

Title	Public Interest Disclosure (Whistleblowing) Policy 2018 (incorporating Anti-Bribery Statement)
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Public Interest Disclosure (Whistleblowing) Policy 2018 (incorporating Anti-Bribery Statement)

1. Introduction

- 1.1 It is important to The Trust that any fraud, misconduct or wrongdoing by its employees or officers is reported and properly dealt with. Northampton Free School Trust (NFST) therefore encourages all individuals to raise any genuine concerns that they may have about a risk, malpractice or wrongdoing at work, which may affect learners, the public or other staff at the earliest reasonable opportunity.
- 1.2 The aim of this Policy is to:
 - i. provide an opportunity for employees to raise genuine concerns internally and receive feedback on any action taken including indicating how the matter can be taken further if there is dissatisfaction with NFST's response;
 - ii. reassure those reporting concerns that they will be protected from reprisals or victimisation for confidential reporting;
 - iii. put in place relevant support measures for individuals using the reporting procedures.
- 1.3 The objective of this Policy is the facilitation of this aim. By providing suitable arrangements and undertakings, individuals will feel confident that raising a concern is the right decision and that they will not experience any victimisation as a result of making a disclosure. This Policy therefore sets out the way in which individuals may raise any concerns that they have and how those concerns will be investigated and dealt with in a timely and effective manner.
- 1.4 School managers will encourage the use of this Policy and the procedures attached to it and will make training on this Policy and associated matters available, where necessary.
- 1.5 This Policy contains an anti-bribery statement at Appendix 4. Employees and associated persons (as defined in the statement) are expected to report any concerns regarding suspected bribery in accordance with the NFST's whistleblowing procedures contained in Appendix 1 of this Policy.

2. Definitions

- 2.1 'Employee' means any person who undertakes to do or perform personally (or otherwise) any work or service for NFST other than a person who is genuinely self-employed;
- 2.2 'Detrimental treatment' includes being unfairly penalised, disciplined or subjected to any other detriment (including termination of the worker's contract, where he or she is not an employee). A worker has the right not to be subjected to any detriment by his or her employer done on the ground that he or she has made a protected disclosure. In addition, whistleblowers are protected from suffering a detriment, bullying or harassment from another worker;
- 2.3 'Protected disclosure' means the same as a 'qualifying disclosure';
- 2.4 'Qualifying disclosure' means a disclosure which is made in the public interest by a worker who has a reasonable belief that:
 - i. a criminal offence;
 - ii. a miscarriage of justice;
 - iii. an act creating risk to health and safety;
 - iv. an act causing damage to the environment;
 - v. a breach of any other legal obligation; or
 - vi. concealment of any of the above;
- 2.5 'Whistleblowing' means the confidential raising of problems or concerns within NFST or its school in accordance with the provisions of this Policy. This will include any illegal, immoral, irregular, dangerous or unethical activity under their employer's control. This can cover a broad range of matters, including mismanagement, bribery, fraud and health and safety failures.

3. Related Policies and Documents

- 3.1 Complaints Policy;
- 3.2 Code of Conduct;
- 3.3 Financial Regulations;
- 3.4 Gifts and Hospitality Register;
- 3.5 Staff Disciplinary Policy;
- 3.6 Staff Grievance Policy;
- 3.7 Safeguarding Policy;
- 3.8 Staff Appraisal and Capability Policy;

4. Rationale

- 4.1 NFST is committed to the highest possible standards of openness, probity and accountability and to tackling wrongdoing. In line with that commitment NFST encourages all of its employees with serious concerns about any aspect of NFST or school work to use the Policy to raise those concerns which will be given due consideration and dealt with in an appropriate manner as provided by the legislation in this area and this Policy.
- 4.2 Whistleblowing is important as it encourages openness, transparency and public integrity. It is also important in respect of safeguarding health and safety and protecting against bribery and corruption.
- 4.3 Implementing good practice in the context of whistleblowing will help NFST to comply with the legislation by protecting employees from dismissal and detriment short of dismissal for making a protected disclosure.
- 4.4 Whistleblowing is also critical to quality control, risk management and good governance. It can benefit NFST by the provision of information about problems within the organisation. Employees are often in the best position to know about malpractice within an organisation.
- 4.5 Good practice can encourage employees to make a report about wrongdoing to their employer rather than to a third party. Where an individual makes an internal disclosure, this gives the employer the chance to deal with the matter before it escalates, thereby helping to avoid an embarrassing external disclosure.
- 4.6 Having effective arrangements for reporting concerns about wrongdoing is therefore likely to encourage the supply of information about organisational problems, deter external disclosures and help NFST to demonstrate that it has adequate procedures in place should it be investigated for bribery.

