

Anti-Fraud, Bribery and Corruption Policy (Including Gifts and Hospitality)

1 Purpose

This policy and associated procedures set out the standards of behaviour and conduct expected from all colleagues, involved residents and Board Members to deter, prevent and detect fraud, bribery and corruption at MTVH. The associated Fraud Response Plan sets out how MTVH will approach any suspected or identified fraud, bribery or corruption.

The Board of Metropolitan Thames Valley (MTVH) does not tolerate fraud, bribery or corruption within MTVH and supports the Executive's approach to taking all available steps to deter, detect and prosecute it.

2 Scope

This policy applies to all colleagues, consultants, contractors, involved residents, Board and Committee members throughout MTVH, all entities within the MTVH Group and to all business activities managed in partnership with other organisations. It also covers MTVH's approach to tenancy fraud.

Our Commitment

Fraud, bribery and corruption are a continuing concern for corporate and public bodies, and a threat to the good governance and the reputation of our business and the sector.

We are committed to carrying out all our activity in an open, honest and ethical way, and expect everyone within scope to fulfil their duties and obligations responsibly, acting in good faith and in the best interests of the association, its customers and other users.

MTVH has zero-tolerance of fraud, bribery and corruption, and we will do everything possible to prevent and detect it. Where any fraud, bribery or corruption is suspected we will take direct action. All cases will be thoroughly investigated and dealt with appropriately. The form of action will depend on the level and circumstances of the fraud, bribery or corruption and may include disciplinary procedures, dismissal and/or criminal prosecution.

Our actions and behaviour are consistent with our values, and in line with the very high standards of personal conduct we expect, in order to maintain confidence in our business and our reputation.

3 Our Approach

MTVH has a robust anti-fraud, bribery and corruption culture, and will always investigate all reports or incidents. To do this we have:

- robust internal controls, and separation of duties to help prevent fraud
- a zero-tolerance policy to prevent and detect fraud, bribery and corruption
- a policy of applying the maximum sanction where fraud is found
- a policy of seeking full redress and recovery of any losses that are incurred.
- a clear whistleblowing policy to raise concerns and treat them seriously
- a fair and objective system to detect, report and investigate incidents set out in our Fraud Response Plan, which is attached to this Policy.

Definitions

What fraud, bribery and corruption means

Fraud, bribery and corruption will include acts like deception, forgery, extortion, theft, conspiracy, embezzlement, misappropriation, false representation, concealment and collusion. Fraud is normally defined as the use of deception with the intention of obtaining an advantage, avoiding an obligation, or causing loss to another party. The criminal act is the attempt to deceive, and this means attempted fraud is treated just as seriously as actual fraud.

This policy prohibits fraud and the offering, giving, requesting or trying to obtain or accept any bribe - whether cash or other form of inducement:

- *to or from* any person or company, whether a public official or public body, or a private person or company, wherever situated; or
- *by* any individual employee, agent or other person or company acting on MTVH's behalf
- *in order to* gain any commercial, contractual, or regulatory advantage for MTVH or any subsidiary in a way which is unethical; or
- *in order to* gain any personal advantage or gain, in money or otherwise, for the individual, or anyone connected with the individual; or
- *In order to* influence the recipient to take or not take action which may or may not be in the best interests of the company.
- *In order to* guarantee, speed up or delay/stop routine processes and procedures (sometimes known as "Facilitation Payments").

