



ANTI-FRAUD AND CORRUPTION POLICY

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ANTI – FRAUD AND CORRUPTION POLICY

1. INTRODUCTION

BOU recognises that the risk of fraud and corruption is present and may occur in the organisation. Botswana as a nation has committed towards rooting out systemic corruption, both nationally and internationally. To this end, BOU embraces corruption prevention and supports of efforts to combat it. This policy is therefore intended to stand as an overarching and governing document for BOU to effectively deter, detect and combat corruption.

This policy will be implemented together with other existing legal and policy documents such as the Corruption and Economic Crime Act, Public Procurement and Asset Disposal Act, Public Audit Act, Proceeds of Serious Crime Act, Public Service Act, Financial Intelligence Act Penal Code, Public Finance Management Act, Trade Disputes Act and the Employment Act.

2. DEFINITIONS

Corruption

Without prejudice to any existing legal provisions where it may be defined, corruption is described as:

‘the abuse of power for private gain. It is the offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person. It covers acts of financial abuse and all malpractice and unethical behaviour and comprises acts of embezzlement, fraud, nepotism, money laundering, terrorism financing, bribery, conflict of interest, counterfeit money, cyber-crime, extortion and any other form of financial abuse of power.’

Fraud- means the intentional deception to secure unfair or unlawful gain.

3. PURPOSE OF THE POLICY

The purpose of this policy is to establish standards for fighting fraud and corruption in BOU and put in place measures for the deterrence, prevention, detection, investigation and redress for fraud and corruption.

The policy aims to:

- Ensure that financial and other resources are used solely for their intended purposes;
- Promote a culture of honesty and openness among the Staff, Management and Stakeholders;
- Ensure that vulnerable populations are not disadvantaged or exploited by staff members or their associates who commit fraudulent and corrupt acts; and
- Assure stakeholders that they can safely and confidently raise and report serious concerns about corruption.

4. SCOPE

This policy applies to all BOU Staff, Students, Affiliates, Contractors, Council and its Committees, Trustees and the general public.

5. RELATED DOCUMENTS

This Policy must be read in conjunction with the BOU General Conditions of Service, the Code of Conduct, the Whistleblowing Policy; Corruption and Economic Crime Act, Public Procurement and Asset Disposal Act, Public Audit Act, Proceeds of Serious Crime Act, Public Service Act, Financial Intelligence Act, Penal Code, Public Finance Management Act, Trade Dispute Act and the Employment Act.

6. POLICY STATEMENT

6.1 BOU does not tolerate fraud or corruption and is committed to ensuring that its systems, procedures and practices combat corruption and/or reduce the risk of occurrence. BOU is committed to upholding the highest standards of integrity, stewardship, professionalism, accountability and transparency in all its business dealings.

6.2 Suspected or actual cases will be vigorously and promptly investigated and appropriate action will be taken including reporting to authorities.

6.3 Failure to follow this policy may be treated as a disciplinary matter and may result in disciplinary action including dismissal.

6.4 To this end, Staff and Council make this commitment – to refuse to participate in any of the following which constitute fraud and/or corruption:

- Abuse of position and power such as:
 - Seeking and obtaining bribes or other gifts in exchange for favourable treatment;
 - Nepotism and patronage in staff appointments and student admissions
 - Favouritism e.g. in promotions, transfers;
 - Failure to declare interest.

- Misuse of account payments, such as:
 - Fictitious/Ghost employees on the payroll or ghost suppliers/service providers;
 - Ordering equipment for private and personal use;
 - Favouring suppliers whose costs/products are not as competitive as other suppliers;
 - Favouring suppliers who have a personal relationship with the employee;
 - Unauthorised approval to pay

- Falsification of records such as
 - Assessment Results;
 - Travel claims;
 - Purchase orders;
 - Revenue collection document;
 - Sick leaves.

- Academic dishonesty
 - Research misconduct-Plagiarism, fabrication, and falsification.
 - fake degrees
 - cheating in examinations

- Sexual forms of corruption
 - sexual harassment;
 - paying for grades with sexual favours
 - offering and demanding of sexual favours for grades

- All proposed contracts will go through routine appropriate channels within the University and will be documented. In addition, each department should have sufficient knowledge of its contractors in any transaction or activity to reasonably assure that there is a commitment to principles of lawful and ethical conduct and compliance with anti-corruption laws.

- Recruitment will be done in accordance with approved policy.

- Gifts will be managed accordingly in terms of the Conditions of Service and will be reported to relevant line manager and the Director, Human Resources.

