



Oakswood College

Empowering Through Education



Anti Bribery and Fraud

Policy

PROMOTING EXCELLENCE • ENSURING COMPLIANCE
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GOVERNANCE



QUALITY



COMPLIANCE



EXCELLENCE



Oakswood College

Empowering Through Education

(Trading name of Oakswood Group Ltd)

Anti-Bribery and Fraud Policy

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Introduction to this policy

The purpose of an Anti-Bribery and Fraud Policy for Oakswood College is to prevent, detect, and respond to bribery, fraud, and other forms of financial misconduct, ensuring integrity, transparency, and accountability in how public funds are managed and decisions are made.

This policy establishes Oakswood College’s stance against bribery and fraud, delineates the responsibilities of all employees and associates, and provides clear guidance on recognising, avoiding, and addressing unethical practices. It underscores Oakswood College’s adherence to the Bribery Act 2010, ensuring compliance with UK laws and alignment with global standards to counter bribery and corruption effectively.

1. Statement and Purpose

- Include:
 - a statement on the values of Oakwood College to protect its reputation for ethical behaviour and financial probity.
 - A commitment to carry out to activities fairly, honestly, openly and to ensuring it adheres to and promotes best practice in bribery prevention.

Bribery is the offer, promise, giving, demanding or acceptance of an advantage as an inducement to encourage a person to perform a relevant function or activity improperly or to reward that person for already having done so. Bribery is a criminal offence and exposes staff to the risk of prosecution, fines and/or imprisonment (up to a maximum of 10 years) as well as endangering its reputation.

- Oakwood College must limit its exposure to bribery and fraud by preventing the offering, giving, soliciting, or accepting of bribes, whether monetary or in-kind, to gain undue commercial, contractual, or regulatory advantage.
- Prevent the use of inducements to secure preferential treatment or personal advantage for themselves or others.
- Not facilitating or expediting payments to public officials or private entities to influence routine processes or decisions.
- Under the Bribery Act 2010, Oakwood College must ensure that no bribes are made, offered, sought or obtained by anyone acting on its behalf, to anyone, anywhere in the world by setting out and maintaining a clear Anti-Bribery Policy and other relevant policies and procedures, for example, Public Interest Disclosure (Whistleblowing) Policy, which are proportionate to the risks faced by Oakwood College and enable concerns to be brought to its attention (in confidence, if required) and dealt with.
- The policy ensures staff can recognise and avoid the use of bribery by themselves or others. It also encourages staff, students and individuals (including agents, consultants, contractors, service providers and external partner organisations) working on behalf of, under contract from or in collaboration with any part of Oakwood College to report any suspicious activity or wrongdoing which could be construed as bribery.
- Oakwood College should robustly and promptly investigate all cases of actual or suspected bribery and ensuring appropriate action is taken against any individual(s) involved in bribery. The Police must be informed where considered appropriate.

a. The legal and regulatory framework

The policy should be written in line with the following legislation and regulatory guidance.

Bribery Act 2010

- Main UK legislation on bribery.
- Makes it a criminal offence to:
 - Offer, promise, give, request, or accept a bribe.
 - Fail to prevent bribery (corporate offence).
- Requires organisations to have “adequate procedures” in place to prevent bribery.

Fraud Act 2006

- Defines fraud by false representation, failure to disclose information, or abuse of position.
- Relevant to both internal (e.g. staff fraud) and external (e.g. provider fraud) risks.

Public Interest Disclosure Act 1998 (PIDA)

- Protects whistleblowers who report wrongdoing, including bribery or fraud.
- Encourages transparency and reporting of misconduct within public organisations.

The Proceeds of Crime Act 2002 (POCA)

- Covers handling the proceeds of crime, including fraud and corruption.
- Relevant for recovery of misused public funds.

Public Sector Standards and Guidance:

The Seven Principles of Public Life (Nolan Principles)

- Integrity, Accountability, Honesty, etc.
- These form the ethical basis for the conduct expected of Oakwood College employees and appointees.

