



# Rural Stirling

Housing Association



Quality property  
management services

## GROUP ANTI-FRAUD & BRIBERY POLICY

<b>Rural Stirling Housing Association, Stirling Road, Doune, FK16 6AA</b> <b>Registered as a Scottish Charity No. SC037849</b> <b>Venachar Limited, Incorporated under the Companies Act (Company Number SC447415), Registered Office: Stirling Road, Doune, FK16 6AA</b>	
<b>Policy Name</b>	Group Anti-Fraud & Bribery Policy
<b>Policy Category</b>	Corporate / Governance
<b>Date Policy Reviewed</b>	8 August 2023
<b>Review Period</b>	3 years
<b>Next Review Due</b>	August 2026
<b>Equality Impact Assessment</b>	Yes

## **1.0 Purpose**

- 1.1 The Rural Stirling Group (RSG) recognises the importance of protecting the organisation including its operations, its employees, suppliers, and its assets, tenants and residents against financial risks, operational breaches, and unethical activities.
- 1.2 Losses due to fraud, theft or corrupt practices could have a direct effect on the level and quality of service provision. We play an important role across our area of operation and any instances of fraud or corruption could be damaging for our reputation. It is wrong to assume therefore that actual financial losses are the only negative outcome. The full cost is usually much greater. Staff morale and the level of confidence of tenants, owners, partners, suppliers, our lenders, and the Scottish Housing Regulator (SHR) may also be negatively impacted as a result.
- 1.3 Governing Body Members and employees are expected to act with honesty and integrity and to lead by example in adhering to regulations, procedures, and practices. In addition, members of the public, clients, and external organisations (such as suppliers and contractors) are expected to act with integrity and without intent to commit fraud against the RSG in any dealings they may have with us. However, there is always a risk that dishonest people in a position to defraud RSG will try to do so.
- 1.4 The purpose of this policy is to set out our stance on fraud, bribery and corruption and our approach to preventing, detecting, reporting, and investigating fraud, bribery, and corruption.
- 1.5 We will take a 'zero tolerance' approach towards fraud, bribery, and corruption. We will always seek to take disciplinary and /or legal action against those found to have perpetrated fraud and provide clear routes by which concerns can be raised by Governing Body Members and employees, and by those outside our organisation.
- 1.6 This policy applies to all Governing Body Members and employees whether freelance, casual, or temporary agency staff irrespective of grade, position, or length of service. All members of the RAG have a responsibility for fraud and theft prevention and detection and for ensuring that any attempts at bribery are identified and action taken.
- 1.7 We will make all those receiving RSG funds or representing the RSG, including our suppliers, grant recipients, partners, contractors, and agents aware of this policy.

## **2.0 Policy Aims**

- 2.1 This policy aims to prevent fraud, corruption, and bribery by the following measures:
  - Recruitment and selection procedures
  - Code of Conduct for Employees and Board Members
  - Whistleblowing policy

- Standing Orders, and Financial Regulations
- Schedule of Delegation
- Internal Audit
- Disclosure Scotland checks
- Risk Management
- Registers of benefits and disclosure requirements
- Training and guidance for governing Body and staff
- Treating attempted fraud, corruption or bribery in the same manner as actual fraud, corruption, or bribery

### **3.0 Equality & Diversity Statement**

- 3.1 We will ensure that this policy is applied fairly and consistently. In implementing this policy, we will not directly or indirectly discriminate against any person or group of people because of their race, religion or belief, gender, disability, age, sexual orientation, or any other grounds. Our commitment to equality and fairness will apply irrespective of factors such as age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or other personal attributes.

This policy and any other Rural Stirling Group (RSG) publication is available in other formats e.g., other languages, Braille, large print, audio.

