SHEFFIELD UTC ACADEMY TRUST
MAKING THE FUTURE

FINANCIAL PROBITY POLICY

Status: Statutory

Member of Staff Responsible: Executive Principal / Business & Operations Director

Related Policies:

- Financial Administration & Management Policy
- Staff Handbook
- Whistleblowing Policy

Implementation date: September 2013

Reviewed date: March 2026

Next review date: March 2028

1. Introduction

1.1 It is the policy of the Trust and local Governing Body that all staff, Members, Trustees and Governors must act in accordance with this Code.

1.2 By complying with the Code (including the declaration of any interests they may have and of gifts and hospitality they may receive) governors and staff are protecting themselves from any false accusation of malpractice, corruption or bias.

1.3 The Code defines the policy in respect of the following:

- combating fraud;
- the disclosure of malpractice (whistleblowing);
- pecuniary and other interests; and
- gifts and hospitality (combating bribery).

2. The Expected Standards of Probity

2.1 All staff, Members, Trustees and Governors must act honestly, impartially, in good faith and with integrity at all times and in accordance with the Seven Principles of Public Life.

2.2 All those with responsibility for the public resources under the UTC's control must take all reasonable steps to safeguard them.

2.3 All staff must act with propriety in the use of resources and the handling and use of public funds.

2.4 All prescribed financial procedures designed to reduce the possible risk of malpractice must be applied strictly and impartially at all times.

2.5 All staff have a responsibility to act in good time to prevent or report fraud, bribery or corruption and to co-operate fully with any internal checks or reviews or fraud investigations.

2.6 Staff should report any financial malpractice or suspected malpractice in good faith and may make use of the Whistleblowing Procedure to do so.

2.7 Members, Trustees and Governors and those staff identified in paragraph 5.1 are required to make a declaration of pecuniary and other interests at least once a year.

2.8 All other employees must declare in writing to the Principal any financial or non-financial interests which could reasonably be considered to conflict with the UTC's interests (see Section 5).

2.9 All staff, Members, Trustees and Governors must both exercise common sense and consult section 6 before accepting gifts or hospitality from outside individuals or organisations to ensure that neither they nor the UTC commits an offence under the Bribery Act 2010.

3. Combating Fraud

3.1 The prevention of fraud is to be understood as both a corporate and an individual imperative.

3.2 All Members, Trustees, Governors and staff should be alert to the possibility that unusual events or transactions could be indicators of fraud.

3.3 All staff, Members, Trustees and Governors should make themselves aware of the appropriate channels through which a suspected fraud should be reported (see also Section 4).

3.4 All mentioned above have a duty to co-operate fully with whoever is conducting internal checks or reviews or fraud investigations.

3.5 Both the Chair of the Trust, Chairs of Governors and all staff in management posts will ensure that an adequate system of internal controls exists within their areas of responsibility and that the controls operate effectively.

3.6 The Executive Principal, as Accounting Officer, will ensure that a sound system of internal control designed to manage the whole range of risks faced by the UTC is in place and fully operational.

3.7 The Executive Principal and Business & Operations Director will ensure the Finance Provider manages of the risk of fraud, including:

3.7.1 undertaking a regular review of fraud risks;

3.7.2 establishing an effective fraud response plan;

3.7.3 designing effective controls to prevent fraud;

3.7.4 ensuring effective anti-fraud training is provided to appropriate staff;

3.7.5 reporting fraud risk issues and significant incidents of fraud to the Principal (Accounting Officer);

3.7.6 external reporting in compliance with company and charity law and accounting standards;

3.7.7 ensuring that suspicions or allegations of fraud are promptly and vigorously investigated;

3.7.8 alerting the Principal to the need for legal and/or disciplinary action for fraud, supervisory failures or failure to report fraud;

3.7.9 taking appropriate action to recover assets;

3.7.10 ensuring that appropriate action is taken to minimise the risk of similar frauds occurring in future.

3.8 The Responsible Officer, the Auditor and the Resources Committee each has a duty to help managers reduce the risk of fraud and to deter and prevent it.

