



ASCENT ACADEMIES' TRUST

CODE OF CONDUCT (including whistle blowing procedure)

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CODE OF CONDUCT FOR ACADEMY EMPLOYEES

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CODE OF CONDUCT FOR ACADEMY EMPLOYEES

1. PURPOSE

1.1 The purpose of having a Code of Conduct is to:

- make a clear statement about the standards of conduct expected of employees of the Academies' Trust
- ensure the highest standards of conduct by identifying Academies' Trust standards which sit alongside professional codes and guidelines
- help all employees to act in a way which upholds the Academies' Trust standards and at the same time, protect them from criticism, misunderstanding or complaint.
- help build trust between the Academies' Trust and the people who come into contact with those working for it.

2. SCOPE

2.1 This Code of Conduct applies to:

- All employees of the Academies' Trust. Employees are as defined in section 230 of the Employment Rights Act 1996 or any subsequent legislation.
- Individuals providing services for the Academies' Trust e.g. contractors, agencies, self-employed, and those working for the Academies' Trust as part of partnerships with the Academies' Trust.

2.2 Disregarding this Code will in certain circumstances result in disciplinary action being taken. All employees will be supplied with a copy of this Code, against which their conduct will be measured.

2.3 Trustees are covered by their own Code of Conduct which is attached at Annex A.

3 STANDARDS AND ATTITUDES

3.1 All employees of the Academies' Trust are expected to give the highest possible standard of service to the public, Trustees and fellow employees.

3.2 The attitude of employees in dealing with people reflects on the Academies' Trust so it is important that they are constructive, polite and courteous. People's impression of the Academies' Trust is strongly influenced by the views of the people who work for it. Whether or not employees are aware of it, the comments they make will be accepted by others. Employees, therefore, need to consider carefully the effect of what they say.

3.3 All employees are expected to report to their manager or supervisor any perceived or anticipated impropriety, breach of procedure or policy of the Academies' Trust.

3.4 In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Employees should at all times avoid any appearance of improper conduct which may give rise to suspicion.

3.5 There are a number of principles that exemplify the standards that are required. They are set out below. A number of these aspects are dealt with in more detail within this Code.

4. THE PRINCIPLES

4.1 Honesty, Integrity, Impartiality and Objectivity

All employees must perform their duties with honesty, integrity, impartiality and objectivity.

4.2 Accountability

All employees must be accountable to the Academies' Trust for their actions.

4.3 Respect for Others

All employees must:

- Treat others with respect
- Not discriminate unlawfully against any person; and
- Treat Trustees professionally.

4.4 Stewardship

All employees must:

- Use any public funds entrusted to or handled by them in a responsible and lawful manner; and
- Not make personal use of property or facilities of the Academies' Trust unless properly authorised to do so.

4.5 Personal Interests

All employees must not in their official or personal capacity:

- Allow their personal interests to conflict with the Academies' Trust's requirements; or
- Use their position improperly to confer an advantage or disadvantage on any person.

4.6 Declaring Interests

All employees must comply with any of the Academies' Trust's requirements:

- To declare interests; and
- To declare hospitality, benefits or gifts received as a consequence of their employment.

4.7 **Openness**

All employees must NOT:

- disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so; and
- prevent another person from gaining access to information which that person is entitled to by law.

4.8 **Duty of Trust**

All employees must at all times act in accordance with the trust that the public is entitled to place in them.

4.9 **Safeguarding**

All employees must undertake their work in accordance with requirements laid down (for their job) in support of the Academies' Trust's duties for safeguarding children and young people.

5. **CONFIDENTIALITY AND DISCLOSURE OF INFORMATION**

- 5.1 The Academies' Trust recognises the importance of an open, transparent culture with clear communication and accountability. It is the Academies' Trust's aim to be as open as possible about all its activities. The law requires that certain types of information must be available to auditors, government departments, service users and the public. Different rules apply in different situations. If an employee is in any doubt as to whether they can release any particular information, they should always check with the Head of Academy¹ first.
- 5.2 The confidentiality of information received in the course of an employee's duties should be respected and must never be used for personal or political gain. Employees must not knowingly pass information on to others who might use it in such a way. If an employee believes that information should be disclosed in the public interest they should follow the Confidentiality Reporting Policy before doing so (see paragraph 6). Failure to do so may result in disciplinary action being taken.
- 5.3 Employees must not communicate confidential information or documents to others who do not have a legitimate right to know. Furthermore, information which is stored, whether on computer systems or manually, must only be disclosed in accordance with the requirements of the Data Protection Act 1998.
- 5.4 Information given in the course of an employee's duties should be accurate and fair and never designed to mislead.

