

## Anti-Fraud Policy

Effective from date: 01/02/2019  
Revision: 0  
Review responsibility: Operations Manager  
Signature:



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This document was reviewed / revised on: 01/02/2019

This document will next be reviewed on: 01/02/2020

This policy / procedure may be revised at an earlier date if necessary.

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## 1. POLICY STATEMENT

The Company requires all staff at all times to act honestly and with integrity 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 to all members of staff. The purpose of this statement is to set out your responsibilities with regard to the prevention of fraud.

## 2. SCOPE

This policy applies to all Employees.

Employee	Anyone directly employed by the Company.
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The Company	Moore Networking Ltd.
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## 3. WHAT IS FRAUD?

No precise legal definition of fraud exists; many of the offences referred to as fraud are covered by the Theft Acts of 1968 and 1978 & the Forgery & Counterfeiting Act 1981. The term is used to describe such acts as theft, deception, bribery, forgery, corruption, false accounting and conspiracy to commit these offences. For practical purposes fraud may be defined as the use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party.

## 4. THE COMPANY should be responsible for:

- Developing and maintaining effective controls to prevent fraud.
- Carrying out vigorous and prompt investigations if fraud occurs.
- Taking appropriate legal and/or disciplinary action against perpetrators of fraud.
- Taking disciplinary action against supervisors where supervisory failures have contributed to the commission of the fraud.

## 5. MANAGERS should be responsible for:

- Identifying the risks to which systems and procedures are exposed.
- Developing and maintaining effective controls to prevent and detect fraud.
- Ensuring that controls are being complied with

## 6. INDIVIDUAL MEMBERS OF STAFF are responsible for:

- Acting with propriety in the use of official resources and in the handling and use of corporate funds whether they are involved with cash or payments systems, receipts or dealing with contractors or suppliers
- Reporting details immediately to (their line manager or next most senior manager) if they suspect that a fraud has been committed or see any suspicious acts or events.

## 7. FRAUD INVESTIGATION

Where reasonable suspicion that fraud against the Company has taken place, the Company is entitled to investigate the matter thoroughly using recognised and legitimate investigative techniques.

All investigations will be carried out objectively and confidentially, and independently of the line management for the area in which the fraud has occurred or is suspected.

In the normal course of events we would look to hand over the investigation to the police, or other authorities, as soon as practical.

In certain cases, third-party investigators may be employed by the Director in order to gather sufficient evidence to hand the case over to the proper authorities. Responsibility for the management of third parties' rests with the Director.

The rights of individuals will be respected at all times.

Where members of staff are involved in a fraud against the Company, whether actual or attempted, they will be subject to the Company's disciplinary procedures, which may result in dismissal from the Company.

The Company will seek to prosecute anyone who commits fraud and will seek to recover its assets through legal means.

The code of conduct adhered to by all investigators will include considerations of all relating legislation (e.g. Police and Criminal Evidence Act, Data Protection Act, Public Interest Disclosure Act, European Convention on Human Rights etc in the UK and relevant local legislation overseas) and Company HR policies.

Lessons learnt will be shared across the Company as soon as possible after an investigation is concluded.

Please see **Appendix 1.** for the Fraud Response plan.

## **8. EXTERNAL REPORTING**

It is the policy of the Company to report all known criminal activity to the police for investigation by them. The timing of police involvement will be at the discretion of the Director.

Similarly, the Company will report other breaches discovered in the course of investigations to the relevant authorities, including HM Customs & Excise, Inland Revenue, FSA, DWP and the appropriate authorities overseas. The timing of such involvement will be at the discretion of the Director.

## **APPENDIX 1.**

### **FRAUD RESPONSE PLAN**

#### **Introduction**

1. In line with the Company's commitment to its opposition to fraud, bribery and corruption this Fraud Response Plan is intended to provide direction and help to all members, associates, staff, third parties and members of the public who wish to raise their concerns about suspected fraud.
2. The Plan gives a framework to follow in responding to allegations of fraud, bribery or corruption and provides information that allows evidence to be gathered and collated in a way which facilitates informed initial decisions, while ensuring that evidence gathered will be admissible in any future criminal or civil actions.

#### **Definitions**

3. Under the Fraud Act 2006 the criminal offence of fraud can be committed in three ways: by false representation, by failing to disclose information, and by abuse of position. The Act also includes offences for obtaining services dishonestly and of possessing, making and supplying articles for use in fraud.
4. Bribery is defined as 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.
5. The Bribery Act 2010 sets out, in broad terms, four categories of offence: (i) bribing another person; (ii) receiving a bribe; (iii) bribing a foreign public official; and (iv) the failure of a relevant commercial organisation to prevent bribery by an associated person. In essence, the Act makes it a criminal offence to give a bribe to or accept a bribe from a public or private individual, at home or abroad where the party guilty of an offence is covered by the jurisdiction of the Act. Examples of bribery include:
  - 5.1 A potential supplier/partner organisation offering money or a gift in order to influence a tendering process
  - 5.2 A job applicant offering a reward to increase his/her chance of being offered employment
6. As far as the Company is concerned, fraud is the act of depriving the Company or a third party of something by deceit, whether by theft, misuse of funds or other resources, or by more complicated crimes like misrepresentation, impersonation, false accounting and the supply of false information. Typically, fraud is likely to fall into one of the following categories:
  - 6.1 System issues – where an individual deliberately falsifies records, or manipulates data in order to circumvent the Company's internal controls (for example, the submission of false claims for expenses).
  - 6.2 Financial issues – where individuals or companies have fraudulently obtained money from the Company (for example, invalid invoices for work not done).
  - 6.3 Equipment issues – where the Company's equipment is used for unauthorised personal use.
  - 6.4 Resource issues – where there is a misuse of resources (for example, theft of cash or materials)

- 6.5 Other issues – these include activities which are unlawful; contrary to MNL policies; which fall below established standards or practices; or improper conduct (for example, receiving inappropriate hospitality; or abuse of position for personal gain).

