



CONFIDENTIAL REPORTING CODE

Adopted by the Governing Body 21st January 2003

**Reviewed: 2nd February 2012
To be reviewed December 2015**

1. INTRODUCTION

- 1.1. Confidential Reporting is the disclosure or communication of information about possible malpractice by individuals or organisations. Disclosure can be either internal within the organisation or external to an outside authority, and can be made by employees, contractors or any other stakeholders.
- 1.2. This confidential reporting code is intended to enable the disclosure of information about internal malpractice and to provide protection from subsequent victimisation, discrimination or disadvantage. This will assist in detecting and deterring malpractice and, by demonstrating the School's accountability, maintain public confidence and the School's good reputation.

2. PURPOSE

- 2.1. Employees are often the first to realise that there may be evidence of malpractice within the school. However, they may not express their concerns out of loyalty to their colleagues, or fear of harassment or victimisation.
- 2.2. In line with the School's commitment to high standards of openness, integrity and accountability, the School expects employees who have a reasonable belief that malpractice is taking place with the School to come forward and voice those concerns internally. This code provides the means for employees to make such disclosures. This may include the following:
 - Conduct which is an offence or breach of the law
 - Miscarriages of justice
 - Health & Safety risks,
 - Damage to the environment
 - Unauthorised use of public funds
 - Fraud and corruption
 - Sexual or physical abuse of pupils
 - Any other unethical conduct
- 2.3. Disclosures should be made to
 - The Headteacher
 - The Chair of Governors, where appropriate
 - The Chief Education Officer or the Assistant County Treasurer

It is recognised that most cases will have to proceed on a confidential basis.

- 2.4. It is in the interests of all parties that disclosures are dealt with properly, quickly and discreetly. The overriding consideration is that it would be in the public interest for any malpractice found to be corrected and, where appropriate, sanctions applied.

- 2.5 The code provides a procedure to make disclosures of irregularity or wrongdoing without fear of adverse treatment as a result. The School will not tolerate any harassment or victimisation of anyone making disclosures (including informal pressures), and will take action to protect such persons when they make a disclosure in good faith.
- 2.6 The code takes into account the requirements of the Public Interest Disclosure Act 1998. It is complementary to the School's Code of Conduct which makes clear the standards of propriety and good practice. It is also complementary to the School's Discipline, Grievance and Harassment Procedures. Together they form a framework which allows employees and others to be disciplined, to seek personal redress, to raise personal complaint and to disclose malpractice where appropriate. The code is in addition to the School's complaints procedures and other reporting procedures, e.g. child protection procedures.

3. SCOPE

- 3.1. The code applies to all employees, contractors, agency staff, drivers, suppliers and those providing services under a contract with the School in their own premises.

4. PROCEDURES FOR MAKING A DISCLOSURE (Including explanatory notes)

- 4.1. All disclosures will be treated in confidence and every effort will be made not to reveal your identity wherever possible. However, you may need to come forward as a witness, and you will be given every support at that time.
- 4.2. You should put your name to disclosure wherever possible. Disclosures made anonymously will still be considered at the discretion of the School. However it is helpful to have your name in case further information is required.
- 4.3. In exercising discretion the School will take into account:
- The seriousness of the issues raised
 - The credibility of the disclosure
 - The likelihood of confirming the allegation from attributable sources.
- 4.4. If you make a disclosure in good faith but it is not confirmed by the investigation no action will be taken against you. However, if your allegation is frivolous, malicious or for personal gain you may be subject to disciplinary action, in the case of employees, or outside authority action in the case of others.
- 4.5. As a first step your concerns should be raised with the Headteacher. If you believe the Headteacher is involved you should approach the School's Chair of Governors, or if you believe both are involved, the Chief Education Officer or Assistant County Treasurer. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

- 4.6. Concerns may be raised verbally or in writing. The earlier your concerns are expressed the easier it is to take action. You should provide:
- Details of your concerns, including the nature, dates and location
 - Reasons why you feel concerned about the situation.
- 4.7. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate that there are reasonable grounds for your concern.
- 4.8. You may wish to consider discussing your concern with a colleague or friend and it may be easier to raise the matter if there are two or more of you who have had the same experience or concerns. You may also discuss your concerns with your trade union representative or other manager. You may invite your trade union or other representative to be present during any meetings or interviews in connection with the concerns you have raised.
- 4.9. The amount of contact between you and the person considering the issues will depend upon the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary the School will seek further information from you.
- 4.10. The School will respond to your disclosure and may be:
- Investigated by management, internal audit or through the disciplinary process
 - Referred to the Derbyshire (or other) Constabulary
 - Referred to an external auditor
 - The subject of an independent enquiry.
- 4.11. In order to protect individuals and those accused of possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The over-riding principle in mind will be the public interest. Disclosures for which there are other specific procedures, e.g. child protection or discrimination, will normally be referred for consideration under those procedures.
- 4.12. Some concerns may be resolved by agreed action without the need for investigation; or if urgent action is required, this will be taken before any investigation is conducted.
- 4.13. Within 10 working days of a concern being raised you will receive a response:
- Acknowledging that the concern has been received
 - Telling you whether any initial enquiries have been made
 - Indicating how the matter is going to be dealt with
 - Giving an estimate of how long it will take to provide a final response
 - Supplying you with information on support mechanisms
 - Telling you why, if there is to be no further investigation.

- 4.14. The School will take steps to minimise any difficulties you may experience as a result of making a disclosure; e.g. if you are required to give evidence in criminal or disciplinary proceedings the School will arrange for you to receive advice about the procedure.
- 4.15. To assure you that the matter has been properly addressed, subject to legal constraints, you will be informed of the outcomes of any investigation.
- 4.16. If you are not satisfied with any action taken and you believe the information you have disclosed is substantially true, possible contact points are:
- Public Concern at Work
 - The external auditor
 - Your trade Union or other professional representative
 - The Citizens Advice Bureau
 - Relevant professional bodies or regulatory organisations
 - Relevant voluntary organisations
 - The Police
- 4.17. If you take the matter outside the School you should ensure that you do not disclose confidential information. Check with the person dealing with your disclosure within the School or Authority before divulging any information.

Reviewed by the Personnel Committee on.....

Signed.....Date.....
Chairman of Governors