¹ The Head of Academy can delegate duties to other members of the Leadership Team. In cases relating to the interests of the Head of Academy matters should be referred to the Executive Head Teacher.

6. CONFIDENTIAL REPORTING POLICY

- 6.1 Employees may often be the first to realise that there may be something seriously wrong within the Academies' Trust. However, they may be reluctant to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academies' Trust. 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.
- 6.2 The Academies' Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment employees, and those associated with the Academies' Trust, who have serious concerns about any aspect of the Academies' Trust's work, are expected to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 6.3 In order to ensure that this can happen the Academies' Trust has adopted a Confidential Reporting Policy (attached at Annex B).
- 6.4 The Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the Academies' Trust rather than overlooking a problem or 'blowing the whistle' outside.
- 6.5 The policy applies to all employees and those contractors working for the Academies' Trust on Academy premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the Academies' Trust in their own premises.
- 6.6 The policy is in addition to the Academies' Trust's complaints procedures and other statutory reporting procedures.
- 6.7 The policy has been discussed with the relevant trade unions and professional organisations and has their support.

7. POLITICAL NEUTRALITY

Employees must not allow their own personal or political opinions to interfere with their work and must at all times perform their duties in an objective manner.

8. RELATIONSHIPS

- 8.1 The Academies' Trust is firmly committed to equal opportunities and believes that every employee has the right to work in a safe environment without the fear of discrimination, harassment or abuse. The Academies' Trust will not tolerate or condone harassment or bullying in any form. The Academies' Trust has adopted an anti-harassment and bullying policy which addresses these issues in more detail. This policy aims to prohibit harassment and bullying within the Academies' Trust and covers both employees and Trustees. Copies of the policy are available from the Director of Corporate Services or the Head of Academy.

Appointment of Staff

- 8.2 It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. Employees involved in making appointments should do everything possible to ensure that these are made on the basis of merit and in accordance with the prevailing Academies' Trust's policy on Recruitment and Selection and regulations on safer recruitment.
- 8.3 In order to avoid any possible accusation of bias, employees must not become involved in any appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, if they are a relative of an applicant, or have a close personal relationship with him or her, nor where they have the opportunity to benefit, directly or indirectly, from an appointment without the express prior approval of their Head of Academy.
- 8.4 In this paragraph 'relative' means a spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding person.
- 8.5 'Partner' means a member of a couple who live together or who are involved in a romantic relationship.
- 8.6 'Close personal relationship' would include a person not employed by the Academies' Trust with whom an employee has a close business connection.
- 8.7 Personal relationships between colleagues who work together can give rise to conflicts of interest. Therefore, employees who have entered into a close personal or romantic relationship with a colleague are required to disclose this fact to their Head of Academy. Any information declared or disclosed should be recorded on both employees' personal files and treated in strict confidence.
- 8.8 This information should only be considered to ensure that the existence of the relationship does not impact on the smooth running of the Academies' Trust.

The Local Community and Service Users

- 8.9 Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient service delivery to that community in accordance with the policies of the Academies' Trust. This may involve dealing with troubled, angry and frustrated parents and carers, although employees are entitled not to be expected to place their personal health, safety and welfare at risk.

Contractors

- 8.10 All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to the Head of Academy at the earliest opportunity.
- 8.11 Orders and contracts must be awarded in accordance with the Trust's Finance Policy and Financial Manual and no special favour should be shown to businesses run by,

for example, friends, partners or relatives.

9. OUTSIDE COMMITMENTS

- 9.1 The Academies' Trust recognises that employees are entitled to their private lives. In general, an employee's choices and action outside of work are not the Academies' Trust's concern. However in order to protect both the employee and the Academies' Trust there are exceptions to this.

10. CONDUCT

- 10.1 Whether in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for their post or brings the Academies' Trust into disrepute. This includes conduct which would bring into question their suitability to work with children.
- 10.2 All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.
- 10.3 There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in the workplace or indicate unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.
- 10.4 Adults in contact with children and young people should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.
- 10.5 The behaviour of an adult's partner or other family members may raise similar concerns and may require careful consideration by the Academies' Trust as to whether there may be a potential risk to children and young people in the workplace.

