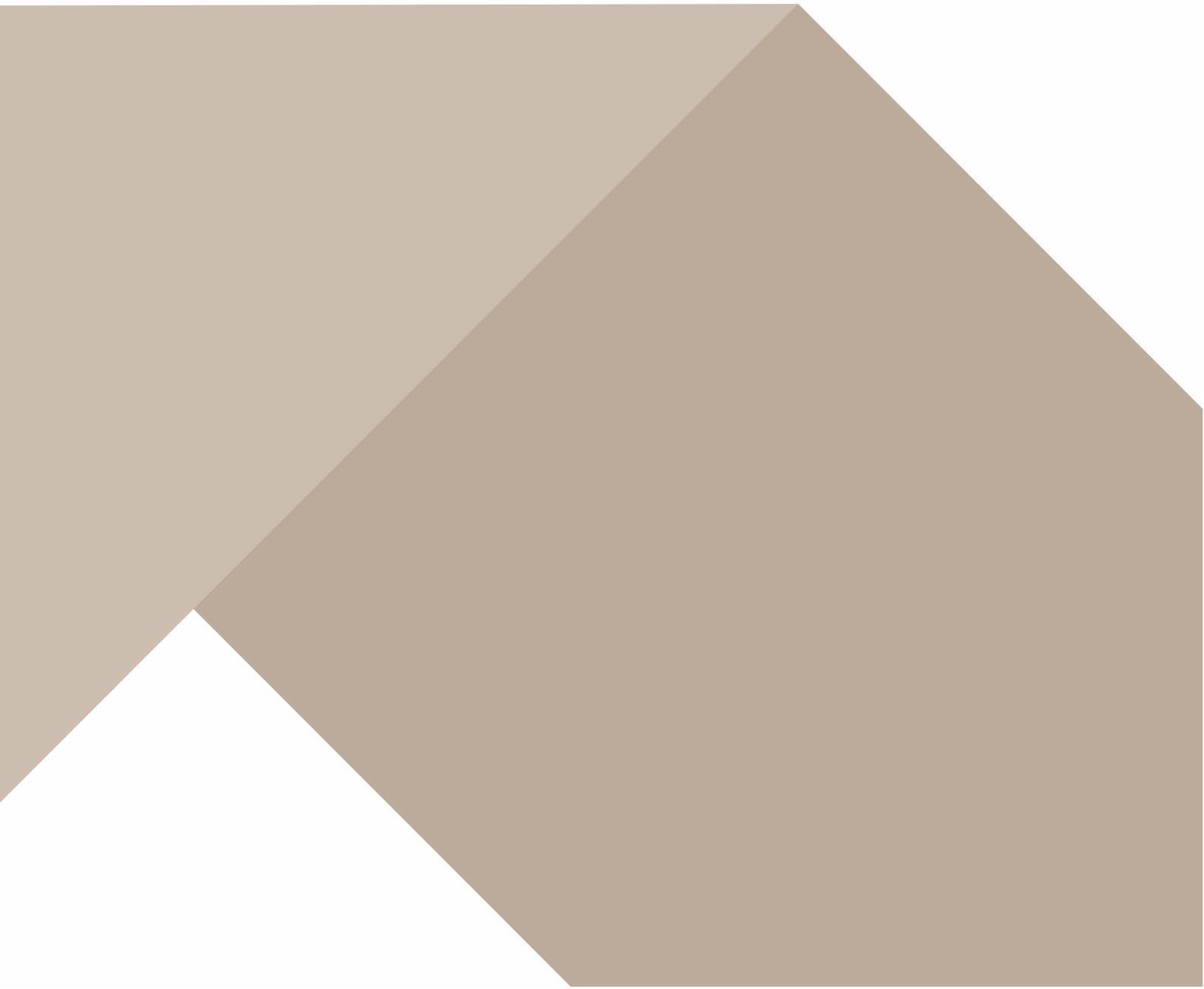


Wheatley Group Fraud, Corruption and Bribery Policy

June 2022



We can produce information on request in large print, Braille, tape and on disk. It is also available in other languages. If you need information in any of these formats please contact us on Freephone 0800 479 7979.

如果你向我們提出要求，我們可以為你提供本資訊的其他語言的版本，或者是盲文或磁帶。如果你需要本資訊的任何一種這些版式的版本，請聯繫我們，電話號碼是 0800 479 7979。

Si vous nous le demandez, nous pouvons vous remettre ces informations en d'autres langues, en braille ou sur cassette. Si vous souhaitez que ces informations vous soient fournies sous l'un de ces formats, contactez-nous en composant le 0800 479 7979.

