Scope

At Genius Within CIC (“the Company”), we conduct our business in a legal and ethical manner. Our employees, associates and any other people acting on our behalf are responsible for acting honestly and with integrity by ensuring that their activities, interests and behaviours do not conflict with these obligations, regardless of their seniority.

Genius Within is committed to the prevention of fraud and to the promotion of an anti-fraud culture. We operate a zero-tolerance attitude to such dishonesty and require employees, associates and our partners to act honestly and with integrity at all times and to report all reasonable suspicions of fraud.

We will investigate all instances of actual, attempted and suspected dishonesty committed by employees, associates, suppliers and other third parties and will seek to recover funds and assets lost through fraud. Perpetrators will be subject to disciplinary and/or legal action.

The purpose of this policy is to provide a definition of fraud and define authority levels, responsibilities for action, and reporting lines in the event of suspected, attempted or actual fraud or irregularity perpetrated by an individual against the company. This policy should be read alongside the Company’s Anti-bribery Policy.

This policy is applicability to ESF funded contracts that Genius Within work on.

Definition of fraud

The Fraud Act 2006 provides a framework within which there are three potential areas that an individual may be guilty of fraud if in breach.

These are fraud by:

a) False representation: a person commits a fraud if they intentionally and dishonestly make a false representation.

b) Failing to disclose information: a person commits a fraud if they dishonestly fail to disclose information.

c) Abuse of position: a person commits a fraud if they dishonestly abuse their position.

In (a) to (c) above, the individual is deemed to have committed a fraud if they make a false representation, fail to disclose information or abuse their position for the purpose of:

* Making a gain for themselves or another
* Causing a loss to another or to expose another to a risk of loss

Key responsibilities

The Directors are responsible for developing, implementing and maintaining adequate systems of internal control to prevent and detect fraud. These are embedded within our working processes and include but are not limited to:

* Checking the bank account and investigating any unexpected or suspicious activity having individual logins / access to the bank account and other means of accessing funds
* Having security settings on our client database to prevent unauthorised access to sensitive information
* Checking delivery invoices against our systems to ensure the work has been delivered
* Collecting client signatures on a contact form to ensure sessions have been delivered
* Maintaining a Conflicts of Interest register
* All employees and associates are responsible for familiarising themselves with the types of fraud and dishonesty that might occur and notifying their Manager or a Director of any indications of fraudulent activity.

Suspicion of fraud or irregularity may be captured through a number of means, including the following:

* Individuals reporting suspicions of fraud or irregularity to HR or a Director of the Company
* Individuals using the Whistleblowing Policy
* Identification through operational procedures
* Discovery through planned audit work

Reporting fraud

All suspected or actual incidents of fraud / irregularity allegedly perpetrated by individuals should be reported without delay to a Director of the Company or the Company Accountant – Bernard Landi – L and I Accounting Limited

Any of the above should, as soon as practicable, notify and if appropriate hold a meeting of the Leadership team to decide on the initial response.

It may be necessary to suspend the individual(s) concerned (with or without pay), to prevent the individual(s) from destroying or removing evidence that may be needed to support disciplinary or criminal action.

The Leadership team shall consider whether it is necessary to investigate systems other than that which has given rise to suspicion, through which the individual(s) may have had opportunities to misappropriate the Company’s assets.

The Leadership team will be kept informed of the progress of any investigations relating to impropriety including:

a) a description of the incident, including the value of any loss, the people involved, and the means of perpetrating the fraud

b) the measures taken to prevent a recurrence

c) any action needed to strengthen future responses to fraud, with a follow-up report on whether the actions have been taken

Recovery of losses

Recovering losses is a major objective of any fraud investigation.

A Director of the Company shall ensure that in all fraud investigations, the amount of any loss will be quantified. Repayment of losses should be sought in all cases. The Leadership team will, as necessary, consider seeking legal advice, for example on the freezing of the suspect’s assets in cases of substantial loss and on the recovery of losses and costs through the civil courts.

Revision History

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| --- | --- | --- | --- | --- |
| Revision | Changes | Author | Approver | Date |
| 1A | New document | Sandie Scrase | Nancy Doyle | 03/04/15 |
| 2A | Change to names | Marian Symons | Fiona Barrett | 19/1/18 |
| 3A | Review of policy | Dom Nally | Nancy Doyle | 2019 08 21 |
| 4A | Annual review by HR Manager – update of wording only | Dom Nally  | Fiona Barrett | 2020 10 15 |
| 5A | ESF logo added | Marian Symons | Fiona Barrett | 2021 03 01 |
| 6A | Format change and new Accountancy firm | Gizem Gokcimen | Fiona Barrett | 2022 07 06 |