11. ADDITIONAL WORK

- 11.1 Employees are able to take on work in addition to their existing contract of employment, providing it does not conflict with the performance of their duties in the role for which they are employed. In order to assess whether or not there might be a conflict, employees are required to request permission from their Head of Academy before taking any outside employment.
- 11.2 The Academies' Trust will not unreasonably stop employees from undertaking additional employment, but this employment must not, in the Academies' Trust's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.

11.3 An employee who wishes to take on additional work must ensure that:

- (a) the additional hours worked do not contravene the Working Time Regulations or otherwise give the Academies' Trust cause for concern about health and safety at work. Details of the Working Time Regulations are available from the Academies' Trusts' Director of Corporate Services;
- (b) the outside work does not place the employee in a position where their duties and private interests conflict; and
- (c) the outside work does not damage, or potentially damage, public confidence in the Academies' Trust's conduct or business.

12. ADDITIONAL WORK (INTERNAL)

12.1 Employees must not undertake private or personal work, paid or unpaid, of any description in working hours or on academies' premises unless they have been given specific permission by the Head of Academy. Where approval is given any payments will be made in accordance with the Academies' Trust Pay Policy.

13. REFUSAL OF A REQUEST TO TAKE ON ADDITIONAL WORK

13.1 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to their Head of Academy or consider raising a grievance under the Academies' Trust's grievance procedure.

14. BOOKS, TRAINING MATERIALS AND INTELLECTUAL PROPERTY RIGHTS

14.1 If an employee writes a book, for payment, on subjects relating to their work for the Academies' Trust they must seek the permission of the Academies' Trust in writing through the Head of Academy.

14.2 The Academies' Trust retains intellectual property rights for work undertaken by employees. Research, reports, designs, drawings, software and other developments or similar work, when created in the course of an employee's normal duties, remain the property of the Academies' Trust. These should not be removed from academy premises or passed on to third parties by any employee acting in a private capacity without the express consent of the Head of Academy.

15. PATENTS AND INVENTIONS

15.1 Any matter, or thing capable of being patented under the Patents Act 1977, made, developed or discovered by an employee, either alone or with others, whilst in the performance of their duties should be disclosed to the Academies' Trust through the Head of Academy and, subject to the provisions of the Patents Act, it will belong to and be the absolute property of the Academies' Trust.

16. COMPUTER USE

16.1 The Academies' Trust wants employees to use computers to the full and to feel competent and comfortable about doing so. However, it is essential that computers are used appropriately. Any reference to computers should be taken to mean all

computer equipment and any associated technology.

17. MISUSE OF COMPUTERS

- 17.1 The misuse of computers is a serious matter and may result in employees being subject to disciplinary and, where appropriate, legal action.
- 17.2 Guidance documents exist within the Academies' Trust in relation to the use of computers and information technology. Employees must be familiar with, and abide by, the Academies' Trust's Policy on computer use.
- 17.3 Private use of academies' facilities, such as computers (including use of the Internet), stationery and fax machines, is governed by these documents. Employees should not arrange to receive correspondence, telephone calls and fax messages in the Academies' Trust related to outside work or private interests.
- 17.4 An employee who is aware or suspects that abuse of computers, email or the internet is taking place is under a duty to report this immediately under the Academies' Trust Confidential Reporting Policy (see paragraph 6 above).
- 17.5 The Academies' Trust will monitor the use of computers etc without notice. A record of any sites accessed by staff is automatically stored on the system and may be examined later if misuse is suspected.

18. USE OF SOCIAL NETWORKING SITES

- 18.1 The growing popularity of personal web logs (blogs), twitter and social networking sites, such as Facebook and MySpace, may raise issues for the Academies' Trust, particularly where employees choose to write about their work and the Academies' Trust in which they are employed.
- 18.2 Employees should ensure that the content of their blogs/social networking sites does not bring the Academies' Trust into disrepute or breach their obligations in relation to confidentiality and appropriate behaviour.
- 18.3 Employees should not access personal blogs/social networking sites during working hours. When accessing such sites outside working hours employees are advised not to write about their work or make reference to the Academies' Trust on external web pages. Where an employee chooses to do so he/she should make it clear that the views expressed are his/hers only and do not reflect the views of the Academies' Trust. In addition employees must adhere to the rules below.
- 18.4 Employees must not:
- Disclose any information that is confidential to the Academies' Trust or any third party or disclose personal data of information about any individual/colleague/pupil/parent which could be in breach of the Data Protection Act;
 - Disclose any information which is not yet in the public arena;
 - Post illegal material, e.g. material which incites racial hatred;

