



Board of Trustees

Policy - Theft and Fraud Prevention Policy

Introduction

- The Board accepts that it has a responsibility to protect the physical and financial resources of the School. The Board has agreed that through its chief executive, the Principal, the School has a responsibility to prevent and detect theft and fraudulent actions by persons who are employed or contracted by the School or who are service recipients of the School. The Board accepts that any investigation into any theft or fraudulent actions will be conducted in a manner that conforms to the principals of natural justice and is procedurally just and fair.
- The Board, therefore, requires the Principal to establish systems and procedures to guard against the actions of theft and fraud. The Principal is to report such actions to the Board Chairperson as prescribed in the procedures set out below.

General

- As preventative measures against theft and fraud the Board requires the Principal to ensure that;
- The Schools physical resources are kept secure and accounted for.
- The Schools financial systems are designed to prevent and detect the occurrence of the misapplication of the Schools resources. All such systems must meet the requirements and standards as set out by statute and of generally accepted accounting practice promulgated and supported by the Institute of Chartered Accountants of New Zealand.
- Staff members who are delegated responsibility for the custody of physical and financial resources by the Principal are competent to carry out such responsibilities and that such persons are held accountable for the proper execution of their responsibilities.
- All staff members are aware of their responsibility to immediately inform the Principal should they suspect or become aware of any misapplication by staff, suppliers, contractors, students or other persons associated with the School.
- In the event of an allegation of misapplication the Principal shall act as far as circumstances reasonably allow in accordance with the following procedures;
- Decide to either immediately report the matter to the New Zealand Police or proceed as outlined in this paragraph.
- So far as it is possible and within 24 hours;
- Record the details of the allegation, the person or persons allegedly involved, and the quantity and/or value of the misapplication.
- Request a **written statement** from the person who has informed the Principal, with details as to the nature of the alleged misapplication, the time and circumstances in which this occurred, and the quantity and/or value thereof.
- Inform the Board Chairperson of the information received and consult as appropriate.



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- On the basis of advice received and after consultation with the Board Chairperson, the Principal shall decide whether or not a **prima facie** case of misapplication exists, and if not, to document this decision and record that no further action is to be taken.
- If a prima facie case is thought to exist then the Principal will continue with their investigation. If at the completion of this investigation a case is still considered to exist the principal or a person designated by them shall (having due regard to any employment agreement that may regulate the procedures adopted) unless another course of action is more appropriate;
- Inform the person in writing of the allegation that has been received and request a meeting with them at which their representative or representatives are invited to be present.
- Meet with the person who is the subject of the allegation of misapplication and their representatives to explain the complaint against them.
- Obtain a written response (all verbal responses must be recorded as minutes of that meeting, and the accuracy of those minutes should be attested by all persons present).
- Advise the person in writing of the processes to be involved from this point on.
- Should the person allegedly involved explanation not be accepted then depending on the circumstances (which can include but not be limited to the age of the accused and/or whether or not this is the first time the accused has been accused) the Principal shall either or;
- Lay a complaint with the New Zealand Police;
- Refer the matter to the Board of Trustees disciplinary committee.
- Should a misapplication be proved against a member of staff;
- Invoke any disciplinary procedures contained in the contract of employment should the person be a staff member and/or;
- Inform the Manager, National Operations, Ministry of Education local office and/or the schools auditors.
- The Board recognizes that supposed or actual instances of misapplication can affect the rights and reputation of the person or persons implicated. All matters related to the case shall remain strictly confidential with all written information kept secure. Should any delegated staff member or any other staff member improperly disclose information the Principal shall consider if that person or persons are in breach of confidence and if further action is required. Any action the Principal considers must be in terms of the applicable conditions contained in their contract of employment and any code of ethics or code of responsibility by which the staff member is bound.
- The Board affirms that any allegation of misapplication must be subject to due process, equity and fairness. Should a case be deemed to be answerable then the due process of the law shall apply to the person or persons implicated.
- Any intimation or written statement made on behalf of the School and related to any instance of supposed or actual misapplication shall be made by the Board Chairperson who shall do so after consultation with the Principal and if considered appropriate after taking expert advice.



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Allegations Concerning the Principal or a Trustee

- Any allegation concerning the Principal should be made to the Board Chairperson. The Chairperson will then investigate in accordance with the requirements of paragraph 4 of this Policy.
- Any allegation concerning a member of the Board of Trustees should be made to the principal. The Principal will then advise the manager of the local office of the Ministry of Education and commerce an investigation in accordance with the requirements of paragraph 4 of this policy.

N.B. Police may proceed with charges against 14+ year olds under that age CYFS become involved under care and protection legislation.

BOT Chair Sign:



Adopted On:

Sept 2019

Date of Review:

Sept 2021