Combating fraud, bribery and corruption is set out in a number of laws. This Policy seeks to ensure that MTVH complies with these laws and they are set out below with links provided to the Acts and guidance:

- The Bribery Act 2010 and The Ministry of Justice Principles on 'adequate procedures' http://www.legislation.gov.uk/ukpga/2010/23/pdfs/ukpga_20100023_en.pdf, <http://www.justice.gov.uk/downloads/legislation/bribery-act-2010-guidance.pdf> Adequate Procedures - Guidance to the UK Bribery Act 2010 - Transparency International UK [Transparency International UK](http://www.transparency.org.uk)
- The Fraud Act 2006 http://www.legislation.gov.uk/ukpga/2006/35/pdfs/ukpga_20060035_en.pdf
- The Social Housing Fraud Act 2013 [Prevention of Social Housing Fraud Act 2013](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/249632/Prevention_of_Social_Housing_Fraud_Act_2013_-_Impact_Assessment.pdf) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/249632/Prevention_of_Social_Housing_Fraud_Act_2013_-_Impact_Assessment.pdf
- Police and Criminal Evidence Act 1984 (PACE) [police and criminal evidence act](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249632/Prevention_of_Social_Housing_Fraud_Act_2013_-_Impact_Assessment.pdf) [Police and Criminal Evidence Act 1984 \(PACE\) codes of practice - GOV.UK](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249632/Prevention_of_Social_Housing_Fraud_Act_2013_-_Impact_Assessment.pdf)
- The Regulation of Investigatory Powers Act 2000 (RIPA) http://www.legislation.gov.uk/ukpga/2000/23/pdfs/ukpga_20000023_en.pdf

4 Prevention, detection and reporting

The prevention, detection and reporting of bribery is the responsibility of everyone who works at MTVH. A Fraud Response Plan is attached to this Policy for your guidance.

The conduct of the Board, Executive Directors, colleagues and others directly involved in delivering MTVH's activities are an essential part of our governance arrangements. The general rules relating to conduct are contained within employment terms and conditions and our Code of Conduct.

We have corporate policies, systems and internal controls to deter, prevent and detect fraud, bribery and corruption. These include:

- Our Financial Regulations, Scheme of Delegations, treasury management and internal controls
- Whistleblowing Policy and training for colleagues
- Code of Conduct and conflict of interest policy and reporting system
- An annual certification of compliance from the Executive Team to the Board
- Procurement procedures for appointing agents, suppliers and contractors and managing these relationships
- Recording of gifts and hospitality received or provided by colleagues, and a record of charitable donations
- Internal Audit of internal policies, processes and procedures and outputs
- External audit of financial statements, systems and procedures

We have policies and procedures across our business giving guidance on managing fraud, bribery and corruption across our services, including tenancy management, estate services, care and support, repairs, development, sales, and recruitment.

MTVH makes its zero-tolerance policy to fraud, bribery and corruption well known we will not hesitate to pursue all cases through criminal prosecution if appropriate. Individuals should be in no doubt of our willingness to take action and of the consequences to their employment or tenancy/lease status.

MTVH has a confidential reporting system where concerns can be raised confidentially where fraud, bribery or corruption is suspected. All reports will be taken seriously and investigated; further details are in the Whistleblowing policy and procedure.

The day to day responsibility for the prevention and detection of fraud rests with colleagues and managers who are responsible for:

- Identifying and reporting fraud, bribery and corruption in line with the Fraud Response Plan
- Identifying and reporting risks to systems, operations and procedures
- Developing effective controls to prevent and detect fraud
- Ensuring controls are being maintained and complied with
- Use of external firms to detect potential fraud and to investigate

The Head of Governance and Compliance will maintain the fraud register, which records all reported instances of suspected or actual fraud. Regular updates will be provided to the Audit and Risk Committee detailing the nature and extent of each fraud, how it has been addressed and any implications for the internal control system.

The Audit and Risk Committee will report on instances of fraud to the Board as part of the annual assurance process.

The fraud register is submitted to the Regulator on an annual basis as part of the annual financial reporting procedure.

5 Fraud Response Plan

All colleagues are encouraged to report any behaviour that indicates potential fraud, bribery or corruption. The **Fraud Response Plan** sets out the reporting process in detail.

6 Gifts and hospitality

Under MTVH's Code of Conduct you must take all reasonable steps to ensure no undeclared conflict arises, or could reasonably be seen to arise between your duties and personal interests, financial or otherwise.