5. Scope of the Policy

- 5.1 This Policy applies to all employees and officers of the organisation. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, are encouraged to use it.
- 5.2 It is not necessary for an employee or individual to have proof that such an act is being, has been, or is likely to be, committed, a reasonable belief is sufficient. An employee has no responsibility for investigating the matter it is NFST's responsibility to ensure that an investigation takes place.
- 5.3 An employee who makes a protected disclosure has the right not to be dismissed, subjected to any other detriment or victimised, because he/she has made a disclosure.
- 5.4 NFST encourages employees to raise their concerns using the procedures set out in this Policy in the first instance. If an employee is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager.

6. Core Principles

- 6.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- 6.2 Any matter raised under the procedures contained within this Policy will be investigated thoroughly, promptly and confidentially and the outcome of the investigation reported back to the employee who raised the issue.
- 6.3 No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employer will not be prejudiced because he/she has raised a legitimate concern.
- 6.4 Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.
- 6.5 Maliciously making a false allegation will be a disciplinary offence.

- 6.6 An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, an employee should not agree to remain silent. They should report the matter to their line manager.
- 6.7 If misconduct is discovered as a result of any investigation under the procedures contained within this Policy, NFST's disciplinary procedure will be used, in addition to any appropriate external measures.
- 6.8 The confidential reporting procedure is intended primarily to cover concerns that fall outside the scope of other procedures and in some instances to provide a clear and speedy route for investigation of issues that may inform the disciplinary procedure.
- 6.9 Any employee who makes an allegation that turns out to be unfounded will not be penalised for being genuinely mistaken.
- 6.10 Particular instances of misconduct or wrongdoing may relate to:
- i. any unlawful act, whether criminal or a breach of civil law;
 - ii. maladministration, as defined by the Local Government Ombudsman;
 - iii. breach of any statutory Code of Practice;
 - iv. breach of, or failure to implement or comply with the Financial Regulations or Standing Orders;
 - v. breach of contract;
 - vi. any failure to comply with appropriate professional standards;
 - vii. fraud, corruption, dishonesty or the abuse of public funds;
 - viii. actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property;
 - ix. sexual or physical abuse of learners or members of staff;
 - x. abuse of power, or the use of NFST's powers and authority for any unauthorised or ulterior purpose;
 - xi. discrimination in employment or in the provision of education;
 - xii. any other matter which cannot be raised under any other procedure;
 - xiii. an attempt to cover up any of the above.
- 6.11 The above list is not exhaustive and further advice can be taken from Public Concern at Work, (see Appendix 2 paragraph 7.5) if an employee is unclear as to whether the use of this Policy is appropriate to their particular circumstances.
- 6.12 Where an employee wishes to make a disclosure about possible misconduct by a colleague, Manager or Director, or about a health and safety issue, they should follow the procedures laid down in Appendix 1 to this Policy.
- 6.13 Where an employee wishes to make an allegation about safeguarding issues concerning a child, young person or vulnerable adult, they should follow the procedures laid down in the Safeguarding Policy.

7. Equality Analysis

- 7.1 By virtue of the provisions of the Equality Act 2010, NFST has a duty to have due regard to the need to:
- i. eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
 - ii. advance equality of opportunity between people of different groups;
 - iii. foster good relations between people from different groups.
- 7.2 In implementing this Policy and associated procedures, NFST will actively take these aims into account as part of its decision making process and will demonstrate how this has been undertaken.
- 7.3 Where necessary a full equality impact assessment will be undertaken.

