



Speak Up Policy – DCP 006

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Introduction

The ethical requirements of the Drapers' Multi-Academy Trust (MAT) are set out in the Code of Conduct. From time to time, it is inevitable that members of staff will be aware of circumstances that either are, or might be, or might lead to, breaches of the Code. Every employee has a responsibility under the Code to "speak up" and bring any such concern to the attention of management so that it can be resolved.

It is to be hoped that concerns can usually be addressed through the normal management chain of command. However, there may be circumstances where – for whatever reason – an employee does not feel comfortable about reporting a concern to their manager. This policy sets out the mechanisms for reporting concerns where these cannot be raised directly or where the individual concerned does not wish it to be known that they have raised a concern.

For the avoidance of doubt, no one will be penalised or disadvantaged for raising a genuine concern, even if it should turn out that the concern was groundless. Ethical standards are the responsibility of everyone and it is our collective responsibility to ensure that these are maintained.

Scope

This policy applies to all directors, governors, staff and pupils of the Drapers' Multi-Academy Trust (MAT). It also applies to parents and carers of pupils at schools within the MAT, who formally confirm that they will abide by our policies when their children join our schools.

Each school within the MAT must ensure that the contents of this policy are communicated to all staff. This communication must be evidenced in writing and refreshed on an annual basis. All parents must formally accept this policy when their children join a MAT school and this acceptance must be evidenced in writing through the Home-School Agreement.

Each school within the MAT must publish this policy on its website.

Definitions

Assessor	The person appointed to review a Speak Up report.
COO	Chief Operating Officer
LGB	Local Governing Body, with delegated powers of governance from the board of the MAT.



Malicious	A falsehood, intended to cause harm, discord or damage to the standing or reputation of others.
MAT	Drapers' Multi-Academy Trust.
Speak Up	The act of reporting a concern about the ethical behaviour of anyone associated with the MAT. Such concerns may relate to fraud, corruption, malpractice, breach of health and safety law, discrimination, bullying or any other breach of the MAT Code of Conduct.
Staff	Anyone employed by the MAT.

Policy

1. All members of staff are expected to maintain the highest ethical standards. If they see any behaviour that they consider to be unethical or otherwise inappropriate, they should report it to their line manager and request them to take appropriate action. Staff have the responsibility to ensure that such reports are made in good faith and are not petty or malicious.
2. In certain circumstances, it may not be appropriate to speak directly to a line manager. In such circumstances, the Speak Up procedures set out in this policy must be followed. Examples where the Speak Up process should be followed include:
 - i. Situations that might involve fraud or deliberate malpractice.
 - ii. Situations where the conduct is considered sufficiently serious that the reputation of the MAT might be damaged.
 - iii. Situations where the member of staff is concerned that he or she will not be taken seriously.
 - iv. Concerns that relate to the conduct of a senior member of staff or a governor.
 - v. Concerns that relate to matters where a member of staff believes a colleague's behaviour may create safeguarding issues.
 - vi. Situations where the member of staff wishes the report to remain confidential.
 - vii. Situations where the practice or general conduct of a member of staff is placing children at risk.
3. All reports made under the Speak Up process will be treated seriously and fully investigated. No member of staff will ever be criticised or penalised for making a report in good faith, even if the concern should prove to be groundless.



4. All reports made under the Speak Up process will remain confidential to those who are responsible for processing the concern, investigating it, and determining outcome. Equally, the member of staff making the report must not discuss it with anyone else. In particular he or she must be extremely careful not to make public accusations that could be unfounded, false or potentially malicious.
5. The Speak Up process should not be used to raise matters that relate to the member of staff's own employment or contractual rights. These should be raised with line management, or with the HR function, or through the processes set out in the appropriate policy.

Speak Up Procedures

6. In the first instance, a Speak Up report should be made, either orally or in writing, to the Principal. The report must set out the concern and the facts that support it. If the report is made orally, the Principal must document the concern and the supporting facts. The person making the report should sign the document to confirm that the record is a true and fair reflection of their concern. If they are not willing to do so, the facts of the report will still be investigated but it is less likely that any action will be taken without further corroboration.
7. If a Speak Up report concerns the Principal, or any member of the LGB, the report should be made to the Chair of the LGB. If the report concerns any member of the Board of the MAT or the COO, the report should be made to the Chair of the MAT. If the report concerns the Chair of the MAT, then the report should be made to the Clerk of the Drapers' Company and the Principal of Queen Mary University of London. In such circumstances, the recipient of the report should follow the principles set out in this policy.
8. The Principal must inform the Chair of the LGB and the COO that such a report has been made within 48 hours of its receipt.
9. On receipt of such a report the Principal, in consultation with the Chair of the LGB and the COO, must appoint an assessor who will review the concern that has been raised and prepare a written report together with recommendations for further action. The assessor must be independent from the management reporting line responsible for the area of concern. The report must be returned to the Chair of the LGB, the Principal and the COO within an agreed time frame.
10. Under normal circumstances, the assessor will be an independent member of the Senior Leadership Team, but it may be appropriate for the role to be performed by the COO, a member of the LGB or a director of the MAT.



