.g. if your report becomes the subject of criminal investigation, where you may be needed as a witness. Should this be the case then the matter will be discussed with you at the earliest opportunity.

**How do I make a report?**

You can make a report orally or in writing. You would normally be expected to raise your concerns with your Line manager unless your concern involves the Line manager when you should refer your concern to the General Secretary. Which of these individuals is the most appropriate will depend on the seriousness of the malpractice and who you think is involved.