چنانچه مایل باشید می‌توانید این مطالب را به فارسی یا زبان‌های دیگر و همچنین بریل و یا بر روی نوار کاست دریافت دارید. در صورت نیاز خواهشمندیم با شماره تلفن 0800 479 7979 با ما تماس بگیرید.

ਜੇ ਤੁਸੀਂ ਸਾਨੂੰ ਬੇਨਤੀ ਕਰੋ ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਇਹ ਜਾਣਕਾਰੀ ਹੋਰ ਭਾਸ਼ਾਵਾਂ, ਬ੍ਰੇਲ (ਨੋੜਹੀਣਾ ਲਈ ਭਾਸ਼ਾ) ਵਿੱਚ, ਜਾਂ ਟੇਪ ਉੱਪਰ ਦੇ ਸਕਦੇ ਹਾਂ। ਜੇ ਤੁਹਾਨੂੰ ਇਨ੍ਹਾਂ ਵਿੱਚੋਂ ਕਿਸੇ ਰੂਪ ਵਿੱਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ 0800 479 7979 ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ।

Na Pana/Pani życzenie możemy zapewnić te informacje w innych językach, alfabetem Braille'a lub na kasecie. Jeśli chciał(a)by Pan(i) uzyskać te informacje w którejś z tych form, prosimy skontaktować się z nami pod numerem telefonu 0800 479 7979.

Haddii aad na weydiisato waxaanu warbixintan kugu siin karaa iyadoo ku qoran luuqad kale, farta ay dadka indhaha la' akhriyaan ama cajalad ku duuban. Haddii aad jeclaan lahayd in warbixintan lagugu siiyo mid ka mid ah qaababkaas, fadlan nagala soo xidhiidh telefoonka 0800 479 7979.

По вашей просьбе данная информация может быть предоставлена на других языках, шрифтом Брайля или в аудиозаписи. Если вам требуется информация в одном из этих форматов, позвоните нам по номеру 0800 479 7979.

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Equality Impact Assessment	No

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1. Introduction

The purpose of this policy is to confirm the Wheatley Group and its Subsidiaries (“the Group”) commitment against fraud, corruption and bribery. This Policy is applicable to all Subsidiaries of the Group.

The Group has zero tolerance for fraud and all alleged instances will be investigated, wherever it may be found, in any area of activity. The Group requires all staff and Board Members, including temporary workers, agency staff and contractors, to act honestly and with integrity at all times, and to safeguard the public and private resources for which the Group is responsible.

Fraud is an ever-present threat to the resources and reputation of the Group. Fraud may occur internally or externally and may be perpetrated by Board Members, staff, customers, consultants, suppliers, contractors or development partners, or others; individually or in collusion with others.

The purpose of this document is to set out your responsibilities with regard to fraud prevention, what to do if you suspect fraud and the action that will be taken by management on an allegation of Fraud.

The Group is committed to:

- Setting out a clear anti-fraud, corruption and bribery policy and keeping it up to date;
- Making all Board and Committee Members and staff aware of their responsibilities to adhere strictly to this Policy at all times;
- Training all Board and Committee Members and employees so that they can recognise fraud and avoid the use of bribery by themselves and others;
- Encouraging vigilance and reports of any suspicions of fraud, corruption or bribery;
- Rigorously investigating instances of alleged fraud, corruption or bribery and assisting the police and other appropriate authorities;
- Taking firm and vigorous action against any individual(s) involved in fraud, corruption or bribery; and
- Including appropriate clauses in contracts to prevent bribery.

2. Scope of Policy

We recognise that the decision to report a concern can be a difficult one to make, not at least because of the fear of reprisal from those responsible for the malpractice. We will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern which they believe to be true.

This Policy applies to all of the Group's activities. For partners, joint ventures and suppliers, we will seek to promote the adoption of policies consistent with the principles set out in this Policy.

The responsibility to control the risk of fraud, corruption and bribery occurring resides at all levels of the Group.

This Policy covers all Board and Committee Members, employees, contractors and consultants.

For the purpose of reporting, the following are defined as Notifiable Events by the Scottish Housing Regulator and the Care Inspectorate:

- Fraud or the investigation of fraud either internally, by the Police or by an external agency or organisation;
- Serious financial loss; actual or potential;
- Default or financial difficulties of major suppliers or service providers;
- Serious and imminent potential cash flow issue;
- Any material reduction in stock or asset values; actual or potential; and
- Whistleblowing allegations.