- Link their own blogs/personal web pages to the Academies' Trust's website;
- Include any information, sourced from the Academies' Trust, which breaches copyright;
- Make defamatory remarks about the Academies' Trust, colleagues, Trustees, pupils and parents;
- Publish any material or comment that could undermine public confidence in the individual as an employee of the Academies' Trust or in their position of trust within the community; and/or
- Misrepresent the Academies' Trust, by posting false or inaccurate statements about the work of the Academies' Trust.

19 PERSONAL INTERESTS

- 19.1 Employees may have a variety of personal interests, which may from time to time impact on their role for the Academies' Trust. To protect the Academies' Trust and the employee from any accusations of wrong doing the Academies' Trust has in place a number of safeguards which demonstrate that these interests are not allowed to influence the way the Academies' Trust conducts its business.
- 19.2 Whatever an employee's role within the organisation, they must declare to their Head of Academy, any financial or non-financial interests which could bring about conflict with the Academies' Trust's interests. This could include Trustees.
- 19.3 If employees are in any doubt about a potential conflict of interest, they should bring the matter to the attention of their Head of Academy so that a decision can be made as how best to proceed.
- 19.4 Employees must not make, or become involved with, any official or professional decisions about matters in which they have a personal interest.
- 19.5 The Academies' Trust is required to establish systems of control to ensure that any business or personal interest by key members of staff and Trustees are recorded.

20. GIFTS AND HOSPITALITY

- 20.1 A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence.

21. GIFTS GENERALLY

- 21.1 Casual gifts offered to employees by contractors, organisations, firms, parents and carers or individuals such as calendars, diaries, pens, food, drink, flowers and other small gifts need not be declared. The general rule is that a gift below the value of £25 does not need to be declared. However it will not be appropriate to accept a gift below that value if it is given regularly and/or may be perceived as an inducement.

- 21.2 Employees should decline any personal gift offered to them, or to a member of their family, with a value of £25 or over by any person or organisation having dealings with the Academies' Trust.
- 21.3 When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to the Academies' Trust, there may be a problem returning it, in which case it should be reported immediately to the Head of Academy.
- 21.4 A checklist is provided at Annex C which should be used to help employees decide whether or not it is appropriate to accept a gift.
- 21.5 The Corporate Business Manager will keep a record of all gifts given to employees or the Academies' Trust where the value exceeds £25 or when a gift was declined (see Annex D).

22. HOSPITALITY

- 22.1 Offers of hospitality are a normal part of the courtesies of business life but in the publicly funded sector it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence.
- 22.2 Hospitality is sometimes offered to representatives of the Academies' Trust in an official or formal capacity. Hospitality can take many forms and could include attending exhibitions, seminars, sporting events, shows or concerts. Training events with very low training content and free catering, drink or transport may also be hospitality.
- 22.3 Employees need to exercise discretion when accepting offers of hospitality particularly when the host is seeking to do business with the Academies' Trust or who may stand to benefit in some way from dealing with the Academies' Trust.
- 22.4 Offers of hospitality should only be accepted where there is a clear benefit to the Academies' Trust in doing so e.g. networking, building contacts. If there is no or limited benefit employees should not attend.
- 22.5 Hospitality offered by charitable or social organisations, usually in connection with an invitation to speak to the body, can be accepted.
- 22.6 All offers of hospitality should be reported to the Head of Academy or Executive Leadership Team before it is accepted. The Corporate Business Manager will keep a record of all hospitality accepted by employees of the Academies' Trust (see Annex D).

23. SPONSORSHIP – GIVING AND RECEIVING

- 23.1 When an outside organisation wishes to sponsor or is seeking to sponsor an academy activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

23.2 Where the Academies' Trust wishes to sponsor an event or services, neither an employee, nor any partner, spouse, or relative must benefit from such sponsorship in a direct way without there being full prior disclosure to the Head of Academy of any such interest. Similarly, where the Academies' Trust through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

24. EQUALITY

24.1 All members of the local community, parents and carers, and other academy employees have a right to be treated with fairness and equity. Employees should become familiar with and observe all academy's policies relating to equality issues in addition to the requirements of the law.