Managing Public Money (HM Treasury)

- Sets out expectations for managing public funds with regularity, propriety, and value for money.
- Emphasises the need for controls against fraud and corruption.

Cabinet Office Functional Standard – GovS 013: Counter Fraud

- A standard for all public bodies to assess and improve their fraud risk management.

This policy also supports the governance and financial integrity expectations set out in the Office for Students Conditions of Registration, particularly in relation to the effective management of public funds and the prevention of fraud and corruption.

2. Scope

This policy applies to all persons working for Oakwood College, any subsidiary companies, or on our/their behalf, in any capacity, including employees at all levels and grades (whether permanent, fixed-term or temporary), directors, officers, agency workers, seconded workers,

volunteers, interns, agents, contractors, external consultants, third-party representatives and business partners, sponsors, or any other person associated with Oakwood College, wherever located.

This policy does not form part of any employee's contract of employment and is subject to amendment at any time.

In this policy, the term third party means any individual or organisation someone comes into contact with during the course of your work for Oakwood College, and includes potential students, students, other education institutions, external funders, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

a. Definitions

- **Bribery:** The offering, promising, giving, requesting, or accepting of an advantage (financial or otherwise) to induce or reward improper performance of a function or activity.
- **Fraud:** Dishonest acts or omissions intended to deceive for personal or financial gain or to cause a loss to another party.
- **Facilitation payments:** Small unofficial payments made to secure or expedite a routine action-these are illegal under UK law.
- **Hospitality:** Genuine and proportionate expenditure intended to build relationships, not to improperly influence a decision.

3. Roles and Responsibilities

Board of Governors has overall responsibility for ensuring that this policy complies with legal and ethical obligations, and that all those under their control comply with its provisions. The Board of Governors receives periodic assurance regarding the effectiveness of anti-bribery and fraud controls through governance reporting, internal reviews, and oversight by the Audit and Risk Committee.

The Head of QA&IS has primary and day-to-day responsibility for implementing this policy, monitoring its use and effectiveness, dealing with any queries about it, and auditing internal control systems and procedures to ensure they are effective in countering bribery and corruption.

Management at all levels are responsible for ensuring those reporting to them understand and comply with this policy and are given adequate and regular training on it.

All Staff, Students and Representatives are responsible for complying with the policy, avoiding involvement in any activity that could be construed as bribery or fraud. They must also raise concerns or suspicions of bribery or fraud through appropriate channels.

4. Acceptance of Gifts

Oakwood College may permit the acceptance of small, inexpensive gifts, such as pens, diaries, or chocolates, as well as low-cost hospitality, such as tea or buffet lunches, that align with customary business practices.

However, the following College rules apply to gifts:

- Any gift must be given for an appropriate reason.
- Any gift must be given at an appropriate time (i.e. not in advance of the issuing of an opinion or determination, or in advance of the award of a contract).
- The gift must be of a 'one-off' or irregular nature such that it could not be viewed as a regular source of income by HMRC. The details of all gifts - both accepted and declined - should be fully recorded in the College's Gifts and Hospitality Register.

Rules that staff must follow regarding gifts

- Expensive or substantial gifts should be declined – as a guiding rule, typically a gift should not be accepted if the cumulative value from any one organisation or individual exceeds £200 in any 12-month period, or £100 for any one individual gift.
- Cash gifts (including cash equivalents such as vouchers) should be declined.
- Any uncertainty regarding the appropriateness of accepting a gift should be referred to the CEO.
- Where gifts exceed an estimated value of £100, if accepted they shall be deemed the property of Oakwood College unless the CEO (and, if appropriate, the Board of Governors) agrees otherwise. Where deemed appropriate, the College may determine an accepted gift should be donated to charity, shared among colleagues, or returned later with a formal letter clarifying the College's policy and why the gift cannot be accepted.
- A Gifts and Hospitality Register is maintained by the Head of QA & IS to record all offers of gifts and hospitality, whether accepted or declined (excluding low-cost items such as advertising materials or minor refreshments).
- Staff must ensure that the acceptance of gifts or hospitality does not influence their business decisions or create a perception of bias.

