



## **Windsor Academy Trust**

### **Manor Way Primary Academy**

<b>Policy: Confidential Reporting Policy</b>	
<b>Responsible Committee:</b>	People and Culture Committee
<b>Date approved by the Committee :</b>	15 September 2022
<b>Implementation date:</b>	September 2022
<b>Next review date:</b>	September 2024

## **1. Introduction**

- 1.1 Windsor Academy Trust (WAT) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others that we deal with, who have serious concerns about any aspect of its work, to come forward and voice those concerns through agreed procedures, without fear of harassment or victimisation.
- 1.2 It is recognised that most cases will have to proceed on a confidential basis. WAT aims to ensure that all staff are protected from possible reprisals or disadvantage where they have raised concerns or disclosed information where they have a genuine concern.
- 1.3 This policy applies to all employees of WAT, which throughout this policy includes staff and Directors/Trustees. It also covers contractors, agency staff, volunteers, suppliers and those providing services under a contract with WAT from their own premises.
- 1.4 There are existing procedures in place to enable employees to lodge a grievance relating to employment. Therefore personal grievances (e.g. bullying, harassment, discrimination) will be dealt with under the WAT Grievance policy, unless the particular case is in the public interest.
- 1.5 This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation.

## **2. Aim of the Policy**

- 2.1 This policy aims to:
  - Encourage employees to feel confident in raising concerns and to question and act upon concerns about practice
  - Provide avenues for employees to raise those concerns and receive feedback on any action taken
  - Ensure that employees receive a response to their concerns and that they are aware of how to pursue the matter if they are dissatisfied with the response
  - Reassure employees that they will be protected from possible reprisals or victimisation for disclosures made where they have a genuine concern.
- 2.2. This policy is intended to cover major concerns that are in the public interest and that fall outside the scope of other procedures. These include:
  - Conduct which is an offence or a breach of law, including data protection •  
Disclosures related to miscarriages of justice

- Significant health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual, emotional or physical abuse or neglect of clients, or other unethical conduct.

*NB: This list is not exhaustive*

2.3. Any genuine serious concerns that employees have about suspected wrongdoing or danger affecting any aspect of service provision or the conduct of any Academy staff, Local Advisory Body (LAB) members, Directors or others acting on behalf of WAT, or suspected wrongdoing or can be reported under this policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Academy subscribes to; or
- is against the WAT's Standing Orders, Financial Regulations and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

2.4 Before initiating this procedure, employees should consider the following:

- the responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees
- employees should liaise with their line manager to raise questions and seek clarification on issues which are of day to day concern
- whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent escalation of the problem and to prevent themselves being potentially implicated
- seeking advice from their trade union / professional association

2.5 This policy should not be used for complaints about an employee's personal circumstances (e.g. the way they have been treated). In these circumstances, an employee should use the Grievance Policy or Pay Policy if the matter relates to salary.

### **3. Safeguards**

#### **3.1. Harassment or Victimisation**

3.1.1 WAT is committed to good practice and high standards and wants to be supportive of employees.

3.1.2 WAT recognises that the decision to report a concern can be a difficult one to make. If what is being reported is true, or if there are reasonable grounds for believing that it is true, disclosure forms part of a duty to your employer and those for whom a service is being provided.

- 3.1.3 WAT will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect employees when they raise a genuine concern under this policy.
- 3.1.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect the individual.

## **3.2 Confidentiality**

- 3.2.1 All concerns raised under this policy will be treated in confidence and every effort will be made not to reveal your identity, if you so wish. At the appropriate time, however, you may be asked to come forward as a witness.

## **3.3 Anonymous Allegations**

- 3.3.1 This policy encourages staff to put their names to allegations, whenever possible. It may be difficult to progress anonymous complaints as it is more difficult to establish whether allegations are credible. Anonymous allegations will be considered at the discretion of WAT. WAT will exercise discretion depending on:

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

## **3.4 Unfounded Allegations**

- 3.4.1 If an employee makes an allegation where they have a genuine concern, but it is not confirmed by the investigation, no action will be taken against them. If, however, individuals make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

## **3.5 Support to Employees**

- 3.5.1 It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate, to both the employee(s) raising the concerns and any employee(s) subject to investigation.

## **4 How to raise a Concern**

- 4.1 Employees should normally raise concerns with their immediate line manager, the Headteacher, the Executive team or the Chair of the LAB. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that the Headteacher is involved, you should approach the Executive team or Chair of the Board of Directors.
- 4.2 Concerns are better raised in writing (can also be raised verbally). The earlier the concern is expressed, the easier it is to take action. The employee should set out:

- the background and history of the concern (giving relevant dates, names, places etc where possible), and
- the reason why they are particularly concerned about the situation

4.3 Although staff are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for the concern.

4.4 Advice or guidance on how to pursue matters of concern may be obtained internally from:

**Dawn Haywood, Chief Executive's Office**

Tel: 0121 602 7594

[dhaywood@windsoracademytrust.org.uk](mailto:dhaywood@windsoracademytrust.org.uk)

**Head of HR**

Tel: 0121 602 7594

[hr@windsoracademytrust.org.uk](mailto:hr@windsoracademytrust.org.uk)

**Manor Way Primary Academy**

0121 2727310

[information@manor.windsoracademytrust.org.uk](mailto:information@manor.windsoracademytrust.org.uk)

4.5 If you are unsure whether or how to use this policy, you may seek free confidential help from the independent charity, **Protect**, Tel: 020 3117 2520 or via email on [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)

Public Concern at Work will also be able to help if you feel that it would be inappropriate to speak to any of the officers referred to above.

4.6 Employees may also wish to consider discussing their concern with a colleague or trade union first and may find it easier to raise the matter if there are two (or more) individuals who have had the same experience or concerns.

4.7 Employees may invite their Trade Union or professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns raised under this policy. The companion must respect confidentiality of the disclosure and any subsequent investigation.

**5. How WAT will respond**

5.1 Within ten working days of a concern being raised, WAT will write to the individual:

- acknowledging that the concern has been received
- indicating how they propose to deal with the matter
- informing the employee whether any initial enquiries have been made
- informing the employee whether further investigations will take place and, if not, why not.

5.2 The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally (delegated to an appropriate person)

- be referred to the Police
- form the subject of an independent inquiry

- 5.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which WAT will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Copies of policies can be obtained from the school office/HR.
- 5.4 Some concerns may be resolved without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 5.5 The amount of contact between WAT staff considering the issues and the individual will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, WAT will seek further information.
- 5.6 Where any meeting is arranged, off-site if you so wish, staff can be accompanied by a trade union or professional association representative or a work colleague.
- 5.7 WAT will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if staff are required to give evidence in criminal or disciplinary proceedings, WAT will advise them about the procedure.
- 5.8 WAT accepts that staff need to be assured that the matter has been properly addressed. Therefore, subject to legal / GDPR constraints, WAT will inform individuals of the outcome of any investigation.

## **6. Review**

- 6.1 If staff do not receive a response within 10 working days, or do not feel the matter has been properly investigated, they should inform the Chair of the Board of Directors in writing.

## **7. How the matter can be taken further**

- 7.1 This policy is intended to provide staff with an avenue within WAT to raise concerns. In most cases staff should not find it necessary to alert anyone externally. If having first exhausted your rights under paragraphs 4.1 and 6.1, you may consider raising the concern to an external body. The following are possible contact points:
- your trade union or professional association
  - relevant professional bodies or regulatory organisations
  - a relevant charity or voluntary organisation (i.e. Public Concern at Work)
  - the Police
- 7.2 If an employee does take the matter externally, they need to ensure that they do not disclose confidential information.

