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Charity Number 111626 Company Number 5535863

PROCEDURES AGAINST FRAUD AND MALPRACTICE POLICY

1. Introduction

This document sets out the policy and procedures of Activ8 Learning against fraud, malpractice and other forms of dishonesty, together with the steps that must be taken where any of these practices are suspected or discovered. The document applies to directors / trustees, staff, learners, assessment partners and all who are involved with Activ8 Learning. Anybody associated with Activ8 Learning who commits fraud, malpractice or other dishonesty, or who becomes aware of it and does not report it, will be subject to appropriate disciplinary action.

2. Statement of intent

Activ8 Learning is a company limited by guarantee and a registered charity, and is therefore subject to Company and Charity law. Activ8 Learning receives public funds and is accredited by Awarding Organisations to offer NVQs (QCF) and other qualifications. Activ8 Learning has a legal and moral responsibility to account for the proper use of funds and to maintain the integrity of the qualifications it offers. Activ8 Learning will continually strive to ensure that all its financial, administrative, assessment and verification processes are carried out and reported honestly, accurately, transparently and accountably, and that all decisions are taken objectively and free of personal interest. We will not condone any behaviour that falls short of these principles. All members of the organisation have a responsibility for putting these principles into practice and for reporting any breaches they discover.

3. Definitions

(a) Fraud

Deliberate deception with the intent to acquire money or goods dishonestly, for example by claiming payment for work not actually carried out or expenses not actually incurred.

(b) Malpractice

Falsely claiming credit within the qualification process: for example, by deliberately flouting Awarding Organisations or Ofqual regulations; by passing off one person's work as another's; or by deliberately misrepresenting learners' work as meeting required standards while knowing it does not. Reckless lack of due diligence in ensuring proper practice in such matters also constitutes malpractice.

(c) Theft

Dishonestly acquiring, using or disposing of physical or intellectual property belonging to Activ8 Learning or to individual members of the organisation: for example, divulging mailing lists or other business documents without authorisation.

(d) Misuse of equipment

Deliberately misusing materials or equipment belonging to Activ8 Learning: for example, using telephones or computers for unauthorised purposes such as private business.

(e) Abuse of position

Exploiting a position of trust within the organisation for personal advantage: for example, directors / trustees seeking to influence Board decisions for personal reasons.

4. Responsibilities

All members of the organisation have a personal responsibility to act honestly, with integrity and without personal interest at all times in carrying out their duties for Activ8 Learning. In relation to the prevention of fraud, malpractice, theft, misuse of equipment and abuse of position, specific responsibilities are as follows.

(a) Directors / Trustees

The Directors / Trustees are responsible for:

- 1 establishing, monitoring and reviewing this policy;
- 2 satisfying themselves that Activ8 Learning complies fully with contractual agreements;
- 3 satisfying themselves that Activ8 Learning business is conducted in accordance with law, regulations and the memorandum and articles of association;
- 4 ensuring that the provisions of the memorandum and articles and any standing orders regarding the authorisation of financial transactions and Directors' / Trustees' personal interests are strictly adhered to;
- 5 keeping themselves informed about all aspects of the work of the

- organisation;
- 6 supervising the work of the Centre Manager;
- 7 holding staff responsible through reports and questions;
- 8 submitting annual accounts for independent examination;
- 9 submitting annual returns to the Charity Commission and Companies House.

(b) The Centre Manager

The Manager is responsible for:

- 1 leading in the implementation of this policy;
- 2 ensuring, within general guidance from the Directors / Trustees, that Activ8 Learning business is conducted in accordance with law, regulations and the memorandum and articles;
- 3 ensuring compliance with contractual agreements, and the monitoring and recording of evidence of such compliance;
- 4 establishing and maintaining clear audit trails in all administrative and financial systems;
- 5 keeping accurate financial and administrative records and the supporting documentary evidence, to the satisfaction of the Directors / Trustees and the Independent Financial Examiner / Reporting Accountant (day to day exercise of this responsibility may be delegated);
- 6 supervising the work of the Finance Officer;
- 7 carrying out regular spot checks on key financial and administrative processes;
- 8 providing information on request to the Directors, the Independent Examiner / Reporting Accountant, Awarding Organisations, Ofqual, Funders, Companies House, the Charity Commission, and others legally entitled to it;

(c) The Finance Officer (this role may be combined with Centre Manager)

The Finance Officer is responsible for:

- 1 keeping day to day accounts of income and expenditure;
- 2 checking all invoices and claims for payment (e.g. time sheets) to ensure they are legitimate and accurate;
- 3 making duly authorised payments to creditors;
- 4 paying all moneys received into the Activ8 Learning bank account;
- 5 carrying out bank reconciliations;
- 6 maintaining any petty cash systems;
- 7 keeping inventories of materials and equipment.