### **4.0 SHR Regulatory Standards**

- 4.1 The SHR's regulatory framework sets out Regulatory Standards of Governance and Financial Management to be achieved by all Registered Social Landlords (RSLs). The Board accepts that it is responsible for ensuring that the Association complies with these standards. The standards of direct relevance to this policy are noted below:

- *Standard 3 - The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay*
- *Standard 5 - The RSL conducts its affairs with honesty and integrity*

- 4.2 Whilst our subsidiary, Venachar Ltd, is not regulated as it is part of the RSG this policy equally applies to it as do the regulatory standards.

### **5.0 Relevant Legislation**

- 5.1 The legislation relevant to this policy includes:

- Fraud Act 2006
- Bribery Act 2010

- Charities and Trustee Investment (Scotland) Act 2005 (trustees are required under charity law to safeguard the assets of the charity)
- Money Laundering, Terrorist Financing and Transfer of Funds (information on the Payer) Regulations 2017

## 6.0 Definitions

6.1 For the purposes of this policy, unless otherwise stated the following definitions shall apply:

- **Fraud:** defined as the use of deception with the intention of obtaining an advantage, avoiding an obligation, or causing loss to another party.
- **Theft:** defined as the dishonest appropriation of property or value committed by Governing Body Members, staff, or contractors in the course of their work.
- **Bribery:** defined as the offering, giving, receiving, or soliciting by Governing Body Members, staff, contractors or another party of something of value for the purpose of influencing the action of another in the discharge of his or her duties.

6.2 Fraud, theft and bribery fall into the following main categories:

- theft, the misappropriation, or misuse of assets for personal benefit
- bribery and corruption
- false accounting and/or making fraud and fraudulent statements with a view to personal gain or gain for another: for example, falsely claiming overtime, travel and subsistence, other expenses, sick leave, or special leave (with or without pay)
- unauthorised access to computer materials
- externally perpetrated fraud and theft against an organisation

## 7.0 Implementing our Policy

7.1 We are committed to preventing fraud, theft, and bribery from occurring and to developing an anti-fraud and theft culture. To achieve this, we will:

- Use the most cost-effective measures and procedures to deter fraud.
- Take firm and vigorous action where appropriate against any individual or organisation perpetrating fraud or theft against us.
- Encourage employees and Governing Body Members to be vigilant and to report any suspicion of fraud or theft and provide suitable channels of communication and ensure sensitive information is treated appropriately.
- Maintain a system for recording: all reports of actual or suspected fraud, bribery, and corruption in a Fraud Register; the action taken; and the outcome of any investigation. It will use this information to inform its review of the risks and the effectiveness of our controls.

- Comply with the SHR Regulatory Framework Statutory Guidance with respect to Notifiable Events.
- Rigorously investigate instances of alleged fraud or theft and pursue perpetrators to seek restitution of any asset fraudulently obtained together with the recovery of costs.
- Assist the police and all other appropriate authorities in the investigation and prosecution of those suspected of fraud.
- Develop a culture where whistleblowing is encouraged and whistleblower's are supported – in line with our Group Whistleblowing Policy.
- Adhere to our Group Sustainable Procurement Policy and Schedule of Delegation for payment approvals.
- Ensure staff and our Governing Body Members are fully trained in our Group Anti-Fraud and Bribery Policy, Procedures, Sustainable Procurement Policy and Schedule of Delegation.

7.2 Information on how to deal with fraud, theft and bribery is contained within the Procedure accompanying this Policy.

## **8.0 Related Documents.**

8.1 This policy relates to the following documents:

- RSHA Rules
- Financial Regulations
- Standing Orders
- Schedule of Delegation
- Notifiable Events Policy
- Governing Body Members Code of Conduct
- Staff Code of Conduct
- Board and Staff Expenses Policy
- Entitlements, Payments and Benefits Policy
- EVH Terms and Conditions of Service
- Sustainable Procurement Policy
- Standard Terms and Conditions of Appointment for Consultants and Suppliers
- Standard Form Building Contracts
- Risk Management Policy
- Whistleblowing Policy

## **9.0 Review**

9.1 We will review and update this policy every 3 years. More regular reviews will be considered where, for example, there is a need to respond to new legislation/policy or regulatory guidance.