5. Hospitality

- Staff receiving hospitality should exercise caution to avoid any real or perceived influence on their business decisions.
- Hospitality with an estimated value of up to £25 per person, such as a working lunch or light refreshments provided in the course of a legitimate business meeting, may be accepted without prior approval. Hospitality exceeding this threshold, or any offer that appears disproportionate to the occasion, must be declined or referred to your line manager before acceptance.

1) What is reasonable and proportionate.

- The frequency and scale of hospitality should not exceed what is customary or necessary for maintaining professional relationships. Frequent or recurring invitations, especially from the same source, may raise concerns about impartiality and should be politely declined.
- Invitations to events hosted by voluntary organisations, such as annual conferences or dinners, are typically acceptable, as these engagements are integral to fostering relationships in these sectors. However, the hospitality offered must remain reasonable and proportionate.

2) Recording Hospitality:

- Any hospitality beyond simple, low-cost refreshments provided at meetings-such as coffee or light lunches-must be recorded in the Gifts and Hospitality Register. This ensures transparency and accountability.

3) Avoiding Misrepresentation and Perceptions of Bias:

- Staff must remain vigilant about how their actions may be perceived by others. Misrepresentation or favouritism, whether intentional or not, can damage Oakwood College's reputation for integrity.
- Meetings that involve hospitality outside working hours or in purely social settings should be justified as work-related and not as a personal gift or benefit.

4) Restrictions During Contract Negotiations:

- Hospitality of any kind, including attendance at seasonal events hosted by suppliers or contractors, are generally not be accepted during contract negotiations to prevent conflicts of interest or undue influence.
- Staff must always prioritise transparency and ethical conduct when accepting hospitality, ensuring that their actions align with the values and principles of Oakwood College. In cases of uncertainty, the matter should be referred to the CEO for guidance.

6. Employee Responsibilities

- All employees, regardless of their position, share the responsibility of preventing and reporting unethical business practices. This includes:
 - Familiarising themselves with the policy and participating in anti-bribery training.
 - Remaining vigilant and reporting any suspicions of bribery or corruption through the channels outlined in the Whistleblowing Policy.

7. Contextual Variations and Clarifications

There may be cultural differences with organisations you work with to consider in this context. You must therefore consider what may be customary and proportionate and what should be prohibited. Typically prohibited are:

- Any gift, payment, or hospitality intended to gain personal or business advantage.
- "Facilitating" or "expediting" payments to secure prompt performance of routine duties.

The following practices may be permitted if they are customary, proportionate, and properly recorded:

- Appropriate and reasonable hospitality.
- Ceremonial gifts on special occasions.
- Provision of resources to improve decision-making efficiency.

If there is any doubt about the acceptability of an action, it is appropriate to refer to the CEO for clarification.

8. Political and Charitable Contributions

It is advisable to maintain a strict approach to political and charitable contributions to uphold transparency, integrity, and compliance with ethical standards. This involves Oakwood College not making any contributions, whether monetary, in-kind, or otherwise, to political parties, candidates, or causes, ensuring impartiality and avoiding any perception of undue influence or bias.

However, you may support charitable initiatives under clearly defined conditions. All charitable contributions must be disclosed publicly to ensure transparency, compliance with applicable legal and ethical standards, and should have the prior approval of the CEO. This ensures that charitable contributions are legitimate and not used to facilitate or conceal acts of bribery.

9. Risk Identification and Mitigation

Certain functions, activities, and roles within Oakwood College carry a higher risk of exposure to bribery, fraud, or corrupt practice. The College has identified the following areas as presenting elevated risk and has put in place proportionate controls to manage them.

Procurement and Tendering

The procurement of goods, services, and contracts involves financial decision-making and relationships with external suppliers and vendors. Staff involved in sourcing, evaluating, or approving suppliers must ensure that all decisions are made transparently, on the basis of documented criteria, and free from any undisclosed personal interest.