25. TENDER PROCEDURES

25.1 Employees should exercise fairness and impartiality when dealing with all customers, contractors and subcontractors.

25.2 Employees responsible for engaging or supervising contractors and who have previously had, or currently have, a relationship in a private or domestic capacity with a particular contractor, must declare that relationship to their Head of Academy.

25.3 If employees become privy to confidential information on tenders or costs relating to external contractors, they must not disclose that information to any unauthorised person or organisation.

25.4 All employees must ensure that no special favour is shown to current, or recent former, employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

26. CORRUPTION

26.1 The Academies' Trust takes a very firm stance against all forms of bribery and corruption and has adopted an Anti-Fraud and Corruption Policy. This document is set out in Annex E.

26.2 Employees must be aware that bribing another person or receiving a bribe are serious criminal offences under the Bribery Act 2010. Penalties include fines and or imprisonment for up to 10 years.

26.3 The offence of 'bribing another person' will be committed if you offer, promise or give financial or other advantage to another person with the aim of inducing or rewarding them perform an activity or function improperly. The activity or function could relate to an external business or commercial activity or any public function (for instance done in house or by another public sector body).

26.4 The offence of 'being bribed' will be committed if you request or agree to receive or accept any financial or other advantage in return for improperly performing or allowing the improper performance of an activity or function. The activity or function

could be any public function or something you do during the course of your employment.

26.5 Further details of the Bribery Act offences are set out in the Anti-Fraud and Corruption Policy in Annex E.

26.6 For your own protection, if anyone makes an approach to you which seems to you, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to your Head of Academy or in respect of the Head of Academy, the Executive Leadership Team or Board of Trustees.

27. FINANCIAL PROCEDURE RULES

27.1 All employees involved in financial activities and transactions on behalf of the Academies' Trust, including budgetary control, operation of bank accounts, payments of accounts, payments of salaries and wages, petty cash and orders of works, goods or services must follow the Academies Financial Procedures Rules (see Financial Procedures Manual).

27.2 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner and strive to ensure value for money.

CODE OF CONDUCT: TRUSTEES

Trustee conduct is underpinned by the following key principles:

- to act in the best interests of the Academies' Trust - this may require balancing short and long term issues, academy and community issues etc.
- to work as a member of a team at all times and be loyal to collective decisions.
- to recognise that all Trustees have the same rights and responsibilities unless particular responsibilities are conferred on them by the full Board of Trustees.
- to understand that no Trustee can act alone except in exceptional circumstances prescribed in the regulations - the power of the Board of Trustees rests in it acting as a single body.

And that Trustees must:

- respect confidentiality.
- listen to and respect the views of others.
- express their own views clearly and succinctly.
- take their fair share of work/positions of responsibility.
- know, understand and work within the prescribed regulatory framework.
- report any evidence of fraud, corruption or misconduct to an appropriate person or Authority.

And should always:

- prepare for meetings by reading papers beforehand.
- attend training and take responsibility for their own learning & development as a Trustee.
- attend meetings promptly, regularly, and for the full time.

CONFIDENTIAL REPORTING POLICY

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1.0 INTRODUCTION

- 1.1 The Academies' Trust is committed to the provision of the highest quality services to the community it serves and to full accountability for those services. Whilst the Academies' Trust has in place rules, regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment to service delivery are followed, irregularities, wrongdoing or serious failures in standards do sometimes occur. The Trust wants to identify and remove such malpractice in the performance of its services.
- 1.2 The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be punished and that the matter will be promptly remedied. This policy is therefore intended as a clear statement that any malpractice by members, employees or third parties (including contractors) reported to the Academies' Trust will be swiftly and thoroughly investigated. The Trust will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

2.0 AIMS AND SCOPE OF THE POLICY

- 2.1 This policy provides all employees, agency workers, contractors including their staff and members of the Board of Trustees with
- avenues to raise concerns and receive feedback on any actions taken
 - reassurances that they will be protected from reprisals or victimisation for whistleblowing in good faith
- 2.2 Set out below is a list, which is intended to illustrate the sorts of issues, which may be considered as malpractice or wrongdoing and can be legitimately raised under this Confidential Reporting Policy:
- (a) any unlawful act, whether criminal or a breach of civil law, failure to comply with legal obligations or where a miscarriage of justice has occurred, is occurring or is likely to occur
 - (b) maladministration
 - (c) breach of any statutory Code of Practice
 - (d) breach of, or failure to implement or comply with, any policy determined by the Trust Board of Trustees
 - (e) failure to comply with appropriate professional standards
 - (f) corruption or fraud including obtaining money (e.g. grants) without entitlement
 - (g) misuse of assets, including stores, equipment, vehicles, buildings, computer hardware and software

