Association of Certified Fraud Examiners Sample Fraud Policy

BACKGROUND

The corporate fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against ABC Corporation. It is the intent of ABC Corporation to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

SCOPE OF POLICY

This policy applies to any irregularity, or suspected irregularity, involving employees as well as shareholders, consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with ABC Corporation (also called the Company).

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the Company.

POLICY

Management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity.

Any irregularity that is detected or suspected must be reported immediately to the Director of ______, who coordinates all investigations with the Legal Department and other affected areas, both internal and external.

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act
- Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Profiteering as a result of insider knowledge of company activities
- Disclosing confidential and proprietary information to outside parties
- Disclosing to other persons securities activities engaged in or contemplated by the company
- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to the Company. Exception: Gifts less than \$50 in value.
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related irregularity

OTHER
IRREGULARITIES

INVESTIGATION RESPONSIBILITIES

Irregularities concerning an employee's moral, ethical, or behavioral conduct should by resolved by departmental management and the Employee Relations Unit of Human Resources rather than the Unit.						
If there is any question as to whether an action constitutes fraud, contact the Director of for guidance.						
The Unit has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Unit will issue reports to appropriate designated personnel and, if appropriate, to the Board of Directors through the Audit Committee.						
Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on						

disposition of the case.

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CONFIDENTIALITY	The Unit treats all information received confidentially. Any employee who suspects dishonest or fraudulent activity will notify the Unit immediately, and <i>should not attempt to personally conduct investigations or interviews/interrogations</i> related to any						
	suspected fraudulent act (see REPORTING PROCEDURE section below).						
	Investigation results <i>will not be disclosed or discussed</i> with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Company from potential civil liability.						
AUTHORIZATION FOR INVESTIGATING SUSPECTED FRAUD	 Free and u premises, The author portion of storage factorsent of 	Investigation Unit will have nrestricted access to all Conwhether owned or rented; a city to examine, copy, and/o the contents of files, desks, cilities on the premises with any individual who might teems or facilities when it is	mpany records and nd or remove all or any cabinets, and other out prior knowledge or use or have custody of				

their investigation.

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REPORTING PROCEDURES	Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.					
	An employee who discovers or suspects fraudulent activity will contact the					
TERMINATION	If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the designated representatives from Human Resources and the Legal Department and, if necessary, by outside counsel, before any such action is taken. The Unit does not have the authority to terminate an employee. The decision to terminate an employee is made by the employee's management. Should the Unit believe the management decision inappropriate for the facts presented, the facts will be presented to executive level management for a decision.					

ADMINISTRATION The Director of ______ is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised as needed. APPROVAL

(CEO/Senior Vice President/Executive Date

Fraud Policy Decision Matrix

	Investigation	Internal	Finance/	Executive	Line	Risk	Legal	Public	Employee
Action Required	Unit	Audit	Accounting	Mgmt	Mgmt	Mgmt		Relations	Relations
1. Controls to Prevent Fraud	S	S	S	SR	SR	S	S	S	S
2. Incident Reporting	P	S	S	S	S	S	S	S	S
3. Investigation of Fraud	P	S					S		S
4. Referrals to Law Enforcement	P						S		
5. Recovery of Monies due to Fraud	P								
6. Recommendations to Prevent Fraud	SR	SR	S	S	S	S	S	S	S
7. Internal Control Reviews		P							
8. Handle Cases of a Sensitive Nature	P	S		S		S	S		S
9. Publicity/Press Releases	S	S						P	
10. Civil Litigation	S	S					P		
11. Corrective Action/Recommendations									
To Prevent Recurrences	SR	SR		S	SR	S	S		
12. Monitor Recoveries	S		P						
13. Pro-active Fraud Auditing	S	P							
14. Fraud Education/Training	P	S			S			S	
15. Risk Analysis of Areas of									
Vulnerability	S	S				P			
16. Case Analysis	P	S							
17. Hotline	P	S							
18. EthicsLine	S	S				_	P		

P (Primary Responsibility) S(Secondary Responsibility) SR (Shared Responsibility)