Procurement activities must comply with the College's Financial Regulations and Procurement Procedures to ensure transparency and fairness.

Contract Management and Partnership Agreements

Oakwood College's academic model depends upon formal partnerships with validating higher education institutions and awarding bodies. These relationships are high-value and carry regulatory significance. All partnership agreements must be subject to appropriate due diligence, be documented in writing, and include clauses setting out the ethical obligations of both parties.

Admissions

The admissions process must remain fair, transparent, and consistent with OfS requirements and partner university guidelines. Any attempt to influence admissions decisions improperly, including through the offer or acceptance of inducements, is a serious breach of this policy and may constitute a criminal offence.

Academic Assessment and the Award of Marks

The integrity of academic assessment is fundamental to the College's reputation and to the value of qualifications awarded through its validating partners. Staff involved in marking, moderation, or the confirmation of results must not be subject to any improper influence and must declare any conflict of interest before participating in assessment processes.

Acceptance of Donations and Sponsorship

The College may from time to time receive or seek donations, sponsorship, or other forms of external funding. Any such arrangement must be subject to prior approval by the CEO and must be recorded formally. The College will not accept donations or sponsorship where, doing so could create a real or perceived obligation to act in the donor's interests.

Mitigations

To manage the risks identified above, the College operates the following controls:

The College maintains a Register of Interests and a Gifts and Hospitality Register. All staff and governors are required to make timely and accurate declarations in accordance with this policy and the College's Conflict of Interest Policy.

Due diligence is conducted on all agents, contractors, and partners prior to the commencement of any formal relationship. This includes checks on financial standing, regulatory compliance history, and any known associations with corrupt practice.

All material contracts and partnership agreements are required to be in writing and must include provisions setting out the ethical obligations of the parties, including compliance with the Bribery Act 2010.

Segregation of duties is maintained in all financial and procurement processes. No individual has sole authority to commit the College to expenditure, approve a supplier, or authorise a payment above a defined threshold without a second authorised signatory.

Fraud and bribery risks are recorded and monitored through the institutional Risk Register and reviewed periodically through the College's risk management framework.

10. Reporting Concerns and Protection

- Staff must be encouraged to report any suspicions of bribery or corrupt activities to their line manager or the CEO. Uncertainties about potential misconduct should also be raised promptly.
- Victims of Bribery: Employees who are offered a bribe or suspect corrupt activities should immediately report the incident to their line manager.
- Protection for Whistle-blowers: Oakwood College must ensure that no employee suffers detrimental treatment-such as dismissal, intimidation, or disciplinary action-for refusing to participate in corrupt activities or reporting concerns in good faith. Staff who believe they have been unfairly treated should report the issue to their line manager or legal counsel.

11. Reporting Bribery and Protection for Staff

Reporting Bribery or Fraud

- Staff to act promptly if they encounter bribery or fraudulent activities. Staff must report any of the following scenarios to their line manager or the CEO as soon as possible:
 - If they are offered a bribe by any individual or organisation.
 - If they are asked to offer a bribe to another party.
 - If they suspect they may be bribed or asked to engage in bribery in the future.
 - If they believe they have been a victim of corrupt practices.
 - Early reporting ensures timely intervention and safeguards the integrity of Oakwood College's operations.

Protection Against Repercussions

- Individuals who report concerns or refuse to participate in bribery or corruption may worry about potential repercussions. Whistleblowers reporting concerns in good faith, even if subsequent investigations determine that their suspicions were unfounded, must be protected:
 - Oakwood College must guarantee that no staff member will face detrimental treatment as a result of refusing to accept or offer a bribe or for reporting concerns about potential bribery or corruption.
 - Detrimental treatment includes, but is not limited to, dismissal, disciplinary action, intimidation, or other adverse consequences related to raising a concern.
 - If a staff member believes they have been unfairly treated due to reporting concerns or refusing to engage in bribery, they should immediately report the issue to their line manager, the CEO, or HR. The Provider must investigate all such claims thoroughly and ensure that appropriate remedial actions are taken to protect the individual and uphold Oakwood College's values.

