



MOUNTS  
BAY

# Fraud and Whistleblowing Policy

Last review date	Summer 2019
Date approved by Governing body	2019
Date for next review	Summer 2020

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# Fraud and Whistleblowing Policy

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## Introduction

Mounds Bay Academy is committed to the highest possible standard of operation, probity and accountability and safeguarding, and recognises that its workers are often the first to realise that there may be something wrong within the Academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academy, and they may also fear harassment or victimisation.

The Public Interest Disclosure Act 1998 protects workers who raise concerns from victimisation or harassment. In accordance with that Act and its commitment to the highest standards of service delivery, the Academy encourages its workers with serious concerns about any aspect of the Academy's work to come forward and voice those concerns, in confidence, within the Academy rather than overlooking a problem or blowing the whistle outside.

The Academy will take all reasonable steps to protect the identity of workers who raise concerns.

"Whistleblowing" is the term used when someone who works for an organisation raises a concern about a possible fraud, crime, danger or other serious risk that could threaten students, colleagues, the public, or the Academy's own reputation. When someone blows the whistle it is to raise a concern about a danger or illegality that affects others or the business of the Academy. The Public Interest Disclosure Act 1998 provides protection for workers who disclose information, which might otherwise be regarded as confidential.

## Aims and Scope of the Policy

The aim of this policy is to improve teaching and learning to the pupils of the Academy and the service and by providing employees and other workers with a procedure for reporting genuine concerns about unlawful conduct, malpractice or wrongdoing at work, without any fear of reprisal. The policy is designed to encourage and enable employees

to raise concerns as soon as the issue arises, rather than staying silent and waiting until something more serious happens. The Academy will take your concerns seriously and ensure that any matter raised will be dealt with promptly and fairly.

This policy applies to all employees and other workers including casual staff, Governors, agency workers, contractors and consultants whilst engaged on Academy business. Governors should note its contents, in relation to their duties under Financial Regulations only.

Concerns that should be raised via this Whistleblowing Policy may be in relation to the actions / behaviours that are perceived as:

- Unlawful;
- in breach of the Academy's procedures or regulations;
- falling below established standard or practice or
- amounting to improper conduct.

### **Confidentiality**

All concerns will be treated in confidence (where the employee's name is known, but will not be disclosed without their consent, unless required by law) i.e. the Academy would expect to protect the identity of the person raising a concern.

At the appropriate time, however, the person raising the concern may need to come forward as a witness in order that the issue can be thoroughly investigated. A recognised trade union representative or work colleague may represent the employee and other forms of internal or external support will be offered, where requested. The Academy will support any employee raising concerns in good faith.

### **Anonymous allegations**

This policy encourages employees who raise concerns not to remain anonymous, as by doing so allegations are difficult to investigate. The Academy will exercise its discretion in deciding whether to investigate an anonymous allegation and will take into account the seriousness of the issues raised and the likelihood of being able to confirm the allegation from attributable sources. Remember, if you don't tell us who you are it will be much more difficult for us to protect your position or to give you feedback.

### **Raising a concern**

Employees are encouraged, and indeed expected, to raise any concerns that they may have about fraud, crime, corruption, danger or other serious risk in the Academy without fear of recrimination. If something is concerning you, please tell us straight away (outlined in the section 'Steps to raise a concern'). We prefer that you raise the matter promptly rather than to stay silent or wait until something more serious happens.

If you are aware that a child has been abused or is at risk of abuse you must report it (outlined in the section 'Steps to raise a concern'). Failure to report abuse could ultimately leave the Academy open to non-compliance of our legal duty to refer appropriate matters to the proper Authority.

We will take your concerns seriously and will ensure that any matter raised will be dealt with promptly, in the strictest confidence and will be thoroughly investigated by an appropriate senior person. Remember, you are potentially acting as a witness, not as a complainant.

Due care and consideration will be given, depending on all the circumstances, to appoint the most appropriate investigator for the case. If you would feel more comfortable speaking to a particular person please mention this when you raise your initial concern.

***Steps to raise a concern:***

**DO:**

- Make an immediate note of your concerns and continue to do so;
- Seek advice on relevant procedures to follow by talking to the Personnel Officer if you feel unsure about them;
- Convey your suspicions to someone with the appropriate authority and experience (outlined in the section 'Steps to raise a concern');
- Deal with the matter promptly if you feel your concerns are warranted.

**DON'T:**

- Do nothing;
- Be afraid to raise your concerns;
- Approach or accuse an individual directly;
- Try and investigate the matter yourself;
- Convey your suspicions to anyone other than those with proper authority.

As a first step under the 'Whistleblowing' Procedure, employees should raise concerns with their line manager. However, we recognise that on occasions this may not be appropriate or if they feel unable to do so, in which case there are the following alternative options to raising a concern:

- Whistle Blower and Safeguarding Lead. Mr. Les Hall
- Personnel Officer. Mr. Andy Harvey
- Business Manager. Mr. Phil Davies
- Another senior member of staff

Whether you raise the concern in person or by email/letter you should identify the nature of the concerns and the grounds upon which these are based. Information on the background, history, names, dates and places should be provided where possible.

If a reported concern is in relation to suspected fraud, corruption or irregularity, you **must** inform the Academy's Whistle blower immediately.

If you are concerned about a child protection or safeguarding issue you **must** inform the Academy's Senior Person for Safeguarding immediately.

Remember:

Not disclosing evidence of someone else's fraudulent activity could be a disciplinary matter, so think about this carefully.

## **How the Academy will respond**

- All concerns raised will be treated confidentially by those involved in the reporting process.
- Action taken by the Academy will be dependent on the nature of the concern raised and may:
  - be resolved by agreed action without the need for investigation
  - be investigated by management and reported to the Governors where appropriate
  - be referred to the Police
  - form the subject of an independent inquiry
- If an investigation is appropriate, it will be conducted by an independent experienced senior manager.

Employees will receive an initial response to any concerns raised within ten working days. Due to the nature of the concerns covered by this procedure it may not be possible for the Academy to indicate how it proposes to deal with the matters and the timescales involved. However, the Academy undertakes to inform employees, who wish to know, of the progress and outcome where this will not compromise the process. The aim is to reassure employees that the matter has been properly addressed.

The amount of contact between the individual raising the concern and the person(s) investigating the matter will be dependent upon the issue raised, the potential difficulties involved and the clarity of the information provided.

## **How will you be protected**

The Academy recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Academy will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern in good faith. The Academy will treat any harassment or victimisation as a serious disciplinary offence to be dealt with under the Disciplinary Procedure.

## **Untrue Allegations**

If you raise a concern in good faith, but it is not confirmed by the investigation, no action will be taken against you. If you knowingly make malicious or vexatious allegations, disciplinary action may be taken against you.

## **Links with other policies**

This policy also links to (and should be read in conjunction with) the following policies:

- Dignity at Work Policy
- Inclusions Policy
- Safeguarding Policy
- Finance Policy
- Complaints Policy