7. POLICY IMPLEMENTATION

7.1 Roles of Stakeholders in the Anti-Fraud and Corruption Policy Implementation

7.1.1 Council and the Council Audit, Risk and Compliance Committee

- Ensure that reasonable steps are taken to prevent fraud and corruption and that proper, robust financial controls and procedures are in place;
- Ensure that Management acts responsibly and in the interests of the University when dealing with suspected financial abuse;
- Approve, review and monitor the implementation of the Policy;
- Ensure adequate resources are allocated to tackle the risk of fraud and corruption; and
- Ensure reporting to authorities is done as required.

7.1.2 The Vice Chancellor

- Act with integrity, in line with the policy and maintain the right tone at the top that will foster an anti-corruption culture;
- Ensure the effective control and reduction of the risk of fraud and corrupt practices across the organisation;
- Delegate the day-to-day management of this Policy and associated procedures to line management;
- Liaise with external entities such as government, media and industry bodies as required;
- Allocate adequate resources to implement the requirements of the policy;
- Promote this policy and any anti-corruption strategy that will be put in place; and
- Establish the necessary structures to assist in the combat of corruption.

7.1.3 Management

- Act with integrity, in line with the policy and maintain the right tone that will foster an anti-fraud and corruption culture;
- Ensure the implementation of the Anti-Fraud and Corruption Policy throughout the different levels;
- Ensure fraud and corruption Risk Assessment and Management is done - that fraud and corruption risks are included within Divisional (including Regional Campuses) and Departmental Risk Management;
- Ensure that proportionate and adequate measures to mitigate the risk are applied to the work of the Divisions and the Department including new projects or procedures;
- Ensure that adequate systems of internal controls, checks and supervision operate in such a way as to prevent or detect corruption or related activity;
- Ensure that all staff receive training on fraud and corruption awareness;
- Ensure Reporting of suspected fraud or corruption to Council and to the law enforcement authorities;
- Report progress regarding anti-corruption initiatives being undertaken or planned by the institution at their respective levels; and
- Drive the implementation of the Anti-Fraud and Corruption Policy in their Divisions, Regional Campuses and Departments and assist in facilitating anti-fraud and corruption work.

7.1.4 All Staff, Students, Affiliates, Consultants, Contractors and the General Public

- Must not offer or accept bribes;
- Deter, prevent and detect suspected losses to fraud and corruption;
- Adhere to controls and procedures set to prevent fraud and corruption;
- Report any suspicions of fraud and corruption in line with the requirements of this policy;
- Cooperate with investigations as required; and
- Comply with this policy.

7.1.5 Anti-Fraud and Corruption Committee

- Devise an anti-fraud and corruption strategy and ensure implementation thereof;

- Facilitate staff awareness and ensure staff is trained on critical areas prone to fraud and corruption;
- Maintain contact with relevant anti-fraud and corruption agencies for direction as necessary;
- Provide advice to the University on best practice;
- Oversee and ensure that the Fraud and Corruption Risk Assessment and Management process is adequately undertaken across the University; and
- Carry any other related activity as necessary.

7.1.6 Procurement Department and the Public Procurement Regulatory Authority (PPRA)

- Providing technical support and guidance to the interpretation and implementation of the Public Procurement Act (PPA);
- Monitoring and taking appropriate action against non-compliance to the PPA; and
- Building necessary capacity in BOU for the effective implementation of the PPA.

7.1.7 The Assessment Office

- keep accurate assessment records;
- put in place appropriate internal controls

7.1.8 Financial Services Department

- keep detailed and accurate financial records;
- put in place appropriate and robust internal controls

7.1.9 The Internal Auditor

- Ensure the effectiveness and the adequacy of the internal controls in place;
- Ensure controls are subject to a regular audit to provide assurance that they are effective in countering fraud and corruption opportunities.

7.1.10 The DCEC and the Botswana Police Service

- Oversee and provide technical leadership on matters related to corruption and economic crime;

- Receive and conduct necessary investigations on reported corruption and ensure that the law is enforced on perpetrators; and
- Provide necessary training and publicity materials.

7.2 Reporting of fraud and/or corruption

- 7.2.1 Any suspicion of or actual case of fraud or corruption should be reported to a person's direct supervisor or other designated University official with management responsibility for the subject activity. In addition, all such instances should be reported to the University's Legal Advisor.
- 7.2.2 A Whistleblowing Hotline shall be established for employees and other external stakeholders to report anonymously.
- 7.2.3 Where there is reasonable suspicion, BOU will refer cases to the DCEC and/or the Police for investigation and possible prosecution.

7.3 Protection of reporters

- 7.3.1 There will be no victimisation of staff or stakeholders who report reasonably held suspicions. It is the responsibility of Management to take reasonable steps to protect those who report suspicions.
- 7.3.2 Deterring anyone from reporting concerns will be treated as a disciplinary matter. Equally, abuse of the process by raising malicious allegations will also be regarded as a disciplinary matter.

8. REVIEW

This Policy shall be reviewed every 3 years or earlier as necessary.