8. Implementation, Monitoring and Review

- 8.1 The NFST Board and the Principal have responsibility for this Policy and for ensuring that:
- i. appropriate procedures are in place and are implemented;

- ii. any concerns and any action taken are reported to the Board of Directors; and
 - iii. all employees are aware of their rights and duties under the Public Interest Disclosure Act.
- 8.2 The Board has overall responsibility for this Policy and for monitoring and evaluating its implementation and impact.
- 8.3 At the end of the investigation, the Investigating Officer will, as far as is possible and with due regard to third party rights, inform the employee making the allegation of the outcome. If the decision is that no action be taken, the reasons for this decision will be made known to the employee making the allegation.
- 8.4 This Policy will be reviewed every three years and updated, as applicable, to ensure that it remains appropriate in the light of any relevant changes to the law, organisational policies or contractual obligations.

Appendix 1

Confidential Reporting Procedures

1. Disclosure

- 1.1 Any employee knowing or suspecting that a NFST Director, another employee, a contractor or any other person connected with NFST is responsible for malpractice or misconduct as outlined in paragraphs 6.10. and 6.12 of this Policy, must use the procedures set out in this appendix.
- 1.2 Under no circumstances should an employee suspecting malpractice or misconduct make the matter public; such an action may itself be considered to be misconduct and expose the employee concerned to disciplinary action.
- 1.3 The procedure to be followed is to contact the Principal, possibly via another member of staff or their trade union representative and arrange a meeting. The Model Whistleblowing Form (Appendix 3) Model Whistleblowing Form may be used.
- 1.4 If the allegation concerns the Principal, the employee should contact the Chair of the Trust.
- 1.5 Different procedures cover allegations of abuse of children, young people and vulnerable adults and should be used in such cases.
- 1.6 All communications between the employee making the allegation and NFST on the subject of the allegation will be to the employee's home address.
- 1.7 Model Whistleblowing Form:
 - i. The legislation protecting individuals who make a protected disclosure applies not only to employees but also to any person who undertakes to do or perform personally (or otherwise) any work or service for the employer, regardless of the nature of the contractual relationship between them.
 - ii. While there is no set method through which an employee must make a protected disclosure, it is good practice to provide a form for him or her to set out the disclosure. This allows NFST to identify an issue as a formal public interest disclosure before invoking its whistleblowing procedure.
 - iii. The form also has the advantage of prompting an employee to provide details of his or her concerns, such as examples of the dates and times of when the wrongdoing is alleged to have taken place, and what action the employee would like to see taken. The form may also prompt the employee to think about whether or not the issue is serious enough to warrant invoking the whistleblowing procedure in the first place and allow NFST to distinguish between a genuine public interest disclosure and a personal grievance that would be better dealt with under its grievance procedure.
 - iv. The form is also designed to allay any concerns that the employee may have that individuals implicated in the wrongdoing, (for example, his or her line manager) will be involved in the investigation.

2. Initial Interview

- 2.1 The Principal will arrange an interview with the employee making the allegation. The interview will be arranged at a time and place which will ensure confidentiality and may therefore be held away from school premises.
- 2.2 Where the employee making the allegation agrees, this interview will take place in the presence of a witness. The employee may be accompanied by a friend, who may be a work colleague, trade union representative or other person. The friend should not be a legal representative unless notice is given, to enable the Principal to be accompanied by a legal representative, should the Principal so choose.
- 2.3 The Principal will take a full note of the allegation. The Principal will provide the employee making the allegation a copy of the note within five clear working days of the interview. The Principal will invite the employee making the allegation to clarify any matter or record a disagreement with the note. The Principal will then ask the employee making the allegation to sign a copy of the note and return it.
- 2.4 Within five clear working days of the interview the Principal, will write to the employee making the allegation:
 - i. acknowledging that the allegation has been received;
 - ii. providing the note of the initial interview;
 - iii. giving an estimate of how long it will take to provide a final response;
 - iv. outlining whether any initial enquiries have been made;
 - v. clarifying whether further investigations will take place, and, if not, why not;

- vi. where an investigation is to be made, indicating how it will be dealt with and where possible who the investigating officer will be.