Investigations and Outcomes

- All reports should be reviewed and, where appropriate, a formal investigation conducted, led by a designated member of the Board of Governance or an external investigator.
- Investigations will be impartial, timely, and consistent with Oakwood College's disciplinary and grievance procedures.
- Where fraud or bribery is substantiated, disciplinary action (up to dismissal or expulsion) may follow, and police involvement will be considered.
- Contracts with third parties may be suspended or terminated in accordance with contractual terms.
- Where incidents involve significant financial misconduct or regulatory implications, the College may be required to notify relevant authorities or regulators.

12. Training and Awareness

- Regular training should be provided to:
 - Recognise and avoid bribery and fraud.
 - Report mechanisms and whistleblowing procedures.
 - Provide practical examples and scenarios to build confidence in handling complex situations. The policy and related guidance should be made available on Oakwood College's website for ongoing reference.

13. Examples of Bribery and Their Implications

- **Offering a Bribe**

Example: A member of staff responsible for partnership development offers tickets to a high-profile sporting or cultural event to a representative of a validating higher education institution, with the intention of influencing that representative to approve or renew Oakwood College's validation arrangement on favourable terms.

Implications: This constitutes an offence under the Bribery Act 2010, as the offer is intended to secure a contractual or institutional advantage for the College. Oakwood College may also be held liable as the organisation on whose behalf the offer was made. It may further constitute an offence for the recipient to accept such an offer.

- **Receiving a Bribe**

Example 1: A supplier under consideration for the College's contract, provides a gift of significant value to the Procurement and Contracts Officer, whilst indicating that they expect the officer to favour their bid or recommend their continued engagement.

Implications: It is an offence for the supplier to make such an offer. It would equally be an offence for the staff member to accept the gift, as doing so could constitute gaining a

personal advantage in exchange for influencing a procurement decision on behalf of the College.

Example 2: A student presents an academic staff member with an extravagant gift and subsequently requests that their submitted work be graded more favourably than its merits would justify.

Implications: This constitutes an offence for the student, as the offer is made to obtain an unfair academic advantage on a programme validated by one of the College's HEI partners. It would equally be an offence for the staff member to accept the gift, as it involves personal gain in exchange for compromising their professional and academic responsibilities. The integrity of the qualification itself may also be called into question.

- **Bribing a Foreign Official**

Example: In the course of developing or maintaining an international partnership arrangement, a representative acting on behalf of Oakswood College arranges an additional payment to a foreign government official to expedite the recognition of the College's programmes or to accelerate an administrative approval process.

Implications: Making such a payment constitutes the offence of bribing a foreign public official under the Bribery Act 2010, regardless of whether it is characterised as a facilitation payment or a routine administrative cost. Oakswood College may be held criminally liable for the act, as it was carried out in connection with the College's business activities.

Offering a Bribe

Example: A member of staff offers tickets to a high-profile event to a potential client on the condition that the client agrees to enter into a business arrangement with the provider.

Implications: This constitutes an offence as the offer is intended to secure a commercial or contractual advantage. The provider could also be implicated in the offence, as the bribe was made to obtain business on its behalf. Additionally, it may be an offence for the client to accept such an offer.

Receiving a Bribe

Example 1: A supplier provides a gift to a staff member while hinting or stating that they expect the staff member to influence decisions to ensure continued business with the institution.

Implications: It is an offence for the supplier to make this offer. It would also be an offence for the staff member to accept the gift, as doing so could constitute gaining a personal advantage in exchange for influencing the institution's decisions.

Example 2: A student presents an academic staff member with an extravagant gift and subsequently requests leniency in grading.

Implications: This constitutes an offence for the student, as the offer is made to gain an unfair academic advantage. Similarly, it would be an offence for the academic staff member to accept the gift, as it involves personal gain in exchange for compromising their professional responsibilities.

