



DigitalMarketingMentor

Fraud Prevention & Anti Bribery Policy

Introduction

Digital Marketing Mentor aims to be an honest and open company, and expects its staff to act with integrity to safeguard the public resources for which they are responsible. Fraud and corruption are a threat to these resources. This policy is intended to:

- encourage the prevention of fraud and corruption
- promote its detection
- identify a clear pathway for its investigation

The policy and associated procedures apply to all employees. This term extends not only to staff who work under a Digital Marketing Mentor contract but also to self employed and agency staff engaged to perform services for the company.

Aim of the policy

To investigate and prevent any detected or suspected acts of fraud, corruption and other irregularities in any area of the Company's activities.

Responsibilities

Digital Marketing Mentor has a responsibility to:

- develop and maintain effective controls to prevent fraud
- carry out vigorous and prompt investigations of fraud if it may have occurred
- consider at the first available meeting any evidence of fraud, irregularity or corruption and consider if the matter is sufficiently significant that a special meeting is required
- take appropriate disciplinary and/or legal action against perpetrators of fraud
- take disciplinary action against staff or their line managers where their failures have enabled fraud to occur.
- report any fraudulent activities to the relevant authorities in a timely manner
- conform with money laundering and bribery legislation

Managers are responsible for:

- identifying the risks to which systems and procedures are exposed;

- developing and maintaining effective controls to prevent and detect fraud
- ensuring that controls are being complied with by all staff.

Individual members of staff have a responsibility to:

- Act with propriety in the use of company resources and in the handling and use of public funds and resources when they are involved with cash, payments systems and receipts, when dealing with contractors or suppliers, or any other aspect of company business
- Any member of staff who has reasonable suspicions that a fraud, corrupt act or irregularity of any kind has been committed must report the matter immediately to the Managing Director.

The Managing Director is responsible for:

- Notification and investigation of any suspected fraud, corrupt act or irregularity (as long as they are not implicated, or notification would be in breach of money laundering or other legislation).
- Ensuring that all employees are made aware of the policy.

The Managing Director is responsible for the implementation of policies and procedures to eliminate fraud, corruption and other irregularities.

The Company Director will be informed when evidence of a potential irregularity including fraud, corruption or any other impropriety, is discovered so that they can consider the adequacy of the relevant controls, evaluate the implication of the fraud on risk management, control and governance processes and consider making recommendations as appropriate.

The Company Director will without delay report to the funding body's Chief Executive, and copy to the Executive Director of the local funding body serious weaknesses, significant fraud, major accounting and other breakdowns, subject to the requirements of the Proceeds of Crime Act 2003.

Definitions

For the purposes of this policy Fraud is interpreted as:

- “The intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury.”

Corruption is interpreted as:

- “Offering, giving or receiving of rewards and inducements designed to influence action”.

Acts of fraud and corruption can include:

- Abuse of college systems and process for personal gain.
- Obtaining money from the Company without consent or following correct procedures.
- Misuse and inappropriate use of Company equipment for personal gain.
- Theft of Company property.
- Any unlawful activity and/or action in contravention of company policies and procedures.
- Money laundering

Bribery Policy

Digital Marketing Mentor is committed to the proper use of public money. Any detected or suspected acts of fraud, corruption or other irregularities will be rigorously investigated and action taken.

Digital Marketing Mentor encourages all members of staff to recognise their responsibilities for preventing fraud, corruption and irregularities, whilst ensuring that all suspected and detected fraud, corruption and irregularities are reported through the appropriate process.

The company has procedures in place that reduce the likelihood of fraud occurring. These include the Financial Regulations, documented procedures and systems of internal control

The purpose of this policy is to promote accountability and a climate of openness throughout the company and to encourage responsible disclosure of detected or suspected fraud, corruption or irregular activity.

The company’s Public Interest Disclosure Procedure offers members of staff a safe and accessible procedure to raise concerns in a confidential manner, in the knowledge that they

Digital Marketing Mentor

will be properly investigated, whilst protecting colleagues against false or malicious accusations.

Any member of staff who has reasonable suspicion that a fraud or irregularity of any kind has been committed must report the matter immediately in accordance with the company's Public Interest Disclosure Procedure.

If any member of staff is made aware of a concern by a member of the public, they must report the matter immediately to the Managing Director.

If it is identified that there are any serious weakness, or an accounting or other control breakdown, including potential fraud, it will be reported to the Managing Director without delay. If any member of staff suspects fraud has taken place they should also refer to the Money Laundering and Bribery Policies.

Where appropriate an Investigating Manager will be appointed to respond to allegations of fraud, corruption and irregularities.

If a criminal event is believed to have occurred, the Police, external audit and the company will be informed subject to the constraints of money laundering or other relevant legislation. A decision to involve the Police will be taken by the Company Director in consultation with the Managing Director, the Investigating Manager and the Chair of any Audit Committee.

If a criminal act has not taken place, then an internal investigation will be conducted in accordance with the Company's Public Interest Disclosure Procedure. The investigation will determine the facts, what, if any, disciplinary action is required, what can be done to recover the loss and what may need to be done to improve internal control to prevent the event occurring again.

The Managing Director will immediately record the details of any disclosure in a log. The log will contain details of all reported suspicions, including those dismissed as minor or otherwise not investigated. It will also contain details of actions taken and conclusions reached. The log will be reviewed at least once a year, with any significant matters reported to the Company Director.

Under no circumstances should a member of staff speak or write to representatives of the press, television, radio, or to another third party about a suspected fraud without the express authority of the Managing Director. It is essential that nothing is done that could give rise to an action for slander or libel, or otherwise damage the reputation of the Company.

Key risk areas

Below are the key areas you should be aware of in particular:

- **Excessive gifts, entertainment and hospitality** can not be used to exert improper influence on decision makers. Gifts, entertainment and hospitality are only acceptable provided they fall within Digital Marketing Mentor's Corporate Entertainment Policy.
- **Facilitation payments** are used by businesses or individuals to secure or expedite the performance of a routine or necessary action to which the payer has an entitlement as of right. Digital Marketing Mentor will not tolerate or excuse such payments being made.
- **Reciprocal agreements** or any other form of 'quid pro quo' are never acceptable unless they are legitimate business arrangements which are properly documented and approved by management. Improper payments to obtain new business, retain existing business or secure any improper advantage should never be accepted or made.
- **Actions by third parties for which Digital Marketing Mentor may be held responsible** can include a range of people i.e. agents, contractors and consultants, acting on Digital Marketing Mentor's behalf.
- **Appropriate due diligence** should be undertaken before a third party is engaged. Third parties should only be engaged where there is a clear business rationale for doing so, with an appropriate contract. Any payments to third parties should be properly authorised and recorded.
- **Record keeping** can be exploited to conceal bribes or corrupt practices. We must ensure that we have robust controls in place so that our records are accurate and transparent.

Penalties

The Bribery Act 2010 came into force on 1 July 2011. Under that Act, bribery by individuals is punishable by up to ten years' imprisonment and/or an unlimited fine. If the firm is found to have taken part in the bribery or is found to lack adequate procedures to prevent bribery, it too could also face an unlimited fine.

A conviction for bribery or corruption related offence would have severe reputational and/or financial consequences for the firm.