

Team Charter

INTRODUCTION

- 1 The purpose of this document is to inform all parties who have or are considering raising external fraud or financial irregularity cases involving YPLA funding as to how consideration and possible investigation of those concerns will be taken forward:
 - The remit and role of the Department for Education (DfE) Internal Audit Investigations Team (IAIT);
 - The types of allegations dealt with by the IAIT;
 - Actions the IAIT 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 IAIT, or other persons, and/or the public purse, from risk or loss.

REMIT OF THE IAIT

- 3 The DfE has a commitment to safeguard public funds. The IAIT is established to provide advice and guidance on external fraud cases as well as investigating alleged misuse of funds in the establishment of Free Schools and Academies and provides an investigation service to investigate alleged misuse of Young Peoples Learning Agency (YPLA) funds. Therefore the remit of the IAIT is to consider all allegations of financial irregularity against either organisation and to investigate or take other action when it is appropriate. This consideration includes:
 - Allegations of financial irregularity involving the set up and funding of Free Schools and Academies;
 - Allegations of financial irregularity involving colleges or other learning establishments in direct receipt of YPLA funds;

AUTHORITY

- 4 The IAIT forms part of the DfE internal audit function.

SUBMITTING ALLEGATIONS

- 5 Anyone who wishes to report a concern should write, telephone or e-mail the IAIT based at **Area 1A, Castle View House, East Lane, Runcorn, WA7 2GJ**. The direct telephone number for the IAIT is **01928 73 8179**. E-mails can be addressed to the Head of Internal Audit Investigation Team at graeme.hayton@education.gsi.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 IAIT does not actively seek information providers and only responds to allegations made by individuals approaching the IAIT of their own accord. The IAIT also responds to evidence submitted by DfE or YPLA staff, other Government Departments or organisations such as Ofqual.
- 7 If allegations are sent to any part of the DfE or YPLA, the information should be forwarded to the IAIT for consideration. The IAIT 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 IAIT. This allows for the situation where an information provider considers that their employer may be biased.
- 9 The IAIT does not normally investigate allegations where there is insufficient information to clearly justify an investigation. The IAIT 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 IAIT 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 IAIT is unlikely to investigate but will inform the information provider of its reasons.
- 11 People writing to the IAIT should be prepared to make themselves available for an interview with IAIT investigators. All interviews will be conducted confidentially and in accordance with legal requirements and best practice. When considered appropriate, interviews will be carried out within guidelines laid out in the codes of practice of the *Police and Criminal Evidence Act 1984*. This may mean 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 IAIT has limited resources, it has developed a system for prioritising allegations based on the following criteria:

- Monetary risk to the DfE/YPLA;
- Time lapsed since the outlined events;
- Type of provider (local or national) and provider staff links to the DfE/YPLA;
- Level of political or media sensitivity.

TRIAGE OF ALLEGATIONS

- 14 When an allegation is received by the IAIT, the IAIT carries out a triage process to:
- Determine whether the allegation is within the remit of the IAIT or other teams within the DfE, YPLA or an external agency;
 - Consider whether there is substance to the allegation.
 - Determine whether the issues fulfil the IAIT'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 DfE and YPLA colleagues.
- 16 When the triage process is complete, if there appears to be no cause for an investigation or other action, the IAIT will notify the relevant senior manager within the DfE 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 triage process has been completed and it has been determined by the IAIT that further work is required, this may be in the form of an investigation.

OTHER INFORMATION RECEIVED BY THE IAIT

- 18 The IAIT does not investigate issues that are not within its remit.
- 19 If the IAIT receives any such information, it will be referred to the appropriate team within the DfE/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 IAIT cannot investigate allegations which are within the remit of the training providers themselves and/or other more suitable organisations such as employment tribunals, Ufi Ltd, appropriate awarding bodies or others.

Examples include:

- Examination results or curriculum content;
- Individual employment issues;
- Contractual disputes.

- 21 Generally, the IAIT does not investigate issues relating to school sixth forms and local authority learning providers. The IAIT relies on the appropriate local authority to investigate any concerns that arise and provide feedback to the IAIT.
- 22 If the IAIT receives any such information, the IAIT 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 IAIT's enquiries may be suspended until all employment issues and contractual disputes have been resolved elsewhere. This is to ensure that the IAIT does not hinder or otherwise adversely affect investigation by more appropriate agencies.

COMPLAINTS PROCEDURES

- 24 The investigators working in the IAIT 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 Head of Internal Audit, Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ.