

Policy Name:	Fraud Policy
Policy Ref:	POL/FR/FR/0001
Who it applies to:	Employees, Directors, Board Members, and Trustees (including any of its intermediaries, subsidiaries or Associated Companies).
Date of Issue:	March 2019
Date last revised:	August 2023
Review Date:	February 2025
Version:	4
Policy Type:	Corporate
Policy Owner:	Corporate Compliance Manager
Approved By:	Corporate Policy Review Panel (CPRP)
Equality Impact Assessment Screened	Yes
Contractual terms and conditions, which will be changed following legal requirements.	Yes

Fraud Policy

Contents	
Introduction	2
Purpose and Scope of the Policy	2
Responsibilities	3
Legal Obligations	4
References	4

Introduction

This policy forms part of the Chartered Institute of Legal Executives' (CILEX) internal control and corporate governance arrangements. CILEX means here the Chartered Institute of Legal Executives and its subsidiaries.

The CILEX Board is committed to ensuring that effective policies operate throughout the organisation.

This policy is contractual and is intended as a statement of current CILEX policy and its commitment to operate a fair procedure, taking into account statutory and other guidelines. CILEX, therefore reserves the right to amend this policy and procedure as necessary to meet any changing requirements.

One of CILEX's core values is to conduct its business fairly, openly and honestly with a zero-tolerance approach to fraud. CILEX is committed to promoting and maintaining the highest level of ethical standards, in relation to all of its business activities. Its reputation for maintaining lawful business practices is of paramount importance and this policy is designed to preserve these values.

Purpose and Scope of the Policy

This policy is based on the Fraud legislation (Fraud Act 2006), which requires that all permanent and temporary employees, Volunteers, Directors, Board Members, Trustees, Members and/or other Associated Persons including, but not limited to, contractors and their employees and agents acting on behalf of CILEX must not either directly or indirectly:

- Make false representation: a person commits fraud by intentionally and dishonestly making a false representation. A false representation includes intentionally giving a misleading or untrue statement.
- Fail to disclose information: a person commits a fraud if they dishonestly fail to disclose information.
- Abuse their position: a person commits a fraud if they dishonestly abuse their position.

CILEX takes the most serious view of any attempt to commit fraud by any temporary or permanent employees, volunteers, Directors, CILEX Board Members, Trustees, Members and/or other Associated Person including, but not limited to, contractors and their employees and agents acting on behalf of CILEX.

Employees involved in impropriety of any kind will be subject to disciplinary action, including prosecution, if appropriate.

CILEX treats attempted fraud as seriously as accomplished fraud.

This policy should be read in conjunction with the Anti-Bribery and Corruption Policy and the Gifts and Hospitality Policy.

Responsibilities

All permanent and temporary employees, Volunteers, CILEX Board, Committee Members and Trustees (including any of its intermediaries, subsidiaries or associated companies), Members and/or other Associated Persons including, but not limited to, contractors and their employees and agents acting on behalf of CILEX are expected to understand and adhere to the principles set out in this policy, as well as prevent, detect and report any forms of fraud.

It also applies to any individual or corporate entity associated with CILEX or who performs functions, in relation to or for and on behalf of CILEX including, but not limited to, directors, agency workers, casual workers, contractors, consultants, seconded employees, agents, suppliers and sponsors ("Associated Persons").

All permanent and temporary employees, Volunteers, CILEX Board, Committee Members and Trustees (including any of its intermediaries, subsidiaries or associated companies), Members and/or other Associated Persons including, but not limited to, contractors and their employees and agents acting on behalf of CILEX are required to:

- comply with any fraud legislation that applies in any jurisdiction in any part of the world, in which they might be expected to conduct business.
- act honestly, responsibly and with integrity.
- safeguard and uphold the organisation's core values by operating in an ethical, professional and lawful manner at all times.

The CILEX Corporate Compliance Team is responsible for:

- developing and maintaining effective controls to help prevent or detect fraud.
- raising awareness amongst CILEX employees of what may constitute a fraud and how to report a suspicion.
- carrying out vigorous and prompt initial investigations if fraud occurs.
- taking appropriate disciplinary and/or legal action against perpetrators of fraud. It is best practice for experienced third-party investigators to be employed to gather sufficient evidence, so that a decision can be made regarding the next steps to take (e.g., to hand the case over to the proper authorities). Responsibility for the procurement, engagement and management of these third party's rests with CILEX Directors and Senior Managers.
- taking disciplinary action against any party whose failures have contributed to the commission of the fraud, alongside the HR Department. HR policies include reference to recruitment and screening of new staff, an effective appraisal system and exit interviews.

It is the responsibility of the Corporate Compliance Manager to ensure that this policy is reviewed and revised as necessary to take into account stakeholder feedback, recommendations from regulatory authorities, changes in legislation or other relevant factors.

Legal Obligations

[Bribery Act 2010](#)

[Whistleblowing Commission Code of Practice.](#)

Public Interest Disclosure Act 1998 (PIDA)

Fraud Act 2006

Police and Criminal Evidence Act (PACE) 1984

Regulation of Investigatory Act (RIPA)

Financial Regulations

Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations (MLRs) 2017

UK Data Protection legislation

European Convention on Human Rights

References

The following CILEX Group Corporate policies fall within the reach of this policy:

- [Archive, Retention and Destruction Policy](#)
- [Anti-Bribery and Corruption Policy](#)
- CILEX Foundation Policies
- [Data Protection Policy](#)
- Disciplinary Policy
- Finance Policies
- [Gifts and Hospitality Policy](#)
- [Information Security Policy](#)
- Logo Usage Policy [Personal Interest Policy](#)
- Procurement and Tendering Policy (WIP)
- Recruitment and Selection Policy (and other relevant HR Policies)
- [Risk Management Policy](#)
- [SAR \(Suspicious Activity Reporting\) Policy](#)
- [Whistleblowing Policy](#)