3. Investigation

- 3.1 Where there appears to be some substance in the disclosure, the Principal will arrange an investigation into the allegation, having informed the Chief Executive Officer/ Chair of Governors, except where:
 - i. the disclosure suggests criminal activity may be involved, in which case paragraph 4.1.i of this procedure will apply;
- 3.2 The nature of the investigation will depend on the type of allegation. The Principal will be assisted in the investigation by NFST's HR Provider.
- 3.3 The Principal may, at his/her discretion and after taking advice from the Chair of Governors, ask NFST's internal auditor to conduct the investigation.

4. Action

- 4.1 Where the investigation shows there is a prima facie case for taking some action, the following will apply:
 - i. if the Principal suspects that a criminal offence has taken place, he/she will inform the police, having taken advice as necessary. In this case, any internal investigation will be postponed until the police investigation and any criminal proceedings which may arise, have been completed;
 - ii. otherwise the action to be taken at the end of the investigation will be covered by other NFST policies and procedures, (for example the Disciplinary Policy) and will not be dealt with here.

5. Response

- 5.1 The length of time over which the investigation will be carried out will vary, but should be as short as is consistent with a thorough approach. If the investigation is prolonged, the Principal will report to the employee making the allegation at regular intervals.
- 5.2 At the end of the investigation, the Principal will, as far as is possible and with due regard to third party rights, inform the employee making the allegation of the outcome. If the decision is that no action be taken, either because the allegation has not been made out or it concerns weak practice, (see paragraph 3.1 of the procedure), the reasons for this decision will be made known to the employee making the allegation.

6. Appeal

- 6.1 If, at the end of the investigation, the employee making the allegation is not satisfied with the outcome, they may contact the Chair of Governors.
- 6.2 The Chair of Governors will carry out an interview according to the procedure outlined in section 3 above. The Principal will be informed of the appeal and the decision.
- 6.3 The decision of the Board of Directors will be final.
- 6.4 Following the meeting, the Principal will inform the employee making the allegation of the Board of Directors' decision according to the procedure outlined in paragraph 5.2 above.
- 6.5 If the employee reasonably believes that the appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:
 - i. HM Revenue & Customs;
 - ii. the Financial Services Authority;
 - iii. the Office of Fair Trading;
 - iv. the Health and Safety Executive;
 - v. the Environment Agency;
 - vi. the Director of Public Prosecutions; and
 - vii. the Serious Fraud Office.

7. Safeguards

7.1 Harassment or Victimisation

- i. NFST recognises that the decision to report a concern can be a difficult one to make not least because of fear of reprisal from those responsible for the malpractice. NFST will not tolerate harassment or victimisation in any form and will take action and put in place support measures to protect employees who raise a concern. Disciplinary procedures are already in place to address any potential attempts at harassment or victimisation.
- ii. It is accepted by NFST that employees may feel concerned that by raising areas of concern, their future careers may be detrimentally affected. This will not be the case and those raising concerns in the public interest may be assured that those concerns will be treated with the utmost respect and will play no part in future decisions related to an employee's progress or promotion.
- iii. If an employee who raises a concern is already the subject of disciplinary, redundancy or similar procedures, confidential reporting will not halt these procedures but every effort will be made on the part of the investigating officer to ensure that the issues are not inter-related or connected in any way.

7.2 Confidentiality

All efforts will be made to protect an employee's identity when they raise a concern and do not want their name to be disclosed; however, it must be appreciated that the investigation process may reveal the source of the information and a written statement by the employee may be required as part of the evidence, especially if the next step is a police investigation and prosecution.