- (h) endangering the health and safety of any individual with actions, which are likely to cause physical danger, or to give rise to a risk of significant damage to property
- (i) failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to the academy or would otherwise seriously prejudice the Academies' Trust
- (j) abuse of power, or the use of the Academies' Trust powers and authority, for any unauthorised or ulterior purpose
- (k) unfair discrimination in the academies' employment or services
- (l) causing damage to the environment
- (m) deliberately concealing information in relation to any of the items on this list

2.3 This Confidential Reporting Policy is intended to supplement, rather than to replace, the existing resolving issues at work procedures as laid down in the personnel manual whereby employees may already raise complaints or matters of genuine concern. It is therefore designed to provide a channel for those instances where the person reporting the matter feels that, for any reason, they cannot make use of those existing complaints procedures.

3.0 EMPLOYEE CO-OPERATION AND SAFEGUARDS

3.1 In many cases it is an employee of the Academies' Trust who is most likely to be in the best position to learn of any malpractice or wrongdoing within the Trust and to identify something which falls below the standards which the Academies' Trust and the community it serves are entitled to expect. The Academies' Trust expects the fullest co-operation of all its employees in securing the highest standards of service to the community it serves. This means that, where an employee of the Academies' Trust becomes aware of or suspects malpractice, the Academies' Trust will expect them to report these suspicions. Where an employee fails to report their suspicions, they become themselves implicated in the wrongdoing, and the Academies' Trust will treat failure by an employee to report such matters as a serious matter.

3.2 This policy statement has been discussed with the relevant trade unions and has their support.

3.3 The Academies' Trust will respect the confidentiality of any whistleblowing complaint received, where the complainant requests that confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his/her name, and unsupported anonymous complaints and allegations will have to be treated with caution.

3.4 Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation or harassment. The Academies' Trust will therefore not tolerate any attempt on the part of any employee or member to take reprisals against any person who has reported a serious and genuine concern. The Academies' Trust will treat any such recriminations, victimisation or harassment by any employee or member of the Board

of Trustees as a serious matter. Individuals may also have statutory protection under the Public Interest Disclosure Act 1998, which aims to protect individuals who make certain disclosures of information in the public interest and who are then victimised in their employment.

- 3.5 The Academies' Trust is proud of its reputation for having the highest standards of probity. It will therefore ensure that the necessary resources are put into investigating any complaints which it receives. As a consequence of this it will view very seriously any false or malicious allegations which it receives, and will regard the making of any deliberately malicious or vexatious allegations by any employee as a serious disciplinary offence.
- 3.6 The Confidential Reporting Policy will be publicised to all staff, using appropriate media (e.g. newsletters, briefing etc.)

4.0 HOW TO RAISE A CONCERN

- 4.1 It is envisaged that a line manager will be the first point of contact in the vast majority of cases. It will be their responsibility to initially investigate all matters reported to them promptly in accordance with the procedure notes issued.
- 4.2 It is, however, appreciated that there may be times when an employee of the Trust feels unable to use the above procedure, for example when the whistleblower feels that their line manager may be involved in the malpractice.
- 4.3 The Academies' Trust has identified a number of individuals to act as a Whistleblowing Officers and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter. These individuals include all members of the Executive Leadership Team and the Head of Academy in each of the academies.
- 4.4 Alternatively to contacting a Whistleblowing Officer directly, staff are able to email a specific email address set up by the Trust for confidential reporting. This address is: confidentialreporting@ascenttrust.org This email is monitored by the clerk to the Board of Trustees. Reports and concerns will be dealt with in the same way, regardless which way they were raised.
- 4.5 In addition, information and advice can be obtained for the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows: -

Public Concern at Work
Suite 306
16 Baldwins Gardens
London
EC1N 7RJ
Telephone number 0207 404 6609
www.pcaaw.co.uk

