

GSS – Whistle-Blowing & Fraud Prevention Policy

Introduction

GSS is committed to the provision of high quality services and promoting the highest standards of openness, probity and accountability. Employees and others who have concerns about any aspect of GSS's work should be able to raise these concerns without fear of victimisation, discrimination or disadvantage.

It is in the interests of GSS, its employees, customers, and stakeholders that any potential fraud or wrongdoing is exposed and dealt with effectively. In many circumstances it will be appropriate for staff or customers to raise their concerns with their line manager or Advisor / Tutor and this procedure is not intended to discourage this. However, where individuals may be cautious about expressing their concerns because they feel that speaking up would be disloyal to their colleagues, peers or to their employer, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. Alternatively, there may also be circumstances where a member of staff has reported their concern to their line manager and received an unsatisfactory response. This confidential procedure is intended to ensure that suspicion of wrongdoing can be dealt with speedily and effectively.

Accordingly, the aims of the procedure are:-

- To provide safeguards to enable individuals to raise concerns about malpractice within GSS
- To provide a rapid mechanism under which genuine concerns can be raised without fear of adverse repercussions to the individual
- To promote throughout GSS a culture of openness and a shared sense of integrity by inviting all employees to act responsibly in order to uphold the reputation of GSS
- To provide feedback on action taken on concerns raised and advice on how to pursue concerns further if the individual is not satisfied with the actions taken

This procedure also seeks to balance the need to provide safeguards for individuals who raise genuine concerns about malpractice against the need to protect other individuals, against uninformed or vexatious allegations which can cause serious difficulty to innocent individuals.

Application

This procedure is intended to tackle concerns of malpractice experienced by:

- (i) an employee of GSS,
- (ii) agency staff and self employed staff employed on GSS work
- (iii) GSS customers

The types of matters regarded as 'Fraud' or "malpractice" for the purpose of this procedure which include the following:

- Fraud or financial irregularity
- Corruption, bribery or blackmail
- Other Criminal offences
- Failure to comply with a legal or regulatory duty or obligation

- Miscarriage of justice
- Endangering the health or safety of any individual
- Endangering the environment
- Improper use of authority
- Serious financial maladministration arising from the deliberate commission of improper conduct
- Unethical or improper conduct or conduct which breaches GSS policies or falls below the standards
- GSS subscribes to.
- Abuse of clients, improper discriminations against or relationship with clients
- Concealment of any of the above

Designated Staff

GSS Directors Sonia Benjamin-Leach and Richard Wood are responsible for the implementation of this policy, and will maintain relevant training for all staff in the use of this procedure.

Disclosure

This procedure applies to disclosure by an individual who has grounds to believe that Fraud or malpractice has occurred, is occurring or is likely to occur in connection with the work of GSS (This could be malpractice on the part of another employee, or any other person or persons).

The Discloser should as soon as practicable disclose in confidence the grounds for the belief of malpractice in one of the following ways. The Discloser may either in writing, by telephone, or at an interview, inform GSS Directors. The Director may decline to become involved on reasonable grounds, including possible previous involvement or interest in the matter concerned, incapacity or unavailability or if the Director is satisfied that some other Designated Staff member would be more appropriate to consider the matter in accordance with this procedure.

Any disclosure under this procedure will, wherever possible, be in writing, but, if this is not practicable, any such disclosure may be oral, at the choice of the Discloser. The Discloser should provide as much supporting written evidence as possible about the disclosure, the grounds for the belief of malpractice and indicate why the matter is inappropriate to be dealt with through normal management channels.

Further Steps

As soon as practicable after the interview (or after the initial disclosure if no interview takes place) the GSS Director will recommend what further steps should be taken. Such recommendations may (without limitation) include one or more of the following actions:

- report to the police or other appropriate public authority
- investigation by relevant Auditors / Professional Bodies
- Use of GSS's grievance, disciplinary, harassment and bullying or complaints procedures;
- Refer for consideration under other specific procedures (e.g. child protection);
- No further action

The grounds on which no further action may be recommended include:

- if GSS Director is satisfied that the Discloser has not disclosed that a malpractice within the meaning of this procedure has occurred, is occurring or is likely to occur; or
 - if GSS Director is satisfied that the Discloser is not acting in good faith (if after investigation it appears that the “disclosure” is wilfully malicious or vexatious, it may be referred for disciplinary action), or
 - if the matter concerned is already the subject of legal proceedings, or has already been referred to the police or other public authority; or
 - if the matter is already (or has already been or should be) the subject of proceedings under one of the GSS’s other procedures relating to staff.
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- This procedure encourages individuals to put their names to any allegations as far as possible. Concerns expressed anonymously are much less powerful but will be considered having regard to the following factors:-
 - the seriousness of the issues raised
 - the credibility of the concern, and
 - the likelihood of confirming the allegation from other suitable sources.

Once GSS Director has decided what further steps (if any) should be taken, they will inform the Discloser of the decision if his/her identity is known. If no further steps by GSS are proposed, GSS will give the reasons for this in writing.

External Disclosure

It is recognised that there may be exceptional circumstances that would lead to individuals wishing to disclose a matter without using GSS’s procedure or if they are dissatisfied after using the procedure. Individuals are advised to take legal advice before making an external disclosure. Individuals may raise the matter concerned on a confidential basis directly with bodies such as the external auditor or other appropriate Professional body. Before taking any such action, the Discloser is encouraged to inform GSS Directors.

The Discloser may also raise the matter externally if the Discloser has reasonable grounds for believing that disclosure would lead to evidence being concealed or destroyed or that the Discloser will be subjected to a detriment as a result of making the disclosure.

The Discloser may at any time disclose the matter on a confidential basis for the purpose of taking legal advice.

Safeguards

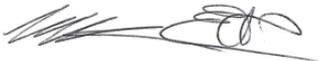
Any report or recommendations or documentation prepared by GSS Directors in relation to the matter will not identify the Discloser, unless the latter consents in writing or unless there are grounds to believe that the Discloser has acted maliciously. In the absence of such consent or grounds, GSS will not reveal the identity of the individual as the Discloser of Information under this procedure except:

- where GSS is under a legal obligation to do so; or
- where the information is already in the public domain; or
- on a strictly confidential basis to GSS administrative assistant; or on a strictly confidential basis to a professionally qualified lawyer for the purpose of obtaining legal advice.

Any documentation (including computer files and disks) kept by GSS relating to the matter will be kept secure, so that as far as practicable only GSS Directors and his or her administrative assistant shall have access to it.

Disclosers will be under an obligation to use all reasonable endeavours to ensure that they and their representatives or work colleague (if any) keeps this matter strictly confidential save, as permitted under this procedure, as required by law or until such time as it comes into the public domain.

The Discloser will not be required by GSS without his or her consent to participate in any enquiry or investigation into the matter established by GSS unless there are grounds to believe that the Discloser may have been involved in the misconduct or malpractice. Where the Discloser participates in any such enquiry or investigation, that participation will usually be required to be on an open rather than a confidential basis.



September 2016 v3
Signed by Sonia Benjamin-Leach
Director