7.3 Anonymous Allegations

- i. NFST accepts that employees will raise genuine concerns that are based on factual evidence or direct observation. With this in mind, employees are encouraged to put their names to any allegation. Concerns expressed anonymously are much less powerful and far more difficult to investigate and prove, however, they will be considered at NFST's discretion.
- ii. In deciding whether to investigate an anonymous allegation, it will be necessary to consider the seriousness of the allegation, its validity and whether evidence can be obtained in order to proceed with an investigation. In making this consideration the factors to be taken into account would include:
 - the seriousness of the issues raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from other sources in the face of a denial from the accused person(s).

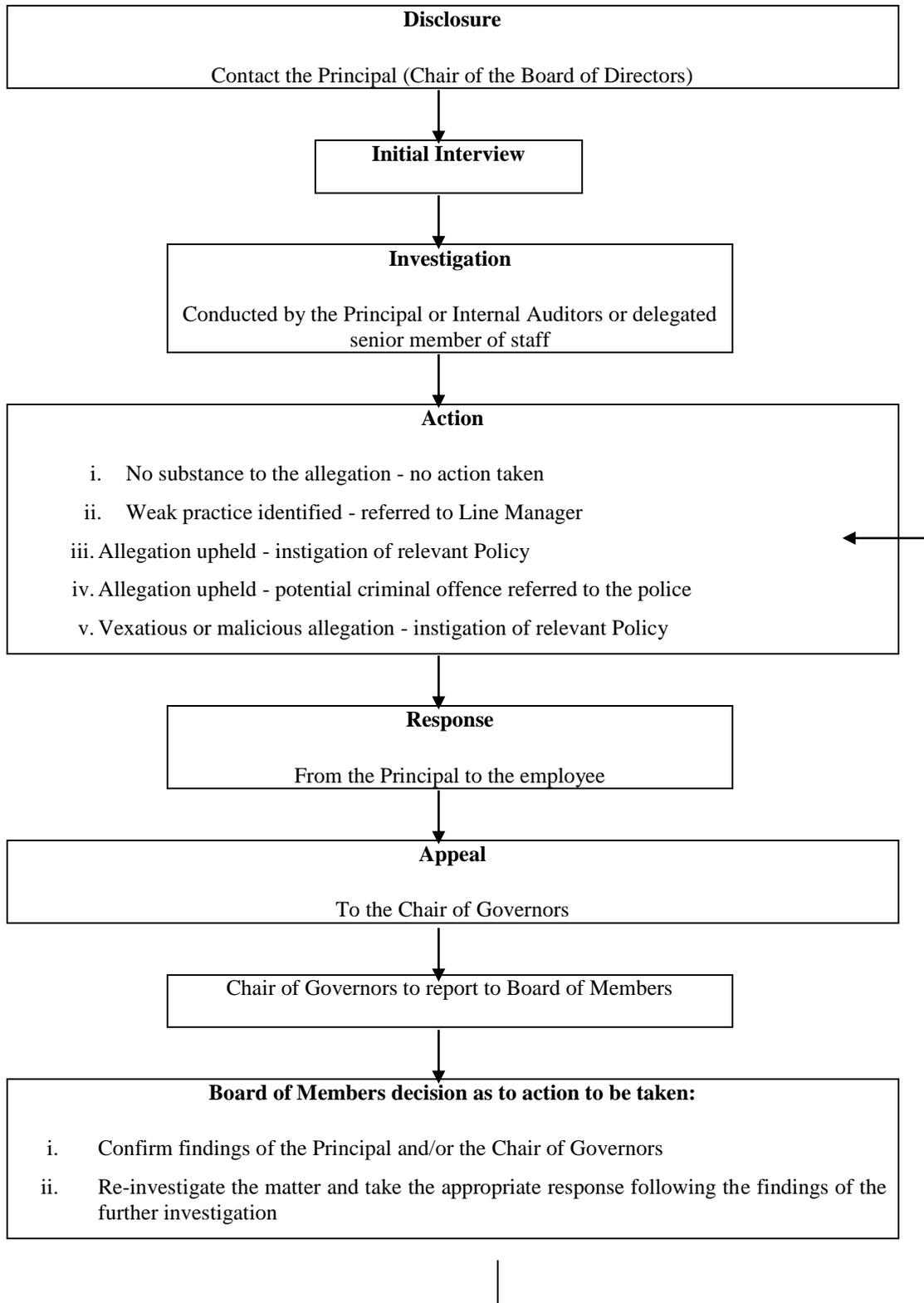
7.4 Untrue Allegations

- i. If employees make an allegation without personal gain, which is based on evidence, observation or a series of unexplainable instances, but it is not confirmed by the investigation, no action will be taken against that employee who will be fully supported after the event. If, however, employees make malicious or vexatious allegations, disciplinary action may be taken.
- ii. Equally, if malicious allegations are made against the employee, NFST will ensure that the employee is fully supported and that appropriate disciplinary action is taken against the person making the malicious allegations.

7.5 Further Information for Employees

There may be circumstances when employees wish to seek independent advice before raising a concern internally. The charity Public Concern at Work (PCaW) provides free confidential advice to workers who have concerns about wrongdoing in the workplace and can be found at www.pcaw.co.uk / whistle@pcaw.co.uk.

Confidential Reporting Procedure - Internal Procedures Flowchart



Model Whistleblowing Form

Making a Public Interest Disclosure (Whistleblowing)	
Guidance	
<p>This form is intended for use by any individual working for the Northampton Free School Trust, (including contractors, agency workers and volunteers) who wishes to raise an issue about wrongdoing.</p> <p>This form should be used to report wrongdoing within NFST and its school, (for example, financial irregularities or health and safety concerns), rather than to raise a personal grievance (for example, if you would like to make an allegation of bullying or harassment, or are complaining that your contract of employment has been breached).</p> <p>If you are unsure about whether your concerns are best dealt with under NFST’s Whistleblowing Policy or Grievance Procedure, please read the Whistleblowing Policy, which provides examples of the issues that should be reported using this form. If, having read the Whistleblowing Policy, you remain unsure about which procedure to use, please consult the Principal for further advice.