

The Boston Witham Academies Federation



CONFIDENTIAL REPORTING POLICY

Monitoring Responsibility	CEO
Next Review Date	June 2019
Approval Body	Board of Directors
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Chair of Committee Signature	

INTRODUCTION

People who work for, or on behalf of, any large organisation may be the first to realise that there may be something wrong within that organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. In the worst cases they may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Boston Witham Academies Trust however, is committed to the highest possible standards of conduct, openness, honesty and accountability. In line with that commitment, the Trust will encourage those people with serious concerns about any aspect of each academy's work to come forward and voice those concerns. In return the Trust will provide a structure which is safe and acceptable, recognising that certain cases will have to proceed on a confidential basis.

This Confidential Reporting Code has been agreed to maintain and improve standards across the trust. It is an overarching document for other procedures on complaints, grievances and standards.

This policy document is intended to encourage and enable anyone who works for or on behalf of the Trust to raise serious concerns to an appropriate person rather than overlooking a problem, and to make it clear that reporting will happen without fear of reprisal.

This policy provides for the following stakeholders to raise concerns arising from reasonable suspicion of malpractice within or relating to the Boston Witham Academies Federation:

- All staff, governors, and those contractors working for the Trust on Trust premises, eg. agency staff, builders, and drivers.
- It also covers suppliers and those providing services for the trust.

AIMS AND SCOPE OF THIS CODE

This Code aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for you to raise concerns and receive feedback on any action taken
- allow you to take the matter further if you are dissatisfied with the trust's response; and
- reassure you that the Trust will seek to protect you from reprisals, or victimisation, for raising concerns in good faith.

Examples of issues which might be raised, would include

- conduct which is an offence or a breach of law
- disclosures related to miscarriage of justice
- 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 or corruption
- sexual or physical abuse of clients
- unethical conduct

Or it may be something that

- makes you feel uncomfortable in terms of known standards
- is against the trust's policies

- is unlawful
- amounts to improper conduct

The Code will come into immediate effect regardless of the date when any reported incident occurred.

This policy is not intended to replace other established policies. The key policy which interrelates to the Confidential Reporting Code is the Grievance Policy.

The Grievance Policy relates to concerns of staff about their work, working environment or working relationships. Some common areas that may give rise to a grievance involve terms and conditions of employment, relationships at work (including any type of harassment and bullying), new working practices, organisational change and fair treatment. It also includes situations where staff consider they are being harassed. Harassment is defined in the following way:

“Harassment is when someone considers that they have been treated in a way that is detrimental to their dignity at work. Essentially it is treatment that someone finds unreasonable and unwelcome and which causes intimidation and offence. Although it may involve overt abuse of power, bullying, coercion or violence, it can also appear in more subtle forms and can be unintentional.”

SAFEGUARDS

Harassment or Victimisation

The Trust recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Trust will not tolerate harassment or victimisation and will take action to protect you if you raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy or contract procedures that may already affect you.

Employee Support and Counselling

If an employee would like to have some support during the process, this can be arranged the HR Manager. (01205 319507)

Or the employee can use a dedicated, confidential Freephone line 0800-0853716. This is staffed Monday to Friday 8.30 am to 5.00pm or answer phone out of hours.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At an appropriate time however you may need to come forward as a witness and this will be fully discussed with you. In very exceptional circumstances, for instance where life is threatened or ongoing child abuse is disclosed, appropriate disclosure will be made to the regulatory authorities.

Anonymous Allegations

This Code encourages you to put your name to your allegation, as concerns expressed anonymously can be less powerful. However, the absence of a name will not prevent an investigation taking place into the concern. The level of the investigation will be dependent on the seriousness of the issue raised, but it may be hindered if it is difficult to follow up the allegation or obtain more details.

Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations or are motivated by personal gain, disciplinary action may be taken against you.

HOW TO RAISE A CONCERN

As a first step, you should normally raise concerns with your line manager. This depends, however, on the nature, seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example if you believe that senior management is involved, you should approach the Chair of Governors.

The earlier you express the concern, the easier it is to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

You may invite your trade union to raise a matter on your behalf.

If you feel you need to take advice before raising the concern you may contact the independent charity, Public Concern at Work. They provide free confidential legal advice on whistleblowing matters.

HOW THE TRUST WILL RESPOND

The action taken by the Trust will depend on the nature of the concern. The matters raised may be:

- investigated internally by your line manager, or the Head of Academy on the Chief Executive Officer's behalf
- passed to the police to investigate further
- the subject of an independent inquiry – organised through the Local Authority.

In order to protect individuals and the trust, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. 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.

Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of a concern being received, you will be contacted, in writing:

- acknowledging that the concern has been received
- indicating how it is proposed to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made and
- telling you whether further investigations will take place, and if not, why not
- giving you details of support mechanisms.

The amount of contact between the managers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

When any meeting is arranged, you have the right, if you so wish, to be accompanied by a union representative or a friend who is not involved in the area of work to which the concern relates.

The Trust will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Trust will advise you about the procedure.

The Trust accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations. If you are not satisfied with the outcome of the investigation then, based on the detail of the concern, you will be advised of further channels that you can use to raise your concern.