The whistleblower may prefer to raise the matter in person, by telephone or in written

form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

The Whistleblowing Officers have the following remit

- (a) to receive and record any complaints under this Policy
- (b) to ensure the confidentiality of any whistleblowing complainant who requests that their complaint be treated in confidence
- (c) to investigate promptly any whistleblowing complaint and to respond directly to the complainant, with a right of access to the Head of Academy and all members and employees of the Academies' Trust and to all documents and records of the Academies' Trust.
- (d) to report to the Head of the academy where the investigation identifies a serious cause for concern within the responsibilities of that officer and to recommend the use of any relevant statutory powers or duties. Where the complaint relates to the conduct of a Trustee or member of the Executive Leadership Team, he/she should report to the Chair of the Board of Trustees.
- (e) to report as appropriate, to the Board of Trustees.
- (f) to recommend, in conjunction with the Head of Academy, to settle appropriate action to resolve a complaint or recompense a complainant
- (g) to report every six months on the number of concerns raised under this Confidential Reporting Policy. Those matters raised which identify fraud or loss to the Academies' Trust will be reported to the relevant Committee.

4.6 It is better if concerns are raised in writing. This allows the opportunity to set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee or Trustee is particularly concerned about the situation.

4.7 It is anticipated that an employee will know the address to write to for their line manager.

4.8 For contractors a clause will be inserted in all standard Academies' Trust contracts, highlighting that the Confidential Reporting Policy applies to all their staff working on academy business. It will place a requirement on these contractors to publicise the Confidential Reporting Policy to all their key staff involved with their contract for the Academies' Trust.

4.9 Although whistleblowers are not expected to prove the truth of an allegation, they will need to demonstrate to the person they choose to contact that there are sufficient grounds for concern.

5.0 HOW THE ACADEMIES WILL RESPOND

5.1 In order to protect both individuals and the Academies' 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 separate consideration under those procedures.

- 5.2 Some concerns may be resolved by agreed action without the need for detailed investigation.
- 5.3 Within 10 working days of a concern being received, the Whistleblowing Officer will write to the whistleblower
 - acknowledging that the concern has been received
 - indicating how they propose to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - stating whether any initial enquiries have been made, and
 - stating whether further investigations will take place, and if not, why not.
- 5.4 The amount of contact between the officers considering the issues and the whistleblower 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 the whistleblower.
- 5.5 When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a union or professional association representative or a friend who is not involved in the area of work to which the concern relates.
- 5.6 The Academies' Trust will take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Academies' Trust will provide advice about the procedure.
- 5.7 The Academies' Trust accepts that the whistleblower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, information about the outcomes of any investigations will be provided.

GIFTS AND HOSPITALITY

Checklist for considering whether to accept a gift or hospitality

The question in all cases is one of judgement, and the following checklist of queries should help employees to decide whether a gift or an offer of hospitality should be accepted or declined.

- (a) Is the value of the gift or hospitality £25 or over?
- (b) If under £25 is it intended as an inducement?
- (c) Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
- (d) Does the donor have any form of contractual relationship with the Academies' Trust, does it provide goods or services to the Academies' Trust of any kind?
- (e) Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or has an individual been targeted because of their employment with the Academies' Trust and the nature of their role?
- (f) What is thought to be the motivation behind the invitation/gift?
- (g) For hospitality does the employee wish to attend if so why? Is it because there will be genuine benefits to the Academies' Trust in terms of networking and contacts gained? Or is a desire to attend centred around personal enjoyment?
- (h) Would acceptance of the invitation be, in any way, inappropriate or place the employee under pressure in relation to any current or future matter involving the Academies' Trust?
- (i) For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity?

If an employee decides to accept a gift over £25 they must declare this to their Head of Academy. If an employee declines a gift of over £25 the Head of Academy should also be informed and the reasons for the gift being declined should be recorded.

ANTI-FRAUD AND CORRUPTION POLICY

Policy reviewed and adopted by the Board of Trustees	May 2016
Version	3.0
Review frequency	2 years
Date of next review	May 2018
Responsible Officer	Mick Little

Purpose

The purpose of this policy is to confirm The Academies' Trust's commitment against fraud and corruption.

The fulfilment of this Anti-fraud and Corruption Policy will assist in the delivery of more effective risk management, on which the Academies' Trust has produced its own separate policy.

Introduction

The Academies' Trust is determined to demonstrate that it will not tolerate fraud, corruption or abuse of position for personal gain, wherever it may be found, in any area of academy activity.

The Academies' Trust considers that all instances of fraud, corruption and other dishonesty endanger the achievement of the Academies' Trust's policies and objectives as they divert its limited resources from the provision of education. There is a clear recognition that the abuse of the Academies' Trust's resources, assets and services undermines the Trust's reputation and also threatens its sound financial standing.