4. Fraud: The Disclosure of Malpractice (Whistleblowing)

4.1 The Trust has a Whistleblowing Policy and Procedure which we will use as our official code of practice on the disclosure of malpractice. The procedure conforms with the Public Interest Disclosure Act 1998.

4.2 All staff should make themselves aware of the Whistleblowing Policy and Procedure as one means to help them fulfil the duties described in paragraphs 2.5, 2.6, 3.1 and 3.3 above or to raise in good faith any other legitimate concern about wrongdoing that they may have happened.

4.3 Trustees, Governors and senior managers must ensure that the safeguards for informants described in the Whistleblowing Procedure are implemented fairly and energetically.

4.4 Members, Trustees or Governors who suspect fraudulent activity should raise their concerns initially with either the Chair of the Trust or the Executive Principal as they think most appropriate to the circumstances.

5. Pecuniary and Other Interests

5.1 The following have a duty to make a Declaration of Pecuniary Interests and to update it as necessary (and in any case at least once a year): all Governors / Trustees and Members; the Executive Principal, the Principal, Vice Principals and Assistant Principals, the Business & Operations Director and any Curriculum Director who is responsible for a budget in excess of £10,000. If appropriate they must make a nil return. The Declaration pro forma is shown at the end of this document.

5.2 All other employees have a duty to advise the Principal in writing of all relationships of a business or private nature with contractors and suppliers of goods and services (with which the UTC might trade) and of any financial or non-financial interests which could reasonably be considered to conflict with the UTC's interests. All staff, Members, Trustees and Governors are asked to complete a Declaration of Interest From on an annual basis.

5.3 The Business & Operations Director will ensure that all declarations under paragraphs 5.1 and 5.2 are kept in a Register of Pecuniary Interests.

5.4 In considering whether there is an interest to be declared, staff, Members, Trustees and Governors should consider whether a member of the public, knowing the facts of the situation, could reasonably think that a personal interest or relationship might conflict with the interests of the UTC.

5.5 A pecuniary interest should be declared where a, Member, Trustee, Governor or member of staff is a Local Authority Associated Person or has:

5.5.1 a directorship of a company or business;

5.5.2 direct ownership or partnership in a company;

5.5.3 a significant shareholding in a company;

5.5.4 a position of authority in a charity or voluntary organisation;

5.5.5 a position which entails part time or occasional work for a company;

5.5.6 business interests that could conflict with the UTC's interests;

5.5.7 family relationships or friendships with anyone who tenders for work from the UTC.

5.6 Anyone with a pecuniary interest in a potential contract should not take part in drawing up the specification and/or tender document.

5.7 Anyone with a pecuniary interest in a particular decision should not normally take part in the process leading to that decision.

5.8 All persons having power to spend or to participate in discussions to spend monies on behalf of the UTC or any of its students must observe the following procedures:

5.8.1 Whenever a relevant person is called upon to make or participate in making or is in a position to influence the making of a decision on expenditure on behalf of the UTC or any of its students, that person should consider whether to make a declaration and subsequently withdraw from further discussion regarding the issue.

5.8.2 The declaration should be made if the person concerned is aware that the recipient of the expenditure is or might be:

(a) him/herself

(b) his/her employer or employee

(c) a business in which he/she has an interest (however remote)

(d) a member of his/her extended family

(e) a friend or

(f) someone to whom an obligation (either legal or moral) is owed.

5.8.3 The declaration should preferably be made in writing or recorded in the Minutes of a meeting. It should identify the decision on expenditure to be made and the nature of the connection.

5.8.4 If the person making the declaration is only one of a number participating in the decision, the declaration should be made to the other participants. They should consider, taking into account the amount of the expenditure, the nature of the connection and other relevant circumstances, whether to invite the person to exclude him / herself from the decision-making process.

5.8.5 If the person making the declaration is the only person making the decision on expenditure, the declaration should be made to the Executive Principal / Principal. The Executive Principal / Principal should consider, taking into account the amount of expenditure, the nature of the connection and other relevant circumstances, whether it is appropriate for the person concerned to make the decision or whether the decision should be made by someone else.

5.8.6 If the person making the declaration is the Executive Principal / Principal, the declaration should be made to the Resources Sub-committee of the Trust / the appropriate committee for the Trust Board, who should thereupon make the decision, excluding the Executive Principal / Principal from the discussions.