3. Aims and Objectives

As stewards of public and private funds all staff must have, and be seen to have, high standards of honesty, propriety and personal integrity. Staff are required to report any potential conflict of interest to their Line Manager or the Director of Assurance. Staff should not accept gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their personal judgement and integrity. Further guidance on all aspects of personal conduct and the acceptance of gifts and hospitality is contained in current procedures and, specifically, the Group Policy on Gifts, Hospitality, Payments and Benefits, Employee Code of Conduct and Board Members Codes of Conduct.

The expectation is that Board Members and employees of all levels will adopt the highest standards of propriety and accountability and demonstrate that the Group is conducting affairs with honesty, integrity and transparency.

Any Board Member or employee committing a fraudulent act or found to be involved with bribery in the performance of their duties, will be subjected to the Group's disciplinary procedures and may be reported to the Police. The internal action in relation to both Board Members and employees will be in addition to any prosecution proceedings that might occur.

The highest standards are also expected from all organisations that have dealings with the Group. Suppliers, contractors, consultants, partners and other organisations funded by the Group are therefore expected to adopt or abide by Group policies, procedures, protocols and codes of practice. The Group will consider the extent to which it has further involvement with any organisation that fails to abide by the expected standards.

4. Definitions

The following definitions are provided for the purposes of this policy and those who seek to commit fraudulent acts or bribes will be dealt with in accordance with this Policy:

Fraud: is the intentional use of deception by persons internal or external to the Group, which is carried out to obtain a financial advantage, or to deprive, disadvantage or cause loss to another party.

The Fraud Act 2006 sets out three principal fraud offences:

- Fraud by false representation – e.g. providing false information on expense or overtime claim forms.
- Fraud by failing to disclose information – e.g. not declaring unspent criminal convictions in order to secure employment
- Fraud by abuse of position – e.g. misappropriating and selling confidential data obtained through position

The focus is on the dishonest behaviour of the subject and their intent to make a financial gain or cause a financial loss. The gain or loss does not have to succeed if there is intent.

Theft: is the dishonest appropriation of property belonging to another with the intention of permanently depriving the other of it. For example, retaining Group IT equipment provided to facilitate home-working after employment ends.

These definitions of fraud and theft cover such acts as deception, forgery, extortion (e.g. cyberattack), blackmail, conspiracy, collusion, embezzlement, false accounting / false representation, concealment of material facts, the offering of a gift or reward to influence a person's actions and misappropriation.

Corruption: is offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person.

Bribery: is offering, promising or giving someone a financial or other advantage to induce or reward that person to perform their functions or activities improperly; or requesting, receiving or accepting a bribe. A bribe is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage.

The **Bribery Act 2010**, which came into force 1st July 2011, introduces a corporate offence of failing to prevent bribery, which requires adequate procedures to be in place and appropriately supported from the very top of the organisation.

The **Criminal Finance Act 2017** sets out that 'relevant bodies' should be criminally liable where they fail to prevent those who act for, or on their behalf, from criminally facilitating tax evasion. A relevant body is a company or partnership. Those who act for the relevant body are 'associated persons' (these can be an employee, agent, subcontractor or anyone performing services for on behalf of the relevant body).

5. Corporate Framework and Culture

The Group has a wide range of interrelated policies, protocols, codes, rules, procedures, manuals and other guidance documents that provide a corporate framework to counter the possibility of fraudulent activity and / or bribes. These have been formulated taking account of appropriate legislative requirements and expected regulatory standards. Examples of these documents, both Group wide and where applicable subsidiary specific are detailed below:

- Financial Regulations and the Group Standing Orders;
- Group Whistleblowing Policy;
- Group Anti-Money Laundering and Counter-Terrorism Financing Policy;
- Group Policy on Gifts, Hospitality, Payments and Benefits;
- Employee Code of Conduct;
- Board Members' Codes of Conduct;
- Group Data Protection Policy; and
- Disciplinary Policies.

6. Roles and responsibilities

The Group Chief Executive carries overall responsibility for the prevention of fraud. The delegated responsibility for management, review and improvement of the policy lies with the Director of Assurance, to whom all cases of suspected attempted and or actual fraud, corruption or bribery must be reported at the earliest opportunity.