You must not offer, seek or accept any gifts, hospitality or other benefits that could reasonably be considered to compromise your judgement or integrity, or to place you under an obligation (or perceived obligation) to the individual or organisation. This includes any offers of presents, services, favours, vouchers, tickets, meals, entertainment or any other form of payment.

The Policy is set out below, and more detailed guidance and examples can be found on the HUB.

Gifts

You should not accept any personal gifts from a resident. The gift should be politely declined, advising the resident of the existence of this policy. If it would cause offence to decline a modest gift (for example, flowers or chocolates) it should be donated to the colleagues Christmas raffle or shared with your team if this is more appropriate (for example if the gift is perishable).

Colleagues and Board members may accept small gifts, like promotional diaries, key rings and so on, up to the value of £5 from third parties. These do not need to be recorded, but if in doubt speak to the Head of Governance and Compliance.

Colleagues and Board members should not accept any personal gift of significant value from a resident or supplier of goods or services to MTVH or any of our subsidiaries. The definition will vary, but no gift should be accepted with a retail value of £50 or more, or gifts with a cumulative value of £50 or more.

When a gift with a retail value of between £5 and £50 is accepted, it must be recorded in Oracle within the Gift and Hospitality section and donated to the colleagues Christmas raffle, if suitable, or shared with the team if this is more appropriate (for example if the gift is perishable).

When a gift is declined, individuals should be polite but firm, and should draw attention to the existence of this policy.

Hospitality

Hospitality must never be requested and colleagues, officers and board members should not accept hospitality that MTVH would not normally reciprocate in similar circumstances. Where hospitality is received, it should be part of proper business relations and not be lavish or personally beneficial.

Normally hospitality received would be a meal and/or drinks and should not exceed £200. Prior to accepting an invitation you must seek permission from your line manager. Where there is a good business case for acceptance of a more expensive invitation, permission must be given by a member of the Executive Team. If in any doubt, get permission, as this will protect you and our business.

You may accept hospitality from an individual or organisation which has a business relationship with us, if this is part of normal business and networking activities - providing the hospitality could not be perceived as likely to influence your decision making or activities. All such hospitality should be recorded on Oracle.

The timing of hospitality in relation to procurement or purchasing decisions, which the Group may be making, is especially sensitive. Hospitality should not be accepted by any relevant colleagues, Board Members or involved residents whilst a tendering process is on-going.

Where an invitation to a sporting event or similar is received, approval must be sought from a director or executive prior to acceptance. If the event provides networking opportunities and forms part of an appropriate business activity it will normally be approved. All such hospitality must be recorded in Oracle. Where hospitality is a sandwich lunch during a business meeting or seminar, or similar, it can be accepted and does not need to be recorded.

Where the level or type of hospitality offered might potentially compromise your position it should be declined. If in doubt as to what might be acceptable, then advice must be sought from the relevant Executive or Head of Governance and Compliance. Refused hospitality should also be recorded in Oracle.

Gifts/Hospitality to Board Members, Current/Former Colleagues and Families

Expenditure on gifts or hospitality provided by the Group to Board Members, current/former colleagues and families should be approved by a senior manager or executive, in accordance with the Code of Conduct.

Examples of this range from the colleague Christmas party, a retirement or leaving gift for a long serving colleague, a contribution to a colleague social, charity or sporting event, purchase of flowers for a sick colleague. Expenditure should not exceed £50 per head per event, to a cumulative maximum of £200 per head per annum. MTVH's contribution towards a gift to a colleague should not exceed £100.

Section 122 of the Housing & Regeneration Act 2008 prohibits the provision of gifts to current or former shareholders. All Group board members are shareholders, and therefore MTVH contributions to gifts are currently prohibited.

Gifts/Hospitality Offered by the Group to Others

Hospitality to be provided by a colleague, officer or board member, to an individual or organisation which has a business relationship with the Group, in carrying out Group activities, should be approved by an executive. As a general rule hospitality should not exceed £100 per head. Where there is a good business case for a more expensive offer of hospitality, as part of normal business, explicit permission should be sought from an

Executive setting out the reasons and business case. Provision of such hospitality should be recorded in Oracle.

