



# **Anti-Fraud and Corruption (Whistle Blowing) Policy**

**September 2018**

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### **INTRODUCTION**

Employees are in a good position to be aware of unacceptable behaviour or practice within the Wardle Academy Trust. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to their school. Employees may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concerns rather than report what may just be suspicions of unacceptable behaviour or practice.

The Wardle Academy Trust is committed to the highest possible standards of openness, probity and accountability. To achieve these ends it encourages freedom of speech. In line with that commitment it is expected that employees who have serious concerns about any aspects of the Trust or individuals' work should come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy document makes it clear to employees that they can do so without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the Trust rather than overlooking a problem or 'blowing the whistle' outside. The Policy applies to all employees. For the purpose of this Policy only, the term "employees" also includes contractors working for the schools on school premises or elsewhere and suppliers and those providing services under contracts with the Trust in their own premises.

### **AIMS AND SCOPE OF THIS POLICY**

This Policy aims to:

- encourage employees to feel confident in raising serious concerns and to question and act upon concerns about unacceptable behaviour or practice within the Trust's schools;
- provide avenues for employees to raise those concerns and receive feedback on any action taken;
- ensure that employees receive a response to their concerns and that employees are aware of how to pursue them if they are not satisfied;
- reassure employees that they will be protected from possible reprisals or victimisation if employees have a reasonable belief that they have made any disclosure in good faith.

Concerns include: -

- conduct which is an offence or a breach of the law;
- disclosures related to miscarriages of justice;
- damage to the environment;
- the unauthorised use of public funds;
- possible fraud and corruption;
- racial harassment, sexual or physical abuse of clients, or
- other unethical conduct.

Thus, any serious concerns that employees have about any aspect of service provision or the conduct of staff/officers/governors or members of the Trust or others acting on behalf of the Trust can be reported under the Confidential Reporting Policy. This may be about something that:

- makes employees feel uncomfortable in terms of known standards, experience or the standards they believe the Trust subscribes to; or
- is against the Trust's financial standards and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

## **SAFEGUARDS**

### Harassment and Victimisation

The Trust is committed to good practice and high standards and wants to support employees in achieving good practice and high standards.

The Trust recognises that the decision to report a concern can be a difficult one to make. If what employees are saying is true, employees should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

The Trust will not tolerate any harassment or victimisation (including informal pressures) against a person expressing a concern and will take appropriate action to protect employees when they raise a concern in good faith.

Any investigation into allegations of potential unacceptable behaviour or practice will not influence or be influenced by any disciplinary or redundancy procedures that already affect employees.

## **CONFIDENTIALITY**

All concerns will be treated in confidence and every effort will be made not to reveal the identity of employees if they so wish. At the appropriate time, however, employees may need to come forward as witnesses.

## **ANONYMOUS ALLEGATIONS**

This policy encourages employees to put their names to their allegations whenever possible. Concerns expressed anonymously are much less powerful but will be considered.

In exercising this discretion, the factors to be taken into account include:

- the seriousness of the issues raised
- the credibility of the concerns; and
- the likelihood of confirming the allegations from attributable sources.

## **UNTRUE ALLEGATIONS**

If employees make allegations in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, employees make allegations frivolously, maliciously or for personal gain, disciplinary or other action may be taken against them.

## **HOW TO RAISE A CONCERN**

As a first step, employees should normally raise concerns with their immediate manager or their supervisor. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if employees believe that management is involved, they should approach the Chief Executive Officer or Chair of Trustees. Concerns may be raised verbally or in writing.

Employees who wish to put their complaints in writing should do so using the following format:

- the background and history of the concerns (giving relevant dates whenever possible);
- the reasons why they are particularly concerned about the situation.

The earlier employees express their concerns the easier it is to take action.

Although employees are not expected to prove the truth of allegations, they will need to demonstrate to the person contacted that there are reasonable grounds for their concerns.

Advice and guidance on how to pursue matters of concern may be obtained from the Head of HR, School Headteacher or Chief Executive Officer.

If employees have a good reason to be unwilling to refer the matter of concern to the above, employees may contact the Chair of Trustees or local Chair of Governors.

Employees may invite their trade union or professional association representative or workplace colleague to be present during any meetings or interviews in connection with the concerns they have raised.

## **HOW THE SCHOOL WILL RESPOND**

The School will respond to the concerns of employees. Employees should remember that testing out their concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process;
- be referred to the police;
- form the subject of an independent inquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Within ten working days of concerns being raised, the Headteacher, Chair of Trustees or Chief Executive (depending on who is accused) will write to the relevant employee:

- acknowledging that the concerns have been received
- indicating how it is proposed to deal with the matters raised
- giving an estimate of how long it will take to provide a final response
- indicating whether any initial enquiries have been made
- supplying information on staff support mechanisms, and
- indicating whether further investigations will take place and, if not, why not.

The amount of contact between the officer considering the issues and the relevant employee will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the relevant employee.

Where any meeting is arranged off-site, if the employee so wishes, the employee can be accompanied by a trade union or professional association representative or a workplace colleague.

#### **HOW MATTERS OF CONCERN CAN BE TAKEN FURTHER**

This Policy is intended to provide employees with an avenue to raise concerns within their school or the Trust. The Trust hopes that employees will be satisfied.

However, if employees feel that matters of concern have not been dealt with satisfactorily, the following are possible contacts if they wish to take the matters further:

- Governance Body
- Relevant professional bodies
- Solicitors
- Greater Manchester Police

If employees take matters outside the School, it will be necessary to ensure that they do not disclose confidential or legally privileged information. It is advisable to take advice before doing so.

If employees make allegations frivolously, maliciously or for personal gain, disciplinary or other action may be taken against them.