
Anti-Bribery and Fraud Policies

Executive Summary

The HCPC's existing Fraud Policy was reviewed by internal auditors in 2019, on behalf of ARAC. The policy has been reviewed by the Executive Director of Governance Assurance and Planning and CISRO in summer 2021 and summer 2023. Role names have been updated to reflect changes to HCPC management processes and it is proposed that the frequency of review is every two years. Any change in UK law relating to fraud would trigger a review. There has been no change in UK law in this area. We wish to formalise the less frequent review.

A more detailed analysis of the major routes of potential fraud is of greater benefit and is the subject of a paper submitted to the private session of the Committee meeting. This document lists out potential fraud routes to assist us in preventing fraud and will be shared with SLG colleagues. Annual fraud and anti-bribery training will continue.

The Fraud Policy supplements the Anti-Bribery Policy, therefore the Anti-Bribery Policy has also been included with no changes proposed other than updating contact details.

Previous consideration	ELT discussed previous versions of the Fraud Policy in 2019, and the policy has been reviewed biannually since by the Executive Director of Governance Assurance and Planning and CISRO.
Decision	To approve the updated Fraud Policy and the Anti-Bribery Policy.
Next steps	The updated risk of fraud document will be circulated to SLG colleagues to make them aware of the potential fraud routes at HCPC.
Strategic priority	5. Build a resilient, health, capable and sustainable organisation
Financial and resource implications	None, other than potentially lowering the risk of costs associated with fraud.
EDI impact	None
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Fraud Policy

Introduction

This document sets out the policy and procedures of the HCPC or the HCPTS against fraud, and other forms of dishonesty and supplements the Anti Bribery Policy.

It applies to Directors, employees, contractors, interims, agency staff, Council and Committee members and Partners. Anybody associated with the HCPC or the HCPTS who commits fraud, theft, or any other dishonesty, or who becomes aware of it and does not report it, will be subject to appropriate disciplinary action.

1. Statement of intent

The HCPC or the HCPTS will continually strive to ensure that all its financial and administrative processes are carried out and reported honestly, accurately, transparently and accountably and that all decisions are taken objectively and free of personal interest. We will not condone any behaviour that falls short of these principles.

All members of the HCPC or the HCPTS have a responsibility for putting these principles into practice and for reporting any breaches they discover. Fraud or attempted fraud by those employed or contracted to the HCPC may result in disciplinary action up to and possibly including dismissal and/or referral to the police.

3. Definitions

a) **Fraud**: A deliberate intent to acquire money or goods dishonestly through the falsification of records or documents. The deliberate changing of financial statements or other records by either; a member of the public, someone who works (in any capacity) or is a Partner for the HCPC or the HCPTS. The criminal act is the attempt to deceive and attempted fraud is therefore treated as seriously as accomplished fraud

b) **Theft**: Dishonestly acquiring, using or disposing of physical or intellectual property belonging to the HCPC or the HCPTS or to individual members of the organisation.

c) **Misuse of equipment**: Deliberately misusing materials or equipment belonging to the HCPC or the HCPTS for financial or material benefit.

d) **Abuse of position**: Exploiting a position of trust within the organisation for financial or material benefit.

4. Culture

The HCPC or the HCPTS fosters honesty and integrity in its entire employees and members. Directors, employees, Council & Committee members and Partners are expected to lead by example in adhering to policies, procedures and practices. Equally,

members of the public, service users and external organisations (such as suppliers and contractors) are expected to act with integrity and without intent to commit fraud against the HCPC.

As part of this, the HCPC or the HCPTS will provide clear routes by which concerns may be raised by Directors, employees, and members and Partners. Details of this can be found in the HCPC's Fraud Response Policy. Alternatively employees may email bribery&fraud@hcpc-uk.org

Also see the HCPC Whistleblowing policy for further information.

Senior management are expected to deal promptly, firmly and fairly with suspicions and allegations of fraud or corrupt practice. The HCPC may use the 'Serious Event Report' process which can be found on the Quality Management System https://hcpcuk.sharepoint.com/:w:/s/QualityManagementSystemISO9001/EdZXHaYD9j1Cmaoojm1JhfABVPzMt5SP9DgU_07glaUv2g?e=mTQZ4a

5. Responsibilities

In relation to the prevention of fraud, theft, misuse of equipment and abuse of position, specific responsibilities are as follows:

a) Council members and ELT:

The Directors are responsible for establishing and maintaining a sound system of internal control that supports the achievement of the HCPC's policies, aims and objectives.

The system of internal control is designed to respond to and manage the whole range of risks which the HCPC faces.

The system of internal control is based on an on-going process designed to identify the principal risks, to evaluate the nature and extent of those risks and to manage them effectively. Managing fraud risk is seen in the context of the management of this wider range of risks.

Audit Committee will approve such measures on an annual basis.

b) The Chief Executive Officer:

Overall responsibility for managing the risk of fraud has been delegated to the CEO. The day-to-day responsibility has been delegated to the Chief Information Security and Risk Officer (CISRO) to act on behalf of the CEO.