11. It is the responsibility of the assessor to obtain as much information as possible from the person making the report about the grounds for the belief of wrongdoing and advise them if the matter does not fall under the remit of this policy and the appropriate steps to follow.
12. The assessor may, in consultation with the Chair of the LGB and the Principal, meet anyone else they think appropriate or necessary to establish the facts. However, the assessor must take great care not to go beyond this remit and, in particular, not to make judgements or express any opinion.
13. It is expected that any investigation will be completed within a month of receiving the initial report. If the investigation is expected to, or does, take longer than this then the Chair of the MAT must be informed and kept updated on progress.
14. Any actions arising from the investigation and report will be at the sole discretion of the Chair of the LGB, taking into account the views of the Principal and the COO. It is expected that the next steps will include one or more of the following:
 - i. A further investigation by the auditors in the case of a breach of systems or processes followed by remedial action.
 - ii. A list of steps necessary to prevent the concern happening again.
 - iii. Disciplinary proceedings be initiated against an employee or employees.
 - iv. A report to an external agency.
 - v. No further action being taken.
15. Once the investigation has been completed and the actions determined, these must be reported to the LGB at the next meeting.
16. It the responsibility of the Principal to ensure that all recommendations are implemented in full, unless it is agreed with the Chair of the LGB that there is good reason for not doing so. In any event, the Principal must report on progress to each LGB meeting until the matter is closed.
17. The identity of the person making the report will be kept confidential beyond those involved in the investigation process unless there are grounds to believe that they acted maliciously. The following are situations where such confidentiality will not be possible:
 - i. Where there is a legal obligation to disclose the identity.



- ii. Where the information is already in the public domain.
 - iii. Where there is a need to disclose the identity for the purpose of obtaining legal advice. In such circumstances, it is probable that Legal Privilege would then protect the identity of the individual.
18. The assessor, subject to any confidentiality issues that may arise, will report the conclusion of any investigation back to the person raising the concern. The COO must retain a written note of this on file.

Child Protection

19. If a member of staff believes that a colleague has:
 - i. Behaved in a way that has harmed a child or may harm a child or
 - ii. Possibly committed a criminal offence against, or related to, a child or
 - iii. Behaved in a way towards a child or children in a way that indicates that they are unsafe to work with children

They must speak to the Principal immediately. Where necessary, they must intervene directly to prevent harm to the child or children.

20. The procedures for reporting and dealing with child protection matters are set out above in section 6 onwards. It is the responsibility of every member of staff to ensure that any concerns raised are addressed promptly and the safety of the child is paramount.

Anonymous Reports

21. If the person making the report wishes to remain anonymous, they may write directly to the Chair of the LGB setting out the facts of their concern. The Chair of the LGB will then consult with the Chair of the MAT as to the appropriate course of action to follow. Anonymous reports will be treated seriously, but, unless there are sufficient facts to establish a clear and valid concern, they are less likely to warrant a formal investigation. The decision and actions of the Chair of the MAT and the Chair of the LGB will be documented and lodged with the COO.

Malicious Accusations

22. Anyone making a malicious accusation is liable to internal disciplinary action and, potentially, legal proceedings.



Informing External Agencies

23. All employees have a duty of confidentiality via their employment contract that prohibits them publicly disclosing their employer's confidential information. They also risk being in breach of specific legislation such as Data Protection laws. Employees should, therefore, always report concerns using the processes set out in this policy unless they believe that they are under a specific legal obligation to go directly to an external agency such as the police.
24. If the person raising the concern is not satisfied that it has been addressed and cannot obtain satisfaction from the Chair of the LGB, they should raise the matter with the Chair of the MAT. If the matter still cannot be resolved to their satisfaction, then they have the right to raise it with the appropriate external agency.
25. Failure to raise a concern using the processes set out in this policy and instead making a direct report to an external agency will be grounds for suspicion that the conduct is malicious.



Review

24. The policy owner must keep up to date with relevant legislation and government guidance and update this policy whenever necessary. The board of the MAT must approve the revised version.
25. The policy owner must review the policy at the end of July each year and either submit a revised policy for board approval or confirm in writing to the COO that the current version of this policy is still fit for purpose.
26. The COO must submit a list of all confirmed policies to the board at the first meeting of each new academic year.
27. The MAT board must formally review and re-approve this policy every five years.