Corporate functions organised by a member of the Group, such as openings, or the annual corporate stakeholder event should be approved as part of the budgeting process and the final costs and details recorded in Oracle. The lists of attendees should be retained for 24 months for future reference.

As a general rule, no gift should be offered or given to an individual or organisation which has a business relationship with the Group. If it is necessary to offer a gift as part of a corporate function, approval must be sought from an Executive Team member, and details recorded in Oracle.

Charitable Donations

All charitable donations being considered on behalf of MTVH will need permission in advance from an Executive.

Facilitation Payments

Facilitation payments are payments or other benefits paid to officials to get them to do something which they were going to do anyway, sooner than they otherwise would have done. These are bribes under the Bribery Act and are prohibited. In all circumstances, any demand for facilitation payments should be reported immediately to an Executive or the Head of Governance & Compliance.

Record Keeping

All gifts and hospitality received must be recorded in Oracle.

All gifts and hospitality declined must also be recorded in Oracle immediately after the offer is made. A template letter is available for use when declining gifts and/or hospitality. You must keep a copy of this letter on file to provide an audit trail.

If access to Oracle is problematic, there are forms available on the HUB.

7 Reporting, Monitoring and Review

MTVH's Audit & Risk Committee will receive a report on gifts and hospitality and disclosures of interest annually to ensure compliance with this Policy. Any breaches of this Policy will be subject to a full internal audit review to ensure that the relevant action is taken to prevent reoccurrence.

The Head of Governance and Compliance will be responsible for ensuring this Policy is reviewed at least every five years or more frequently if required to address any legislative or regulatory changes or to address any operational change. Any changes are recommended to the Audit & Risk Committee. Any suspicions, incidents or investigations carried out further to this policy shall be reported to the next available Audit & Risk Committee meeting.

The Fraud Register will be reported to the ARC on a quarterly basis and will be submitted to the Regulator annually.

8 Recovery

Every reasonable action will be taken by MTVH to recover any loss resulting from actual or attempted fraud, bribery or corruption. Learning from instances of actual or attempted fraud, bribery or corruption will be communicated to colleagues through updates on the HUB, and

through case studies within induction and training or through other channels of communication.

9 Disciplinary

For the avoidance of doubt, the disciplinary process will apply to incidents of fraud, bribery and corruption, and where a gift or hospitality has been accepted or given in breach of this policy. During the initial investigation into an allegation involving colleagues, it may be necessary to suspend them until the investigation has been completed. This will be done according to the standard disciplinary procedure.

10 Training

Training on this policy will form part of the induction process for colleagues. Managers at all levels must ensure their colleagues are aware of this policy and the Fraud Response Plan and of their responsibilities to act in accordance with its procedures.

11 National Fraud Initiative

MTVH participates in the Audit Commission's National Fraud Initiative.

12 Our commitment to Equality, Diversity and Inclusion

In implementing this policy MTVH will not discriminate against any colleague, customer or stakeholder on the grounds of their gender, sexual orientation, gender reassignment status, ethnic origin, age, religious belief, disability, marital status and pregnancy/maternity.

13 Key Policy Information and Latest Changes

Policy Owner	Governance and Compliance
Author	Governance and Compliance
Approved by	Audit & Risk Committee
Effective from	April 2023
Approach to review	This Policy & associated Procedures will be reviewed as required by the owner for changes in legislation, regulation, and operational need. Any amendments will be appropriately consulted on and signed off before being clearly communicated to customers and colleagues. Next expected review is 5 years from the 'Effective date' of this document.
This is a controlled document maintained and accessible via MTVH's intranet, The Hub. When viewed outside of the intranet, this document should be checked against the master copy held by MTVH to verify that it is the current version, or it shall be considered uncontrolled.	