All staff and Line Managers have an important role to play in the prevention and detection of fraud, corruption and bribery.

Manager responsibilities

The day-to-day responsibility for the prevention and detection of fraud, corruption and bribery rests with Line Managers who are responsible for:

- Identifying the risks to which systems, operations and procedures are exposed;
- Developing and maintaining effective controls to prevent and detect fraud; and
- Ensuring that controls are operating effectively

When undertaking risk assessments as part of

- a Risk Register refresh,
- due diligence on a new partner, supplier or other associated person, or
- delivery of a new project,

managers should consider financial crime. This means considering the motives and opportunities for any associated person to commit fraud, including tax evasion facilitation, and what controls can be used to mitigate these including communication plans, training and monitoring.

Managers should inform the Director of Assurance if there are indications that an external organisation (such as a contractor, partner or customer) may be trying to defraud (or has defrauded) the Group or its staff carrying out their duties. They should also inform the Director if they suspect their staff may be involved in fraudulent activity, impropriety or dishonest conduct.

Staff from Assurance are available to offer advice and assistance on control issues and managers are encouraged to make use of this service.

Staff responsibilities

All staff, including managers, are responsible for:

- Acting with propriety in the use of Group resources and in the handling and use of Group funds whether they are involved with cash or payment systems, receipts or dealing with contractors, suppliers or customers; and

- Reporting details immediately to the Director of Assurance if they suspect or believe that there is evidence of irregular or improper behaviour or that a fraud may have been committed.

7. Fraud, corruption and bribery response plan

The Group has prepared a Fraud Response Plan which sets out a checklist of actions and a guide to follow in the event that fraud is suspected.

The purpose of the Fraud Response Plan is to provide guidance to employees and managers to define responsibilities for action and reporting lines in the event of suspected fraud or corrupt activity. The use of the plan should enable Wheatley Group to prevent loss of funds, recover losses and establish and secure the evidence necessary for any civil, criminal and/or disciplinary action.

Appendix 1 sets out the Fraud Response Plan on a step-by-step basis. The steps set out in the Plan cover:

- Notifying suspected fraud, corruption or bribery;
- The investigation process;
- Securing evidence in legally admissible form;
- Liaison with Police and Internal Audit;
- Initiation of recovery action;
- Reporting process;
- Communication with the Scottish Housing Regulator/Care Inspectorate; and
- Lessons Learned.

Any incidents of fraud will be recorded in the Group Fraud Register (the register). The register will be maintained by the Director of Assurance. The register will contain details of both attempted and detected frauds, corruption and or bribery and the actions taken. The register will also record the systems involved, in order to assist in the prevention of any recurrences.

Where required, we will also make regular reports to the Group Audit Committee / appropriate Board / Scottish Housing Regulator or Care Inspectorate on such incidents and action taken.

The Group views fraud very seriously. All instances will be investigated rigorously and promptly and appropriate action will be taken. Further advice may be obtained from the Director of Assurance by emailing either Ranald.brown@wheatley-group.com or Whistleblowing.Hotline@wheatleyhomes-glasgow.uk. Concerns can also be raised by calling the Director of Assurance on **0141 274 6528**.

8. Equal Opportunities Statement

This Policy complies fully with the Group's Equality and Diversity and Human Rights Policy. We recognise our pro-active role in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures.

We are committed to providing fair and equal treatment for all our stakeholders including tenants and will not discriminate against anyone on the grounds of race, colour, ethnic or national origin, language, religion, belief, age, sex, sexual orientation, gender re-assignment, disability, marital status, pregnancy or maternity. Indeed we will positively endeavour to achieve fair outcomes for all.

We check policies and associated procedures regularly for their equal opportunity implications. We take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures

9. Legal and Regulatory Framework

This Policy takes account of legal and regulatory requirements. Legislation and regulatory standards relevant to this Policy include:

- Fraud Act 2006;
- Bribery Act 2010;
- Criminal Finance Act 2017;
- Scottish Housing Regulator – Regulatory Standards of Governance and Financial Management; and
- National Care Standards.

10. Policy Review

This policy shall be reviewed at least every three years and more frequently where, for example, there is a need to respond to new legislation/policy guidance. Reviews will consider legislative, performance standard and good practice changes.

The Group will publish this policy on our staff intranet, WE Connect, and on our website. A hard copy is also available on request. Customers may also request a copy of the policy in other formats and community languages.

Appendix 1 – Fraud Response Plan Process Map

Fraud Response Plan

