

Team Charter

INTRODUCTION

- 1 The purpose of this document is to inform all parties involved in an investigation of:
 - The remit and role of the Skills Funding Agency's (the Agency's) Internal Audit Investigations Unit (the Unit);
 - The types of allegations dealt with by the Unit;
 - Actions the Unit will take when it receives allegations;
 - When and how organisations being investigated will be informed of allegations and planned investigations;
 - Possible outcomes of investigation.
- 2 This charter identifies the normal course of response in respect of allegations. However, variations to this normal course of action may occur in order to protect informants, members of the unit, or other persons, and/or the public purse, from risk or loss.

REMIT OF THE UNIT

- 3 The Agency has a commitment to safeguard public funds. The Unit is established to investigate alleged misuse of Skills Funding Agency and Young Peoples Learning Agency (YPLA) funds. Therefore the remit of the Unit is to consider all allegations of financial irregularity against either of these Agencies and to investigate or take other action when it is appropriate. This consideration includes:
 - Allegations of financial irregularity involving contractors and other learning and training providers in receipt of Skills Funding Agency funds, either directly or indirectly;
 - Allegations of financial irregularity involving colleges or other learning establishments in direct receipt of YPLA funds;
 - Allegations of financial impropriety by staff of either the Skills Funding Agency or YPLA.

AUTHORITY

- 4 The IAIU forms part of the Agency's Internal Audit function. The IAIU operates under the authority of the Skills Funding Agency and Young Peoples Learning Agency Internal Audit Charters.

SUBMITTING ALLEGATIONS

- 5 Anyone who wishes to report a concern should write, telephone or e-mail the Unit based at **Cheylesmore House, Quinton Road, Coventry CV1 2WT**. The direct telephone number for the Unit is **024 7682 3526**. E-mails can be addressed to the Head of Unit at

Robert.Browell@skillsfundingagency.bis.gov.uk On receipt of the allegations, the information provider will receive an acknowledgement letter and a copy of this Charter within **5 working days** of receipt.

- 6 Please note that the Unit does not actively seek information providers and only responds to allegations made by individuals approaching the Unit of their own accord. The Unit also responds to evidence submitted by Agency or YPLA staff, other Government Departments or organisations such as Ofqual.
- 7 If allegations are sent to any part of the Agency or YPLA, the information should be forwarded to the Unit for consideration. The Unit will then write to the information provider, enclosing a copy of this Charter, to confirm receipt of the information.
- 8 Although, most training providers have an internal 'whistleblowing' procedure, it is not necessary for this to have been exhausted before an employee, present or former, approaches the Unit. This allows for the situation where an information provider considers that their employer may be biased.
- 9 The Unit does not normally investigate allegations where there is insufficient information to clearly justify an investigation. The Unit will consider anonymous allegations, but will not proceed with an investigation where there is insufficient information for a review.
- 10 Where there are concerns that allegations may be malicious and/or vexatious, the Unit will make initial enquiries on the possible validity of the allegations before investigating. This may include an interview with the information provider. For example, if the allegations appear to be motivated by personal gain, the Unit is unlikely to investigate but will inform the information provider of its reasons.
- 11 People writing to the Unit should be prepared to make themselves available for an interview with Unit investigators. All interviews will be conducted confidentially and in accordance with legal requirements and best practice. For example, interviews, where preliminary enquiries suggest the necessity, will be carried out within guidelines laid out in the codes of practice of the *Police and Criminal Evidence Act 1984*. This means that interviews will be tape-recorded. Interviewees will be given the opportunity to read and approve the typed transcript and request copies of the tape. Interviewees will be informed of their rights when invited to attend an interview.
- 12 Where an allegation is not being investigated, the person providing information will be sent a letter outlining the reasons. Where a need has been identified for an investigation but it is not possible to instigate immediately, the person providing the information will be provided with a proposed timescale, where possible.

- 13 As the Unit has limited resources, it has developed a system for prioritising allegations based on the following criteria:
- Monetary risk to the Agency/YPLA;
 - Time lapsed since the outlined events;
 - Type of provider (local or national) and provider staff links to the Agency/YPLA;
 - Level of political or media sensitivity.

VETTING ALLEGATIONS

- 14 When an allegation is received by the Unit, the Unit carries out a vetting process to:
- Determine whether the allegation is within the remit of the Unit or other teams within the Agency, YPLA or an external agency;
 - Consider whether there is substance to the allegation.
 - Determine whether the issues fulfil the Unit's criteria for investigation;
 - Determine whether other actions are appropriate;
 - Prioritise the case.
- 15 This is done through gathering background information from the information provider and, as appropriate, from Agency and YPLA colleagues.
- 16 When the vetting process is complete, if there appears to be no cause for an investigation or other action, the Unit will notify the relevant senior manager within the Agency or YPLA, as appropriate, and seek their confirmation that no further action is necessary. In these instances, the organisation concerned will not usually be informed that there have been allegations against them.
- 17 When the vetting process has been completed and it has been determined by the Unit that further work is required, this may be in the form of an investigation.

OTHER INFORMATION RECEIVED BY THE UNIT

- 18 The Unit does not investigate issues that are not within its remit.
- 19 If the Unit receives any such information, it will be referred to the appropriate team within the Agency/YPLA to resolve. The following subjects are examples of such complaints:
- Quality of learning provision;
 - Poor administration by a learning provider;
 - Alleged failure to comply with internal procedures;
 - Health and safety concerns.

- 20 The Unit cannot investigate allegations which are within the remit of the training providers themselves and/or other more suitable organisations such as employment tribunals, the Qualifications and Curriculum Development Agency, Ufi Ltd, appropriate awarding bodies or others. Examples include:
- Examination results or curriculum content;
 - Individual employment issues;
 - Contractual disputes.
- 21 Generally, the Unit does not investigate issues relating to school sixth forms and local authority learning providers. The Unit relies on the appropriate local authority to investigate any concerns that arise and provide feedback to the Unit.
- 22 If the Unit receives any such information, the Unit will inform the appropriate public agency or return the information to the sender explaining why it is unable to investigate.
- 23 Where there are allegations of financial irregularity, the Unit's enquiries will be suspended until all employment issues and contractual disputes have been resolved elsewhere. This is to ensure that the Unit does not hinder or otherwise adversely affect investigation by more appropriate agencies.

COMPLAINTS PROCEDURES

- 24 The investigators working in the Unit are trained to professional standards and undertake investigations to the prescribed standards. Where it is not possible to keep to agreed timescales, the investigators will endeavour to inform the affected parties.
- 25 If there is dissatisfaction with the way an investigation has been conducted, parties may wish to lodge a complaint. All complaints should be addressed to **Chief Internal Auditor, Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.**