6. Gifts and Hospitality (Combating Bribery)

6.1 The Trust and Executive Principal are fully committed to the prevention of bribery. All who are associated with the UTC are expected to ensure that the highest standards are maintained at all times in order to prevent the fact or suspicion of bribery in relation to the UTC's work.

6.3 All Members, Trustees, Governors and staff must abide by the standards and procedures in this section of the Code when considering whether to accept gifts or hospitality.

6.4 Offers of hospitality should only be accepted if there is a genuine need to represent the UTC.

6.5 Examples of when it may be proper to accept hospitality (always depending upon the particular circumstances) are as listed in sub-paragraphs 6.5.1 to 6.5.4, but overnight hospitality should never be accepted.

6.5.1 Attendance at conferences, events and demonstrations of equipment organised by outside bodies where there is a service interest.

6.5.2 Attendance at events or functions where there is a demonstrable need for the UTC to be represented to either give or to receive information or to participate as part of the UTC's corporate image.

6.5.3 Attendance at events or functions which are part of the civic, cultural or sporting life of the UTC.

6.5.4 Working lunches where this is an appropriate and effective way of conducting business and the refreshments provided are on a reasonable level.

6.6 Gifts should only be accepted in the exceptional cases listed in paragraphs 6.7 and 6.8.

6.7 The following types of gift may be accepted:

6.7.1 modest gifts of a promotional character, e.g. calendars, diaries and other similar articles;

6.7.2 gifts on the conclusion of any courtesy visit to an outside organisation of a sort normally given by that organisation;

6.7.3 small gifts, which are defined as being up to £20 in value.

6.8 Gifts which are intended for the UTC may be accepted as long as there is clearly no intention that a function will be performed improperly as a result. More substantial gifts or donations to the UTC should not be accepted unless both the Executive Principal and another Trustee / Governor (having regard to all the circumstances) have agreed that this is the case. Gifts that are accepted must be passed to the Principal / Executive Principal to receive and record on behalf of the Governing Body / Trust.

6.9 Upon receipt of any gift (other than small gifts given as a “thank you" by students to tutors or subject teachers, for example at Christmas or at the conclusion of a course) or hospitality, governors and staff must provide written details to the Business & Operations Director. The Business & Operations Director shall receive the Declarations (once countersigned by the Principal) and keep them in a Register of Gifts and Hospitality.

The Seven Principles of Public Life

Selflessness
Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty
Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership
Holders of public office should promote and support these principles by leadership and example.

Annex 2
Fraud etc.: Some Useful Definitions

Theft - Dishonestly appropriating the property of another with the intention of permanently depriving them of it (Theft Act 1968). This may include the removal or misuse of funds, assets or cash.

False Accounting - Dishonestly destroying, defacing, concealing, or falsifying any account, record, or document required for any accounting purpose, with a view to personal gain for another, or with intent to cause loss to another or furnishing information which is or may be misleading, false or deceptive (Theft Act 1968).

Bribery and Corruption - The offering, giving, soliciting or acceptance of an inducement or reward that may influence the actions taken by the authority, its members or officers (Prevention of Corrupt Practices Acts 1889 and 1916).

Deception - Obtaining property or pecuniary advantage by deception (Sections 15 and 16 of the Theft Act 1968 (and obtaining services or evading liability by deception (Sections 1 and 2 of the Theft Act 1978).

Collusion - The term “collusion” in the context of reporting fraud to the Treasury is used to cover any case, in which someone incites, instigates, aids and abets, or attempts to commit any of the crimes listed above.

SHEFFIELD UTC ACADEMY TRUST
MAKING THE FUTURE

DECLARATION OF PECUNIARY INTERESTS

Name:	_____
Position:	Member / Trustee / Governor / Principal / Other employee
Address:	_____
	_____
	_____
Name of Business or Company:	_____
Address of Business or Company:	_____
	_____
Nature of Business or Company:	_____
Connection to business or company:	Director / Shareholder: _____
	_____
Signed: _____	**Date**: _____
Signed (Executive Principal Chair of the Trust) _____	**Date**: _____