

Laburnum Primary School

(including Sandy Children's Centre)

Confidential Reporting Policy

(Also known as Whistle Blowing)



Updated by:

Headteacher

Approved Date: July 2018

Last reviewed:

June 2018

Next review due by:

July 2020 (Review frequency at discretion of Governing Body)

1. Introduction

- 1.1** Laburnum Lower School is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment we expect employees and others that we deal with who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.2** Employees are often the first to realise that there may be something seriously wrong within the School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. 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.
- 1.3** The Public Interest Disclosure Act 1998 encourages individuals to raise concerns about malpractice in the workplace and this policy document makes it clear that employees can raise serious concerns without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable employees to raise those concerns within the school, rather than overlooking a problem or 'blowing the whistle' outside. However, it is recognised that there are occasions where this may not be appropriate.
- 1.4** The Policy applies to all employees and those contractors working for the school on school premises, for example, agency staff, builders, and drivers. It also covers suppliers and those providing services under a contract with the school or the Authority.

1.5 These procedures are in addition to the school's complaints procedures and other statutory reporting procedures.

1.6 This policy has been discussed with the relevant trade unions and professional organisations and has their support.

1.7

2. Aims and Scope of this Policy

3. This policy aims to:

- question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

2.1 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damages to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of clients, or
- other unethical conduct

2.3 Thus any serious concerns that you have about any aspect of service provision or the conduct of employees in the school, governors, officers of the Authority or members of the Council can be reported under the Confidential Reporting Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the school or LA subscribe to; or
- is against the policies of the school or LA; or
- falls below established standards of practice; or
- amounts to improper conduct.

2.4 This policy does not replace the school's complaint procedure.

3 Safeguards

Harassment or Victimation

- 3.1 The Governing Body is committed to good practice and high standards and wants to be supportive of employees.
- 3.2 The Governing Body recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.
- 3.3. The Governing Body will not tolerate any harassment or victimisation (including informal pressure) and will take appropriate action to protect you when you raise a concern in good faith.
- 3.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

4. Confidentiality

- 4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, i.e. if and when the matter goes to an investigatory stage and a disciplinary hearing, however you may need to come forward as a witness.

5. Anonymous Allegations

- 5.1 This policy encourages you to put your name to your allegation whenever possible.
- 5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Governing Body or LA.
- 5.3 In exercising this discretion the factors to be taken into account would include:
 - the seriousness of the issues raised
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from attributable sources.

6. Untrue Allegations

- 6.1 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 an allegation maliciously or for personal gain, disciplinary action may be taken against you.

7. How to raise a concern

- 7.1 As a first step, you should normally raise concerns with your immediate manager or their superior. 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 management is involved you should approach the Chair of Governors or Strategic Director Executive, Director of Finance, the Council's Monitoring Officer, or Assistant Director (Internal Audit and Risk Management).
- 7.2 Concerns may be raised orally or in writing. Staff who wish to make a written report are invited to use the following format:
 - the background and history of the concern (giving relevant dates);
 - the reason why you are particularly concerned about the situation.
- 7.3 The earlier you express the concern the easier it is to take action.
- 7.4 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

- 7.5 Advice and guidance on how matters of concern may be pursued can be obtained from the Headteacher or the LA
- 7.6 You may wish to consider discussing your concern with a colleague or your trade union representative first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.
However, once you have raised a concern under the Confidential Reporting Policy you should be mindful that any further discussions with other parties may impede the maintenance of confidentiality.
- 7.7 You may invite your trade union or friend to be present during any meetings or interviews in connection with the concerns you have raised.
- 8. How the Governing Body will respond**
- 8.1 The Governing Body will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 8.2 Where appropriate the matters raised may:
- be investigated by management, internal audit, or through the disciplinary process
 - be referred to the LA
 - be referred to the police
 - be referred to the external auditor
 - form the subject of an independent inquiry
- 8.3 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 the Governing Body 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.
- 8.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 8.5 The appropriate person under the policy with whom you raised your concerns will write to you within ten working days of a concern being raised:
- acknowledging that the concern has been received
 - indicating how we propose 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
 - supply you with information on staff support mechanisms, and
 - telling you whether further investigations will take place and if not, why not.
- 8.6 The amount of contact between those responsible for 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, the Governing Body or the LA will seek further information from you.
- 8.7 Where any meeting is arranged, off-site if you so wish, a union or professional association representative or a friend can accompany you.
- 8.8 The Governing Body 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 Governing Body will arrange for you to receive advice about the procedure.
- 8.9 The Governing Body accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcomes of any investigation.

9. The Monitoring Officer

9.1 The Chief Executive of the County Council as Monitoring Officer has overall responsibility for the maintenance and operation of the County Council's policy on this matter. That officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Council. The Governing Body's policy is to be seen within the overall County Council policy.

10. How the matter can be taken further

10.1 This policy is intended to provide you with an avenue within the Governing Body to raise concerns and the LA and it is hoped you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside those who have been considering the matter, the following are possible contact points are:

- the Council's external auditor
- your trade union/professional association representative
- your local Citizens Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police

10.2 If you do take the matter outside the Governing Body or the LA, you should ensure that you do not disclose confidential information.