



AIREDALE ACADEMIES TRUST
Anti-Fraud and Whistleblowing Policy

| Document action | Date |
|------------------------|----------------|
| Last reviewed | September 2016 |
| Next review | September 2017 |

ANTI-FRAUD POLICY

For the purpose of this policy statement fraud includes all irregularities which could normally be described as theft, deception, fraud, corruption, or impropriety. Fraud is always wrong. In any organisation, it countermands the management at every level and positive action is needed to prevent and discourage it. The prevention of fraud and the protection of the Trust is the responsibility of all staff, Trustees and governors. In every case, reported suspicions will be passed to the audit committee who will decide on the subsequent course of action.

When fraud is identified, action will be taken to:

- Limit the damage
- Seek reparation for losses incurred
- Punish the perpetrators
- Revise procedures to prevent any recurrence

Response to suspected fraud

The Trust has rules which attempt to allocate resources on a fair and even handed basis. Fraudulent activity circumvents these rules and gives an unfairly generous allocation to one or more individuals to the detriment of all others.

Reporting of suspected fraud

Any suspicion of fraud in a school should be reported to the school's Business Manager or Headteacher in the first instance. The Business Manager or Headteacher will notify the Chief Financial Officer that an instance of fraud has been reported. If it is considered more appropriate (for example, if the Business Manager or Headteacher are involved) the suspicions may be reported directly to the Chair of Governors or Chair of Resources Committee (who will pass on the information to the Chief Financial Officer) or directly to the Chief Financial Officer.

If the Chief Financial Officer is suspected of involvement, the suspicions should be reported to the Chief Executive or Chair of Trustees.

After a suspicion is reported

The Business Manager or Headteacher (or Chief Financial Officer, depending on the seriousness of the allegation) will make any initial enquiries considered necessary to validate the report. In every case and as soon as possible after these initial investigations, the Business Manager or Headteacher will pass the details of the matter to the Chief Financial Officer (or the Chief Executive if the Chief Financial Officer is involved), who will convene the Trust's Audit Committee and report the matter to them for a decision about further action. Even if there is no evidence to support the allegation, the matter must be reported.

The audit sub-committee

The management of any investigation will be undertaken by the Trust Board's Audit Committee. They will:

1. determine whether further investigation is warranted
2. determine whether the matter should be reported to the Chair of Trustees, Chief Executive, and/or a special meeting of the Board of Trustees
3. determine who should carry out the investigation
4. determine which outside agencies (police, auditors) should be involved, if any

5. assess the risk to the organisation
6. determine to whom day to day management of the response should be given
7. allocate responsibility for damage limitation action
8. determine the course of action to recover losses
9. determine the course of action to be taken against wrongdoers
10. evaluate the events which enabled the fraud to occur
11. ensure preventative action is taken

WHISTLEBLOWING POLICY

Whistleblowing is the disclosure or communication of information about malpractice by individuals or organisations to a person or body having potential to rectify it. Throughout the policy the term 'whistleblower' denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the Second Report of the Committee on Standards in Public Life: Local Spending Bodies published in May 1996.

Airedale Academies Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Trust expects staff, parents, governors or others with serious concerns about any aspect of its work to come forward and voice those concerns. Individuals with genuine concerns should be able to report these concerns without fear of reprisals, and it is recognised that certain cases will have to proceed on a confidential basis.

In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, Airedale Academies Trust has established the following code of practice which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion. The policy is intended to encourage and enable staff to raise serious concerns within the Trust rather than overlooking a problem or blowing the whistle outside. The Whistleblowing Policy requires all staff to act responsibly to uphold the reputation of the organisation and maintain public confidence.

Whistleblowing process

Airedale Academies Trust is committed to tackling fraud and other forms of malpractice and treats these issues seriously. The Trust recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school and Trust, where necessary.

Airedale Academies Trust is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance that would be dealt with under the school's grievance procedures.

When might the whistleblowing policy apply?

The type of activity or behaviour that Airedale Academies Trust considers should be dealt with under this policy includes:

- Manipulation of accounting records and finances
- Inappropriate use of school assets or funds
- Decision-making for personal gain
- Any criminal activity
- Abuse of position
- Serious breaches of Trust or school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)
- dangerous procedures risking health and safety
- abuse of students and clients
- evasion of statutory responsibilities
- damage to the environment
- fraud and deceit

- non-compliance with Trust or school policy
- discrimination
- failure to act on a situation which could potentially damage the school or Trust financially
- other unethical conduct, negligence or unprofessional behaviour.

The concerns may be in respect of the actions or inactions of employees, governors or Trustees. The overriding concern should be that it would be in the public interest for the malpractice to be corrected and, if appropriate, sanctions applied.

What action should the whistleblower take?

Airedale Academies Trust encourages the whistleblower to raise the matter internally in the first instance to allow those Trust staff, governors and Trustees in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

Airedale Academies Trust has designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter:

- Headteacher
- Business Manager
- Chair of Governors
- Chief Financial Officer
- Chief Executive
- Chair of Trustees

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above-named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

In addition, information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Public Concern at Work
Suite 301
16 Baldwins Gardens
London EC1N 7RJ
Tel No: 0207 404 6609

How will the matter be progressed?

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of Trust staff, legal or personnel advisors, the police, the Department for Education, the EFA or local authority.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the governing body or Audit Committee depending on the seriousness of the allegation, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral to such organisations as the police.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body and/or Audit Committee.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigation officer(s), the governing body, Board of Trustees and/or directed to the Department for Education.

Respecting confidentiality

Wherever possible Airedale Academies Trust seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals. Airedale Academies Trust will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

Conclusion

Existing good practice within Airedale Academies Trust in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the Trust operates ensure that cases of suspected fraud or impropriety rarely occur. This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the Trust. This document is a public commitment that concerns are taken seriously and will be actioned.

To be shared with all staff annually in September

WHISTLEBLOWING

The Trust expects staff, parents, governors or others with serious concerns about any aspect of its work to come forward and voice those concerns. To facilitate this, we have a whistleblowing policy and procedure.

What action should the whistleblower take?

Airedale Academies Trust has designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter:

| | | |
|---------------------|------------------------------------|--|
| Anastasia Byard | Director of Finance and Operations | 01977 664555 abyard@airedaleacademy.com |
| Elizabeth Fairhurst | Chief Executive | 01977 664555 efairhurst@airedaleacademy.com |
| Les Shaw | Chair of Trustees | Airedale Academies Trust Airedale Academy Crewe Road, Airedale Castleford WF10 3JU |

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above-named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

In addition, information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Public Concern at Work
Suite 301, 16 Baldwins Gardens
London EC1N 7RJ
Tel No: 0207 404 6609

Respecting confidentiality

Wherever possible Airedale Academies Trust seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals.

Airedale Academies Trust will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously.

If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

Further details and more explanation about how whistleblowing concerns will be investigated can be found in the Anti-Fraud and Whistleblowing Policy, located on the staff shared drive.