(d) The Honorary Treasurer

The Hon Treasurer is responsible for:

- 1 maintaining oversight of the operation of financial procedures;
- 2 supporting the Centre Manager and the Finance Officer in carrying out their financial responsibilities under this policy;
- 3 reporting regularly to the Directors on financial matters;

- 4 supervising the preparation of annual accounts for submission to the Independent Examiner / Reporting Accountant.

(e) The Quality Manager

The Quality Manager is responsible for:

- 1 establishing and maintaining quality assurance systems that meet the specifications of Awarding Organisations and Funders, and provide clear audit trails;
- 2 carrying out standardisation exercises with IQA's (Internal Quality Assurance) and Assessors to ensure the maintenance of the relevant national occupational standards;
- 3 implementing the requirements of Awarding Organisations and EQA's (External Quality Assurance) as regards verification and assessment;
- 4 authorising claims for certificates from Awarding Organisations.

(f) IQA (Internal Quality Assurance)

IQA's are responsible for implementing sampling and tracking systems to verify that claims for certification are auditable and conform to national occupational standards and Awarding Organisation and Funding requirements.

(g) Assessors

Assessors are responsible for ensuring that learners' work conforms to relevant national occupational standards, and that assessment processes conform to Awarding Organisation and Funding requirements and are auditable.

(h) Learners

Learners are responsible for the authenticity of work submitted for assessment.

5. Key procedures for prevention of fraud, malpractice etc

- 1 The competence and integrity of individual staff members and Directors / Trustees is our primary safeguard, and must be recognised as such.
- 2 A majority of Directors / Trustees must have no financial interest in Activ8 Learning.
- 3 Any Director / Trustee with a financial interest in any decision by the Board must declare the interest and take no part in that decision. The Board's Standing Order no.1 spells out this requirement in more detail.
- 4 All cheques must be signed by two Directors appointed by the Board.
- 5 All claims for payment must be checked and countersigned by either the Finance Officer, the Centre Manager or the Treasurer, none of whom must have any personal interest in the claim concerned.
- 6 All income must be paid into a bank account in the name of Activ8 Learning.
- 7 Receipts must be kept for all cash transactions.
- 8 The Centre Manager will make random spot checks on financial

- transactions.
- 9 The Treasurer will randomly monitor financial transactions, will check that accounts are kept up to date, and will make regular reports to the Directors / Trustees.
 - 10 Annual accounts will be submitted for professional Independent Examination even when this is not a legal requirement.
 - 11 IQAs and assessors must not work with candidates who are their close relatives or life partners.
 - 12 IQAs and assessors must follow Awarding Organisation procedures regarding authenticity of evidence.

6. Dealing with suspected cases of fraud, malpractice etc

- 1 All members of the organisation must report any evidence or suspicion of fraud, malpractice etc, as soon as possible to the Centre Manager or to the Chair Person of the Directors / Trustees, depending on circumstances. Failure to report is itself a disciplinary offence.
- 2 All reports will be investigated and where appropriate, disciplinary action taken. This may in extreme cases involve summary dismissal and legal proceedings.
- 3 "Whistle-blowers" acting in good faith will not be penalised directly or indirectly for their actions.
- 4 Malicious accusations may be the subject of disciplinary action.

7. Arrangements for review of this policy

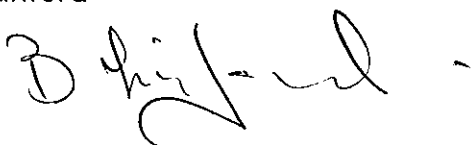
- 1 Any suspected case of fraud, malpractice etc must immediately be reported to the Directors / Trustees so that appropriate action can be taken. Such action may include amending this policy.
- 2 The Centre Manager will report at least once a year to the Directors / Trustees on the general implementation of this policy and any problems arising. Again, this may lead to amendments to the policy.
- 3 The policy as a whole will be reviewed by the Directors / Trustees every three years, and updated and amended as required.

8. Date of adoption or review

This Fraud and Malpractice Policy was adopted by the Directors / Trustees of Activ8 Learning on: 20th May 2014

Signed on behalf of Chair of Trustees:

B Linford



Date next review: Sep 2020