#### **What staff should do if they suspect fraud**

7. Staff are encouraged and, indeed, expected to raise any concern that they may have, without fear of recrimination ('whistle-blowing'). Any concerns raised will be treated in the strictest confidence and will be properly investigated.
8. Staff are often the first to spot possible cases of fraud or corruption at an early stage. Staff should not try to carry out an investigation themselves. This may damage any subsequent enquiry.
9. In the first instance, staff should normally raise the concern with their line manager. If the concern relates to a line manager, then staff should raise it with the Director, and if it relates to the Director, the concern should be raised with their line manager/another member of MNL management.

#### **What a third party, including members of the public, should do if they suspect fraud**

10. Third parties, including the general public, can report concerns directly to the Company. They can also report concerns direct to MNL members or staff, who will escalate the concern in line with the MNL Fraud Policy.
11. In the event that a person feels unable to raise their concerns directly with the Company, they may contact the appropriate authorities.
12. Anyone concerned about a wrongdoing that threatens the public interest can seek free, confidential legal help from the charity 'Public Concern at Work'. They operate a helpline on 0207 404 6609, and can be emailed at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

#### **Reporting a suspected fraud**

13. Speaking out against acts of fraud is not easy. The Company will take every precaution to protect an individual's identity when raising a concern if he or she does not want their name to be disclosed. Whilst every possible effort will be taken to protect an individual's identity it must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence.
14. The Company encourages individuals to put their names to allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Company, taking into account the seriousness of the issues raised; the credibility of the concern; and the likelihood of confirming the allegation from other attributable sources.
15. If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the person raising the concern. If, however, the allegations are malicious or vexatious, action may be taken against the person making the allegation.
16. During an investigation, staff should not voice their concerns to the press or media without the consent of Director. To do so could jeopardise the investigation process, result in compensation claims should the

suspicion/allegation prove to be unfounded and generate disproportionately negative publicity for the Company.

17. Where appropriate the Company will ensure that the person raising the concern is kept informed of the investigation and its outcome.

#### **What a Manager should do when a suspicion is reported to them**

18. Any manager who has received information about a suspected fraud or a suspicion of corruption must report it immediately to the Director.
19. The Director should satisfy themselves that there are reasonable grounds for the suspicion, and arrange for an investigation to be undertaken. The investigation should be assigned to a person with appropriate experience or qualifications.
20. The Director will log reports of suspected/actual frauds.
21. Management should take immediate action to prevent further loss, and should take steps to safeguard any evidence.
22. The investigating officer should retain securely any relevant documentation, in its original format - it should not be written on or altered in any way. Preserving documents in plastic wallets is recommended. Other items or equipment relevant to the investigation must be safeguarded without any alteration to their original condition, for example, personal computers and any records thereon.
23. The final outcome of an investigation could result in a court appearance. It is therefore important that the investigation can withstand the rigours of cross-examination. Evidence is crucial, and the investigating officer should preserve evidence in a legally admissible form.
24. A detailed record of the investigation should be maintained. This should include a chronological file recording details of telephone conversations, discussions, meetings and interviews, details of documents reviewed, and details of any tests and analyses undertaken.
25. All interviews should be conducted in a fair and proper manner. Where there is the possibility of criminal prosecution, advice should be sought from the police to ensure that the requirements of the of the Police and Criminal Evidence Act (PACE) are met. The investigating officer should seek advice from the MNL management/ the Director before undertaking any interviews.
26. No information should be divulged to anyone other than the small group of managers who are directly involved in managing the investigation.
27. No information should be divulged to the press or media. Responsibility for divulging information to the media will be taken by the Director.

#### **Providing feedback on fraud investigations**

28. Within ten working days of a concern being raised, the Director or investigating officer will contact the person who raised the concern, to indicate how the matter will be dealt with.
29. The Company recognises that those people who report suspected fraud or corruption need to be assured that the matter has been properly addressed. Therefore, subject to legal constraints, they will receive information about the outcome of any investigation, including action taken to improve controls and so mitigate the threat of future fraud.

30. The Director will distribute details of lessons learned from the fraud investigation, where there may be implications for the organisation as a whole.

#### **Internal Audit**

31. It is a management responsibility to maintain systems and to ensure that resources are applied properly on approved activities. This includes responsibility for the prevention and detection of fraud and other illegal acts. Internal audit staff shall have regard to the possibility of such wrongdoing and should seek to identify serious defects in internal control which might permit the occurrence of such events. The Director should advise the internal audit provider of any discovery or suspicions of fraud. Likewise, the internal audit provider should notify the Director in the event of internal audit staff discovering evidence or suspicion of fraud.

This policy will be monitored regularly and will be formally reviewed annually.

## COMMUNICATION / ROLL OUT OF THE POLICY

**Policy Owner:** Operations Manager

**Implementation:** This policy applies to all Employees of Moore Networking Ltd. Launch of the policy will be via a briefing to apprentice management teams which will then be cascaded through to all those responsible for carrying out a management function.

**Communication:** This policy will be made available to all Employees of Moore Networking Ltd via email. Printed copies will be available on request.

**Review of the policy:** The content of this policy will be reviewed on a regular basis not exceeding one year (maximum) from the previous revision date.

**Audit:** An effective auditing and review process shall be implemented for monitoring the ongoing use of and compliance to this policy.