Bribing a Foreign Official

Example: An international partner of the institution arranges for an additional "facilitation" payment to a foreign official to expedite an administrative process.

Implications: Offering such a payment constitutes the offence of bribing a foreign public official as it is intended to secure a business advantage. The institution may also be held accountable for the offence, as the action was carried out on its behalf.

Potential Risk Scenarios

1. Reputation for Improper Practices

You become aware that a third party engages in, or has been accused of engaging in, improper or unethical business practices.

You learn that a third party has a reputation for paying bribes, requiring bribes to be paid, or maintaining a "special relationship" with foreign government officials.

2. Suspicious Payment Practices

- A third party insists on receiving a commission or fee payment before signing a contract or performing a government function or service.
- A third-party requests payment in cash and/or refuses to sign a formal commission or fee agreement, provide an invoice, or issue a receipt for payment made.
- A third-party requests payment to be made to a country or location different from where they reside or conduct business.
- A third party requests an unexpected additional fee or commission to "facilitate" or expedite a service.

3. Unusual or Lavish Offers

- A third party demands or offers lavish entertainment, gifts, or hospitality during contractual negotiations or the provision of services.
- A third party offers you or Oakswood College an unusually generous gift or hospitality that seems disproportionate or inappropriate.

4. Requests for Unethical Advantage

- A third-party request that you "overlook" potential legal violations in exchange for a payment.
- A third-party requests employment or another advantage (e.g., a scholarship or internship) for a friend or relative.

5. Irregular Documentation

- You receive an invoice from a third party that appears non-standard or customised, raising concerns about its legitimacy.
- A third party insists on using "side letters" or refuses to document agreed terms in a formal written contract.
- You notice an invoice from a third party that includes a commission or fee payment that appears disproportionately large compared to the service provided.

6. Unusual Intermediary Requirements

A third-party request or requires the use of an agent, intermediary, consultant, distributor, or supplier that is not commonly known or used by Oakwood College.

Actions to Take

If any of these scenarios occur, it is crucial to:

1. Report the incident promptly to a line manager or the CEO.
2. Provide any supporting evidence or documentation to assist in the investigation.
3. Avoid taking further action on the matter until directed to do so by the relevant authority at Oakwood College.

14. Monitoring and Review arrangements

- The CEO and Chair of Board of Governance are responsible for overseeing the effectiveness of anti-bribery measures.
- The Audit and Risk Committee will review reports on fraud risks, incidents, and control effectiveness and will provide assurance to the Board of Governors.
- Regular risk assessments will be conducted to identify and mitigate bribery risks.
- This policy will be reviewed at least every three years, or earlier if significant changes occur in legislation, risk profile, or sector guidance.
- Monitoring will be informed by internal audits, staff surveys, incident reports, and external advice as required. The policy will be updated to reflect evolving best practices and regulatory requirements.

15. Communication

This policy will be:

- Made available on Oakwood College's website and staff/student intranet.
- Communicated to all new staff, students, and relevant external parties during induction.
- Embedded within Financial Regulations and referenced in contracts and partnership agreements.

16. Associated Policies

This policy should be read in conjunction with:

- Whistleblowing Policy
- Staff Code of Conduct
- Student Code of Conduct

Contact Information

Contact person:

Head of QA & IS

Email: compliance@oakwoodgroup.co.uk

17. Appendix A

Oakwood College - Gifts and Hospitality Register

The Oakwood College Gift and Hospitality register sheet must be used to record all gifts and hospitality offered, received, given, or declined by staff and governors of Oakwood College, regardless of whether the item was accepted or declined. All entries must be made within five working days of the offer or receipt. This register is maintained by the CEO's Office and is subject to periodic review by the Board of Governors.

Completion of this register does not constitute approval. Where there is any doubt as to whether an item may be accepted, staff must consult their line manager before accepting. Items above £100 in estimated value must not be accepted without prior written approval from the CEO.



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