The purpose of this Policy Statement is to set out for Trustees and employees, the Trust's main objectives for countering fraud and corruption.

This policy statement -

- Defines fraud & corruption,
- Identifies the scope of the applicability of the policy,
- Sets out the Academies' Trust's intended culture & stance against fraud & corruption,
- Identifies how to raise concerns and to report malpractice;
- Sets out responsibilities for countering fraud and corruption

Definitions

Fraud

Fraud is a range of abuse and malpractice that is covered by the Fraud Act 2006.

Fraud can be defined as an abuse of knowledge or financial position that is done deliberately to create a financial gain for the perpetrator or for a related person or entity and / or cause a loss to another. It can take place in many ways; withholding information, deliberately misleading, misrepresenting a situation to others or by abuse of position. Irrespective of the definition applied, fraud is always deceitful, immoral, and intentional and creates a financial gain for one party and / or a loss for another.

Gains and losses do not have to be direct. A gain to a related party or company through intentional abuse of position, albeit not directly to the officer involved, is still fraudulent. In the same way, using the Academies' Trust's name to procure personal goods and services

is also fraudulent, where there is deliberate abuse of position to make a gain in the form of goods and services at a discount price or to get the Academies' Trust to pay for them.

Corruption

Corruption will normally involve the above with some bribe, threat or reward being involved.

Scope of Policy

The Policy Statement applies to all members of the Board of Trustees, the and all employees (full time, part time, temporary and casual) who work for the Academies' Trust.

The Academies' Trust expects that individuals and organisations (e.g. partners, suppliers, contractors, and service providers) with which it deals will act with integrity and without thought or actions involving fraud and corruption. Where relevant, the Academies' Trust will include appropriate clauses in its contracts about the consequences of fraud, bribery and corruption. Evidence of such acts is most likely to lead to a termination of the particular contract and will normally lead to prosecution.

The Academies' Trust recognises the importance of the seven principles of public life defined by the Nolan Committee 1995, and expects all Trustees, employees and those acting as its agents to conduct themselves according to them. The seven principles are worthy of being read by all .

- **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest

- **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties

- **Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends

- **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit

- **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands

- **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office

• **Leadership**

Holders of public office should promote and support these principles by leadership and example.

Through observance of these principles the Academies' Trust requires Trustees, employees and its agents to be alert to the possibility of fraud, corruption and dishonesty in all their dealings.

The Academies' Trust also requires that those employees responsible for its systems and procedures should design and operate systems and procedures, which endeavour to minimise losses due to fraud, corruption, and other dishonest action and abuse.

Culture & stance against fraud & corruption

The Academies' Trust is determined that the culture and tone of the organisation will be one of honesty and opposition to fraud and corruption of any kind.

The Academies' Trust expects that the Board of Trustees and its employees at all levels will lead by example in ensuring adherence to legal requirements, financial rules, codes of conduct and prescribed procedures and practices.

The Academies' Trust implements and maintains systems of accountability and control to ensure that its resources are properly applied in the way it intended. These systems include, as far as is practical, adequate internal controls to detect not only significant errors but also importantly, fraud and corruption.

The Academies' Trust's Audit Committee is responsible for overseeing internal control and financial management.

Raising Concerns

Trustees and employees are an important element in the Academies' Trust's defence against fraud and corruption; they are expected to raise any concerns that they may have on these issues where they are associated with the Academies' Trust's activities.

The Academies' Trust's senior management and Trustees will be robust in dealing with financial malpractice of any kind.

Trustees and employees of the Academies' Trust should follow the guidance issued in the Confidential Reporting Policy and associated procedure.

All concerns reported, by whatever method, will be treated in confidence and will be reviewed and investigated by a member of staff deemed to be appropriate and best placed to do so. This may mean that, depending on the level, type and details of the concerns you raise, that your concerns are investigated by senior leader, Trustees or in the case of very serious concerns, the Police.

Responsibility for this Policy

The Head of Academics in conjunction with the Director of Corporate Services have overall responsibility for the maintenance and operation of this policy. From time to time they will review and report on this policy.

This policy will be regularly reviewed and any significant amendments proposed to the Board of Trustees. The Trust's arrangements for the deterrence, prevention and detection of fraud will be regularly reviewed by those officers charged with responsibility for the policy.