Glen
Housing Association

ANTI BRIBERY & FRAUD POLICY

POLICY NO. 51

Date Reviewed:	June 2025
Date of Next Review:	June 2030
Regulatory Standards of Governance and Financial Management	**Regulatory Standard 1** The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users. **Guidance**: 1.6, 1.7 **Regulatory 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. **Guidance:** 3.1 **Regulatory Standard 4** The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose. **Guidance:** 4.4 **Regulatory Standard 5** The RSL conducts its affairs with honesty and integrity. **Guidance**: 5.4, 5.6

1. Statement of Policy Principles

Glen Housing Association is committed to protecting its revenue, property, information and other assets from any attempt, either by members of the public, contractors, sub-contractors, agents, intermediaries or its own employees, to gain financial or other benefits by deceit.

This policy sets out specific guidelines and responsibilities regarding appropriate actions that must be followed for investigation of fraud and other similar irregularities.

While the term "fraud" is used throughout this policy, the term includes for the purpose of this policy: theft, bribery and corruption.

2. Legal and Regulatory Framework

This policy takes account of the following legislation/regulatory requirements:

- SHR Guidance on Notifiable Events
- Bribery Act 2010
- Housing (Scotland) Acts

3. Definitions

Fraud and other similar irregularities include, but are not limited to:

a) Forgery or alteration of cheques, drafts, promissory notes and securities.

b) Misappropriation of funds, securities, supplies or any other asset.

c) Irregularity in the handling or reporting of money transactions.

d) Misappropriation of furniture, fixtures and equipment.

e) Seeking or accepting anything of material value from vendors, consultants or contractors doing business with the Association in violation of the Entitlements, Payments & Benefits Policy

f) Unauthorised use or misuse of Glen Housing Association property, equipment, materials or records.

g) Any computer-related cyber fraud activity involving the alteration, destruction, forgery, or manipulation of data for fraudulent purposes or misappropriation of Glen Housing Association-owned software.

h) Any claim for reimbursement of expenses that have not been incurred for the exclusive benefit of Glen Housing Association.

i) Provision of an unauthorised benefit to a tenant including, but not limited to, an unauthorised reduction of the rent payable by a tenant, unauthorised internal transfers to another unit or unauthorised determination of eligibility for Housing Benefit/Universal Credit

4. Applicability

This policy applies to all members of the Board of Management and all employees of Glen Housing Association.

All employees and Board Members are responsible for acting with propriety in the use of Association resources and in the handling and use of Association funds whether they are involved with cash or payment systems, receipts or dealing with contractors, suppliers or customers.

5. Corporate Framework and Culture

The Association has a wide range of interrelated policies, protocols, codes, rules and procedures that provide a corporate framework to counter the possibility of fraudulent activity and/or bribes. These take into account appropriate legislative requirements and expected regulatory standards and are noted below:

- Financial Regulations and Standing Orders
- Whistle Blowing Policy
- Entitlements, Payments & Benefits Policy
- Code of Conduct for Staff
- Code of Conduct for Governing Body Members (GBMs)
- General Data Protection Regulations (GDPR)
- IT Security Policy
- Terms & Conditions of Service
- Training on fraud prevention, in particular cyber fraud
- Insurance polices in place to mitigate the impact of fraud, including cyber-crime insurance

6. General Policy and Responsibilities

a) It is the remit of the Board of Management to fully investigate any suspected acts of fraud, misappropriation or other similar irregularity. An objective and impartial investigation will be conducted regardless of the position, title, length of service or relationship with Glen Housing Association of any party who might be, or becomes involved in, or becomes/is the subject of such investigation.

All employees of Glen Housing Association will co-operate fully with the Board of Management to ensure that any suspected acts of fraud, or other similar irregularity, are investigated to the satisfaction of the Director, Board of Management and/or The Scottish Housing Regulator (whichever is most appropriate).

b) In all circumstances, where there are reasonable grounds to indicate that a fraud may have occurred, the Board of Management, subject to the advice of its solicitor, will contact its insurance company, the local Police Service and the Scottish Housing Regulator.

c) Upon conclusion of the investigation, the results will be reported to the Chairperson of the Board of Management. The Chairperson will provide a copy of the results to the Scottish Housing Regulator.

d) The Board of Management will pursue every reasonable effort, including court-ordered restitution, to recover the Association's losses from the offender, or other appropriate sources.

7. Prevention

The Board of Management and staff shall practice internal control measures designed to limit the risk of fraud or other similar irregularities, paying particular attention to the controls for handling cash and corporate credit cards.

8. Procedures to be followed when fraud is suspected

8.1 Reporting

a) All Employees

Any employee who has knowledge of an occurrence of irregular conduct, or has reason to suspect that a fraud has occurred, shall immediately notify the Director. If the employee has reason to believe that the Director may be involved, the employee shall immediately notify the Chairperson of the Board of Management.