Their responsibilities include:

- Undertaking a regular review of the fraud risks associated with each of the key organisational objectives.
- Establishing an effective anti-fraud response plan, in proportion to the level of fraud risk identified.
- The design of an effective control environment to prevent fraud.
- Establishing appropriate mechanisms for:

- reporting fraud risk issues
- reporting significant incidents of fraud, or attempted fraud to the Chair of Audit and Risk Assurance Committee;
- Liaising with the HCPC's appointed Auditors.
- Making sure that all employees and members are aware of the HCPC's Fraud Policy and know what their responsibilities are in relation to combating fraud;
- Ensuring that appropriate anti-fraud training is made available to Directors, employees and members and Partners as required; and
- Ensuring that appropriate action is taken to minimize the risk of previous frauds occurring in future.

c) Executive Leadership Team (ELT) & Senior Leadership Group (SLG)

The Executive Leadership Team and Senior Leadership Group are responsible for:

- ensuring that an adequate system of internal control exists within their areas of responsibility and that controls operate effectively;
- preventing and detecting fraud as far as possible;
- assessing the types of risk involved in the operations for which they are responsible;
- reviewing the control systems for which they are responsible regularly;
- ensuring that controls are being complied with and their systems continue to operate effectively; and
- implementing new controls to reduce the risk of similar fraud occurring where frauds have taken place.

d) Employees and members

All employees and Council or Committee members are responsible for:

- acting with propriety in the use of the HCPC's resources and the handling and use of funds whether they are involved with cash, receipts, payments or dealing with suppliers;
- conducting themselves with selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
- being alert to the possibility that unusual events or transactions could be indicators of fraud;
- alerting their manager when they believe the opportunity for fraud exists e.g. because of poor procedures or lack of effective oversight;
- reporting details immediately if they suspect that a fraud has been committed or see any suspicious acts or events; and
- cooperating fully with whoever is conducting internal checks or reviews or fraud investigations.

e) Partners

Every Partner is responsible for:

- Acting with propriety in the use of the HCPC's resources and the handling and use information and of funds whether they are involved with cash, receipts, payments or dealing with suppliers;

- Conducting themselves with selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
- Being alert to the possibility that unusual events or transactions could be indicators of fraud;
- Alerting their manager when they believe the opportunity for fraud exists e.g. because of poor procedures or lack of effective oversight;
- Reporting details immediately if they suspect that a fraud has been committed or see any suspicious acts or events; and
- cooperating fully with whoever is conducting internal checks or reviews or fraud investigations.

6. Review

This policy will be reviewed by ELT and agreed by the Audit and Risk Assurance Committee on a bi-annual basis or if there is a significant change in the appropriate areas of law.

ANTI-BRIBERY POLICY

Introduction

The Health and Care Professions Council (HCPC) is committed to acting with objectivity and integrity and conducting all of its activities in an honest and ethical manner.

This includes preventing bribery and fostering a culture in which bribery will not be tolerated in any form.

Council members, committee members, employees, partners and all others who act on the HCPC's behalf must uphold the highest standards of integrity when doing so.

Bribery

In essence, bribery is the giving or receiving of a financial or other inducement or advantage in connection with some improper performance of functions.

The Bribery Act 2010 creates two bribery offences:

- offering, promising or giving a financial or other advantage (the offence of bribing another person); and
- requesting, agreeing to receive or accepting a financial or other advantage (the offence of being bribed).

In either case the bribe must be intended to induce improper conduct by the recipient, that is the improper exercise of a function of a public nature or an activity connected with a business, trade or profession.

The Act also creates a separate offence of bribing a foreign public official. That offence is committed if a bribe is offered, promised or given to such an official with the intention of influencing the recipient in the performance of his or her public functions and with the intention of obtaining or retaining business or a business advantage.

Policy

All forms of bribery are strictly prohibited. A person who is subject to this policy (**you**) must not:

- offer or give a bribe to, or seek or accept a bribe from, any individual or organisation; or
- seek or accept, any payment (in cash or kind) or other inducement in respect of any service provided by or on behalf of the HCPC.

If you are unsure about whether a particular act contravenes this policy, you should seek advice by contacting bribery&fraud@hcpc-uk.org.

Hospitality, gifts etc.

This policy does not prohibit the acceptance, for legitimate purposes, of gifts or hospitality which are reasonable and appropriate.

A gift or hospitality will not be reasonable and appropriate if it is lavish or extravagant, or may be seen as an inducement or reward for any preferential treatment.

A gift will be reasonable and appropriate if it is of modest value or a token nature, such as flowers or pens, t-shirts, diaries and similar promotional items. Such gifts do not include expensive items, cash or its equivalent (such as vouchers) or any gift given in secret. No gift or other offering should be accepted if the value is reasonably believed to be over £10.

Hospitality will be reasonable and appropriate if it is of modest value and related to HCPC's activities, such as meals or refreshments provided at meetings or conferences. Such hospitality does not include offers of entertainment, such as attendance at sporting or other events unconnected to the HCPC's activities.

You must not:

- accept a gift or hospitality which is not reasonable and appropriate;
- accept a gift under any circumstances from a supplier or potential supplier when a contract is being awarded or business is being transacted; or
- accept a discount which is not generally available or any similar inducement in respect of products or services purchased for private purposes from an HCPC supplier.

If you are unsure about whether any gift or hospitality contravenes this policy, you should seek advice from bribery&fraud@hcpc-uk.org.

Record keeping

You must declare any gifts or hospitality which you receive or give.

You must prepare all records relating to dealings with suppliers and other relevant third parties completely and accurately.

Raising a concern

If you are offered a bribe or are asked to make one, or if you suspect that any bribery or other breach of this policy has occurred or may occur, you must report it as soon as possible to bribery&fraud@hcpc-uk.org

Also see the HCPC Whistleblowing policy for further information.