

Confidentiality and the outcome of management processes

Where a manager receives information relating to alleged misconduct of another member of staff the manager is required to make an initial assessment and then the matter will be dealt with, wherever possible, informally. Depending on the situation it may be dealt with on a formal basis. Complaints should be dealt with fairly, confidentially and sensitively.

When raising such concerns staff may feel that they are entitled to know what the outcome of their action is.

We aim to be as transparent as possible by publicising our policies and procedures though in the vast majority of cases we are unable to tell staff who raise a concern exactly what action has or has not been taken.

We understand that this can be frustrating, particularly when staff may see no obvious response to their concern.

It is however very important that confidentiality is maintained, particularly at any investigatory and disciplinary stage for reasons including:

- to encourage staff to raise concerns. Staff are often concerned about confidentiality and may not come forward with information without the assurance that information received is handled sensitively and wherever possible confidentiality is maintained.
- employees will be reluctant to come forward if they feel they may be treated unsympathetically or are likely to be confronted aggressively by the person whose behaviour they are complaining about.
- so that the facts can be obtained.
- requiring that details are kept confidential, including the purpose of a meeting and the contents of any discussion, reduces the risk of witnesses discussing or agreeing their evidence.
- to minimise any negative impact on witnesses and others participating in processes. For example, witnesses are more likely to feel concerned if there is no control over who will see their statement.
- where a settlement is reached as the agreement requires confidentiality

On a case by case basis we may be able to provide information:

- of a general nature – such as that formal action has been taken
- on a significant delay. For example, when there are matters pertaining to a case which are outside our control which necessitate a delay
- prior to a public announcement being made, for example when it is important that a matter is drawn to the attention of staff to clarify the standard of behaviour that is expected.

- where mediation is offered and parties provide information to each other on a voluntary basis as part of that process.

Seeking help and support

Continuing to work whilst maintaining confidentiality may present a challenging situation.

Seeking the help and support of others is important and prompt action will lessen any suffering and enable you to regain a sense of wellbeing as soon as possible.

You may wish to talk to

- your union representative who may also represent you on individual matters and at formal procedures as well as providing broader support. (see <http://www.warwickshire.gov.uk/tradeunions>)
- a fellow employee who may represent you on individual matters and at formal procedures.

Internal support includes:

- [Employee Assistance Programme](#) (EAP) service provides confidential help, support and counselling services to members of staff.
- [Listening Mates](#) provide confidential and unbiased support, enabling staff to get more clarity around their individual situation.
- [Staff Network Groups](#) exist for Carers, LGBTQ+, Cultural, Christian, GEM (Global Ethnic Minority) staff, Widows/Widowers and Women.
- Occupational Health – can be accessed through your line manager.