</p> <p>Once you have submitted this form, the whistleblowing procedure will be invoked. This will result in an investigation, which will not involve anyone, (for example, your line manager) you may have implicated below.</p> <p>In certain circumstances, you can request that your concerns be kept anonymous. Where possible, the organisation will respect a request for anonymity, but cannot guarantee that it will be able to do so.</p> <p>This form should be completed and delivered to the Principal in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line.</p>	
Formal Public Interest Disclosure (Whistleblowing)	
Employee's name:	
Employee's job title:	
Employee's department:	
Date:	
Does your public interest disclosure relate to your line manager?	Yes / No
Summary of disclosure:	
<p>Please set out the details of the issue that you wish to raise, providing examples where possible, particularly dates, times, locations and the identities of those involved. You may attach additional sheets if required.</p>	
Individuals involved:	
<p>Please provide the names and contact details of any people involved in your concerns, including witnesses.</p>	

Outcome requested:	
Please set out how you would like to see the issue dealt with, and why and how you believe that this will resolve the issue.	
Declaration:	
I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make false allegations, this may result in the organisation taking disciplinary action against me.	
Form completed by:	
Signature:	
For completion by the organisation:	
Date form received by the organisation:	
Name of recipient and job role:	
Signature:	

Anti-Bribery Statement

1. Introduction

- 1.1 The Bribery Act 2010 introduced a new, clearer regime for tackling bribery. This anti-bribery statement sets out NFST's policy for dealing with bribery or suspected bribery, namely the prohibition of any form of theft, fraud, bribery or corrupt practices, whether covered directly by the Bribery Act 2010 or not.
- 1.2 NFST is committed to maintaining an honest, open and constructive culture so as to best fulfil its objectives. It is therefore committed to the elimination of theft, fraud, bribery and corruption, to the rigorous investigation of any such allegations and to taking appropriate action against wrong doers, including possible criminal prosecution.
- 1.3 The overall aims of this statement are to:
- i. assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly;
 - ii. set out NFST's responsibilities in terms of the deterrence, prevention, detection and investigation of bribery and corruption;
 - iii. ensure the appropriate sanctions are considered following an investigation, which may include any or all of the following:
 - criminal prosecution;
 - civil prosecution;
 - internal/external disciplinary action (including professional/regulatory bodies).
- 1.4 All employees should be aware that theft, fraud, bribery and corruption will normally be regarded as a serious disciplinary offence which will be addressed in accordance with NFST's Disciplinary Policy and associated procedures.