Employees shall not attempt to investigate a suspected fraud or discuss the matter with anyone other than a person to whom the fraud was reported or staff of the Scottish Housing Regulator and the Police service, if you have been advised by the Chairperson or Director that it is appropriate to do so.

An allegation of fraud is a serious matter. Employees who knowingly make false allegations will be subject to discipline up to and including dismissal.

b) Director

Upon notification from an employee of suspected fraud, or if the Director has reason to suspect that a fraud has occurred, the Director shall immediately notify the Chairperson. The Director shall not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the Chairperson, staff of the Scottish Housing Regulator and the Police.

c) Chairperson

Upon notification from the Director or any employee of a suspected fraud, or if the Chairperson has reason to suspect that a fraud has occurred, the Chairperson shall immediately advise the Board of Management and the Scottish Housing Regulator. The Chairperson shall not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the Director (if appropriate), the Board of Management, Glen Housing Association's solicitor, staff of the Scottish Housing Regulator and the Police. On behalf of the Board, the Chairperson shall coordinate the investigation with the Scottish Housing Regulator and appropriate law enforcement officials. The Chairperson will ensure that those representing the Association in conducting the investigation keep a detailed log of any relevant records including documents, conversations and formal interviews.

d) Board of Management

Upon notification or discovery of a suspected fraud, the Board of Management will, in consultation with the Scottish Housing Regulator and the Association's solicitor, promptly conduct an initial review and make a determination whether or not the suspected fraud warrants additional investigation. In all circumstances where there appears to be reasonable grounds for suspecting that a fraud has taken place, the Board of Management, led by the Chairperson and in consultation with Glen Housing Association's solicitor, will contact the local Police Service. The Board of Management shall investigate any suspected fraud to the satisfaction of the Scottish Housing Regulator. In doing so, the Board must ensure that the investigation is carried out actively and in good faith. All witnesses will be interviewed as part of the investigation.

In the event that the Chairperson is suspected of fraud or other similar irregularities, the Board shall appoint the Vice-Chair or other Board Member to fulfil these responsibilities on its behalf.

8.2 Security of Evidence

a) Once a suspected fraud is reported, the Board of Management, in consultation with the Association's solicitor and the Scottish Housing Regulator, shall take immediate action to prevent the theft, alteration, or destruction of relevant records.

b) Such actions may include, but are not limited to, removing the records and placing them in a secure location, limiting access to the location where the records currently exist, and preventing any individual(s) suspected of committing the fraud from having access to the records. The records must be adequately secured until the investigator engaged to conduct the investigation or the Police take control of the records to begin the audit investigation.

8.3 Confidentiality

All participants in a fraud investigation shall keep the details and results of the investigation confidential, save as to the extent required by law.

8.4 Personnel Action

a) If a suspicion of fraud is substantiated by the investigation, disciplinary action, up to and including dismissal, shall be taken by the Board of Management in consultation with the Association's solicitor.

b) Unless exceptional circumstances exist, a person under investigation for fraud shall be given notice in writing of the essential particulars of the allegations following the conclusion of the audit investigation and prior to final disciplinary action being taken. Where notice is given, the person against whom allegations are being made may submit a written explanation to the Chairperson (or other appointee) of the Board of Management no later than seven calendar days after the notice is received. This requirement is subject to any collective agreement provisions respecting the rights of employees during disciplinary proceedings.

8.5 Whistle-Blower Protection

No person acting on behalf of Glen Housing Association, including the Board of Management shall:

a) dismiss or threaten to dismiss an employee;
b) discipline or suspend or threaten to discipline or suspend an employee;
c) impose any penalty upon an employee; or
d) intimidate or coerce an employee

because the employee has acted in accordance with the requirements of the policy. Violation of this section will result in discipline up to and including dismissal.

8.6 Media Issues

Any employee or member of the Board of Management contacted by the media with respect to an audit investigation shall refer the media to the Chairperson. The alleged fraud or audit investigation shall not be discussed with the media by any person other than the Chairperson in consultation with the Association's solicitor.

8.7 Insurance recovery

If fraud or other irregularity is confirmed, the Board of Management will assess the extent of the loss, including the costs of investigation, as well as the amount of the insurance claim deductible, before deciding on whether to make an insurance claim.

8.8 Performance Measures and Monitoring

Any incidents of fraud will be recorded in the Association's Fraud Register. This Register is maintained by the Director. The Register will contain details of both attempted and detected frauds, corruption and/or bribery and the actions taken. This Register will be presented to Board for approval annually.

9. Our Commitment to Equality & Diversity

Glen Housing Association is committed to promoting fair and equal treatment for all and is opposed to any form of unlawful discrimination. We operate an Equality & Diversity Policy which informs all aspects of our business and ensures we adhere to the Equality Act 2010.

In line with our commitment and upon request, the Association can make this Policy available, free of charge, in a variety of alternative formats including; large print, audio, Braille and community languages.

10. Policy Review

This Policy will be reviewed every 5 years.