

# St Helen Auckland Community Primary School



## Confidential Reporting Code Policy

September 2017

# St Helen Auckland Community Primary School

## Confidential Reporting Code

### 1. Introduction

The Governing Body is committed to the highest possible standards of openness probity and accountability. In line with that commitment we expect those who manage, govern and work in the school and others that we deal with, who have serious concerns about any aspect of the schools work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

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.

This document makes it clear this can be done without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Code is intended to encourage and enable all employees and governors to raise serious concerns within the School rather than overlooking a problem or 'blowing the whistle' outside.

The Code applies to all employees, governors and those contractors working for the School on School premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the school or County Council in their own premises, for example, leisure centres or swimming pools.

These procedures are in addition to the school's complaints procedures and other statutory reporting procedures. If asked, governors and employees should make interested parties aware of the existence of these procedures.

This Code has been discussed with the relevant trade unions, professional organisations and Diocesan authority's and has their support.

### 2. 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 concern 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.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Confidential Reporting Code 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
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of pupils, employees
- other unethical conduct

Thus, any serious concerns that you have about any aspects of the school or the conduct of staff or governors of the School or others acting on behalf of the School can be reported under the Confidential Reporting Code.

This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the School subscribes to;  
or
- is against the County Council's Standing Orders or school policies;  
or
- falls below established standards of practice;  
or
- amounts to improper conduct

(This Code does not replace the schools general complaints procedure.)

### 3. **Safeguards**

The School is committed to good practice and high standards and wants to be supportive of employees and governors.

The School recognises that the decision to report a concern can be a difficult one to make. If you believe what you are saying is true and the statement is made in good faith, you should have nothing to fear because you will be doing your duty to your School and those for whom you are providing a service.

The School will not tolerate any harassment or victimisation [including informal pressures] and will take appropriate action to protect you when you raise a concern in good faith. This action will depend on the type of concern.

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

#### 4. **Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. Any breach of confidentiality will be regarded as a serious matter and will be dealt with accordingly. At the appropriate time, however, you may need to come forward as a witness.

#### 5. **Anonymous allegations**

This Code encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Governing Body or local education authority.

In exercising this discretion, the facts 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**

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 frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

#### 7. **How to raise a concern**

As a first step, you should normally raise concerns with your Head Teacher or other senior member of staff. 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 the Education Department at County Hall, Durham (see below for contacts).

Concerns may be raised verbally or in writing. A written report should use the following format:

- the background and history of the concern [giving relevant dates];
- the reason why you are particularly concerned about the situation.

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

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.

Advice/guidance on how to pursue matters of concern may be obtained from:

**Fr McTeer**

**Chair of Governing Body**

**Area Co-ordinator, South Western Division**

03000 265696

**Education Department Contacts**

If the concern is of a financial nature you may seek advice from Head of Education Resources.

Alternatively you may wish to seek advice from a person independent of the school or Education Department i.e Human Resources at County Hall

You may wish to consider discussing your concern with a colleague 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.

You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

## **8. How the school will respond**

The School will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- be investigated and dealt with by management or the governing body
- be referred to the LA for investigation
- be referred along with details of the investigation to another responsible body (e.g. contractor .....)

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 School 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.

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.

Within ten working days of a concern being raised, the person with whom you have raised your concerns will write to you:

- 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;

- supplying you with information on staff support mechanisms; and
- telling you whether further investigation will take place and if not, why not.

The amount of contact between the person 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 may be sought from you.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.

The school 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 school will arrange for you to receive advice about the procedure.

The school 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 outcome of any investigation.

## 9. **The responsible body**

The Governing Body has overall responsibility for the maintenance and operation and review of this Code. The Governing Body will ensure that a record of concerns raised is maintained along with the outcomes [but in a form which does not endanger your confidentiality or the rights of others].

## 10. **How the matter can be taken further**

This Code is intended to provide you with an avenue to raise concerns. The school hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school, the following are possible contact points:

- LA contacts
- your trade union
- your local Citizens Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police
- Secretary of State for Education
- Relevant Diocesan authority for Aided schools

If you do take the matter outside the school you should ensure that you do not disclose confidential information. Check with the contact point about that.

## CONFIDENTIAL REPORTING CODE

The Confidential Reporting Code aims to encourage and enable serious concerns to be raised within the school or LEA rather than ignore a problem or malpractice or 'blowing the whistle' outside.

This Code covers concerns outside of the following areas and does not replace the following procedures.

### 1. **School's Complaint Procedure**

Complaint about the standard of service, actions or lack of actions by the School. Handling of the complaint is, in the first instance, the responsibility of the Headteacher concerned. If a complainant is not satisfied at this stage referral is made to the Governing Body.

### 2. **Financial Regulations**

Anyone in school who becomes aware of any financial irregularities or suspected irregularities must immediately notify the Headteacher, Chair of Governors and the County Treasurer or LA contact.

### 3. **Arrestable Offences**

In any case where there is reason to believe that an employee of the school may have committed, in the course of their duties, an arrestable offence, the Director of Education or representative must be informed and where it is considered an arrestable offence has occurred, the Director of Education will inform the police.

### 4. **Grievance Procedure**

A grievance can relate to any aspect of employment which affects the employee personally and which is not reserved to be dealt with under any other established procedures excepting the following - disciplinary matters, matters relating to deductions from pay, grading matters, redundancy and recruitment issues.

The matter should first be raised with the employee's line manager, then referred to a 'grievance officer' for discussion between the line manager and Head Teacher and ultimately consideration by the Governing Body's Appeals Committee.

All concerns applicable under this Confidential Reporting Code should be raised with the person's immediate manager or supervisor. If the concern relates to their immediate manager then the concern should be raised with the next appropriate senior manager or Chair of Governors if it relates to the Headteacher. Advice/guidance on who is the appropriate manager can be sought from the contacts named in the Code.

Concerns regarding senior officers within the County Council should be referred to one of the following: Chief Executive, the County Treasurer, the Deputy Director of Corporate & Legal Services or the Head of Internal Audit.

Although concerns may be raised verbally or in writing (a suggested format for making a written report is included in the Code) a confidential log of the nature and number of concerns arising within the school should be held by the Headteacher on behalf of the Governing Body.

The person to whom the concern is raised should complete the attached form and forward it to the Headteacher.

Headteacher signature

---

Governor signature

---

Date:

1<sup>st</sup> September 2017

Review:

September 2018

**PRIVATE AND CONFIDENTIAL**

**St Helen Auckland Community Primary School**

**CONFIDENTIAL REPORTING CODE**

**To be completed by person to whom the concern is raised.  
To be forwarded to Head Teacher of St Helen Auckland Community Primary  
or Chair of Governing Body  
or LA Officer**

**Name of person :  
raising concern (may be anonymous):**

**Post Held :**

**Brief outline of nature of concern and dates :**

**Names of other person's involved :**

**Brief description of outcome, with dates :**

**Signature :  
(of person to whom complaint is raised)**

**Please Print Name :**

**Date :**