2. Definitions

- 2.1 'Bribery' means the taking of an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages. A bribe might be taken in order to gain any commercial, contractual or regulatory advantage for NFST in a way which is unethical or for personal advantage, pecuniary, or otherwise, for the individual or anyone connected with the individual.
- 2.2 'Corruption' means the offering or acceptance of inducements, gifts, favours, payment or benefit-in-kind which may influence the action of any person. Corruption does not always result in a loss. A corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another. It is a common law offence of corruption to bribe the holder of a public office and it is similarly an offence for the office holder to accept a bribe.
- 2.3 'Employees' include NFST staff, Directors, volunteers, temporary workers, consultants and contractors.

3. Rationale

- 3.1 Bribery is a criminal offence for both individuals and commercial organisations and can be punished with imprisonment of up to 10 years or unlimited fines.
- 3.2 NFST will not commit an offence of failing to prevent bribery, if it can show that it had 'adequate procedures' in place to prevent bribery.

4. Scope

- 4.1 This statement applies to all NFST employees regardless of position held, as well as those acting on behalf of NFST, including Directors, other volunteers, temporary workers, consultants, contractors, and/or any other parties who have a business relationship with NFST. It will be brought to the attention of all employees and Directors and will form part of the induction process for new staff.
- 4.2 NFST has procedures in place that reduce the likelihood of theft, fraud, bribery or corruption occurring. These include Standing Orders, Financial Regulations, documented policies and procedures, including whistleblowing and a system of internal control (including Internal and External Audit) and risk assessment.

5. Core Principles

- 5.1 NFST operates a zero tolerance attitude in respect of theft, fraud, bribery and corruption.
- 5.2 All employees and Directors have a personal responsibility to protect NFST from theft, fraud, bribery or corruption, are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity.
- 5.3 In the event that a member of staff becomes suspicious that theft, fraud, bribery or corruption is being committed, they are fully authorised to take immediate action to prevent further loss to NFST or to secure evidence. Any such action should be reported to senior management. Where such action or reporting is not possible the Whistleblowing Policy should be used to report the matter.
- 5.4 If it subsequently becomes clear that those suspicions and actions were ill founded, then NFST will not discipline the member of staff concerned, unless it is considered that the action was motivated by personal animosity.
- 5.5 Individuals must not communicate directly with any member of the press, media or any other third party about a suspected act of theft, fraud, bribery or corruption, but should address any such concerns in accordance with the Whistleblowing Policy.
- 5.6 All gifts, payments or any other contribution received, whether in cash or in kind, shall be documented, regularly reviewed, and properly accounted for.
- 5.7 NFST will procure goods and services ethically and transparently with the quality, price and value for money determining the successful supplier/contractor, not by receiving (or offering) improper inducements.
- 5.8 NFST prohibits employees and associated persons from offering, giving, soliciting or accepting any bribe in any way, or to give, or be perceived to have given, a financial or other advantage to any person, (whether a UK or foreign public official, political candidate, party official, private individual, private or public sector employee or any other person) in order to induce that person to perform his/her functions or activities improperly.
- 5.9 NFST may, in certain circumstances, be held responsible for acts of bribery committed by intermediaries acting on its behalf such as subsidiaries, clients, business partners, contractors, suppliers, agents, advisors, consultants or other third parties. The use of intermediaries for the purpose of committing acts of bribery is therefore prohibited.
- 5.10 Facilitation payments are prohibited under the Bribery Act like any other form of bribe. They shall not be given by NFST or its employees in the UK or any other country.

- 5.11 This statement is not intended to prohibit appropriate corporate entertainment and / or hospitality undertaken in connection with NFST's business activities, provided the activity is customary under the circumstances, is proportionate, and is properly recorded / disclosed as set out in the Financial Regulations.