

Baginton Fields School

RAISING CONCERNS AT WORK - CONFIDENTIAL REPORTING CODE



"Dedicated to delivering inspirational learning experiences"

Introduced spring 2018

Review spring 2021

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1. Introduction

- 1.1 BFS is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we wish to encourage school 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.
- 1.2 School 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.

All employees must hold the care and well-being of our students in the highest regard - affording all students the dignity and respect they deserve as described in the Ethos and Values of Baginton Fields and our Baginton Values.

All employees are required to respect the contribution of colleagues as described in the Code of Conduct for employees.

- 1.3 This **Confidential Reporting Code** is intended to encourage and enable school employees to raise concerns within the school rather than overlooking a problem or 'blowing the whistle' outside. This Code makes it clear that school employees can do so without fear of victimisation, subsequent discrimination or disadvantage. BFS is committed to listening to concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.
- 1.4 The Code applies to all school employees and those contractors working for the school on our premises, for example supply agency staff, schools catering etc.
- 1.5 The Code is in addition to the School's Complaints Procedure.

2. Aims and scope of The Code

- 2.1 This Code aims to:
- encourage you to feel confident in raising concerns and to question and act upon concerns about practice;
 - provide avenues for you to raise 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 the public interest.

2.2 There is a Coventry City Council Grievance procedure in place for you to raise a concern relating to your own employment. This Confidential Reporting Code is intended to cover major concerns reasonably believed to be in the public interest that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of the law;
- health and safety risks, including actions likely to cause physical danger to any person or to give rise to a risk of significant damage to property;
- the unauthorised use of public funds;
- possible fraud, corruption and bribery;
- the physical, emotional sexual or verbal abuse of members of the school community;
- other unethical conduct;
- abuse of power or the use of school powers and authority for any unauthorised or ulterior purpose.

Please note that this is not a comprehensive list but is intended to illustrate the range of issues which might be raised under this Confidential Reporting Code.

2.3 Thus, any concerns which you have about any aspect of service provision or the conduct of school employees or governors of the school or others acting on behalf of the school can be reported under the Confidential Reporting Code. This may be 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 Code of Conduct and school policies; or
- falls below expected standards of practice; or
- amounts to improper conduct.

2.4 The school provides guidance to employees on the standards it expects from its employees through the policies agreed by the school, for example:

- BFS Code of Conduct.
- BFS Ethos and Values.
- BFS British Values.
- Safeguarding and Child Protection Policy.
- Staff Social Media Guidelines.
- Care and Control Policy.
- Health and Safety Policy.
- Equality Policy.
- Data Protection Policy.

and through procedures, agreed with the City Council, trade unions and professional associations, for addressing poor standards which include:

- Disciplinary Procedure.
- Grievance Procedure.

2.5 This Code does not replace the School's Complaints Procedure.

3. How to raise a concern

3.1 As a first step, you should normally raise concerns with your Head of Key Stage who will express your concerns to the Headteacher or support you to express your concerns directly to the Headteacher. If you believe that a member or members of the school leadership team is involved, you should approach one of the following:

- The Headteacher.
- The Chair of Governors – James Moore.
- Details of other professionals / agencies you can contact in relation to Safeguarding & Child Protection concerns can be found on Page 1 of the Safeguarding & Child Protection Policy.

3.2 If these channels have been followed, but you continue to have concerns or believe that those listed above are implicated, then you should approach one of the following:

- The Coventry City Council Human Resources Team for any employment issues. 024 7683 1525
- Ofsted (whistleblowing helpline): 0300 123 3155 or whistleblowing@ofsted.gov.uk
- National Audit Office: 020 7798 7999
- Information Commissioner: 0303 123 1113
- Environment Agency: 03708 506 506
- Health and Safety Executive: 0300 0031 647

3.3 Concerns may be raised verbally or in writing. You will need to include the background and history of the concern (giving relevant details, eg, names, dates) and the reason why you are particularly concerned about the situation. When raising a concern, you must declare any personal interest you have in the matter.

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

3.5 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 a concern. However, you must not attempt to investigate a concern or accuse individuals directly.

- 3.6 You should not discuss your concern with a colleague – it is vitally important to observe confidentiality.
- 3.7 You may invite your trade union/professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns you have raised. Meetings can be arranged off-site if you wish.

4. How the school will respond.

- 4.1 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.
- 4.2 The action taken by the school will depend on the nature of the concern. Where appropriate, the matters raised may:
- Result in the re-setting of standards.
 - Result in a formal investigation.
 - Be referred to an LA Officer. E.g. the Local Area Designated Officer (LADO)
 - Form the subject of an independent inquiry.
 - Be referred to the Police or the LA for investigation of financial irregularities.
- 4.3 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 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 or financial irregularities) will normally be referred for consideration under those procedures.
- 4.4 Some concerns may be resolved by agreed action without the need for investigation.
- 4.5 If urgent action is required this will be taken before any investigation is conducted.
- 4.6 Within 10 working days, the person with whom you raised the concern will write to you:
- 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;
 - telling you whether any initial enquiries have been made
 - supplying you with information on staff support mechanisms, and
 - telling you whether further investigations will take place, and if not, why not.
- 4.7 The amount of contact between the people 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 will be sought from you.

- 4.8 The school will take steps to minimise any difficulties which you may experience as a result of raising a concern. For example, if you are required to give evidence the school/LA will arrange for you to receive advice about the procedure.
- 4.9 The school appreciates you will need to be assured that the matter has been properly addressed and you will be informed of the final outcome of the investigation. In some circumstances, however, it may not be possible to reveal the full details where this relates to personal issues involving a third party or legal constraints.
- 4.10 If you make an allegation that you reasonably believe is in the public interest but it is not confirmed by the investigation, no action will be taken against you.

5. How the matter can be taken further

- 5.1 This Code is intended to help you raise concerns you may have within the school. Hopefully, you will be satisfied with any action taken. If you are not, there are other people you can contact and these are:
- the External Auditor;
 - your trade union/professional association;
 - relevant professional bodies or regulatory organisations (for example Health and Safety Executive);
 - the Police;
 - your own solicitor.
- 5.2 If you do take the matter outside the School/LA, you should ensure that you do not misuse confidential information or information that is protected by the Data Protection Act. The person you contact should be able to advise you on this.
- 5.3 This Code, in line with the legislation, provides protection for employees who raise concerns internally. Employees who express concerns on social media (Facebook) or with mainstream media (newspapers, TV etc) are unlikely to be protected by the provisions of the Public Interest Disclosure Act, and may be subject to disciplinary action.

6. Anonymous allegations

- 6.1 This Code encourages you to put your name to your allegation whenever possible. However, you are able to disclose a concern in writing to the headteacher without revealing your identity.
- 6.2 Concerns expressed anonymously or through a third party are much less powerful and may not be possible to investigate. The person to whom the concern is initially reported may discuss it with the Human Resources Adviser, and it will be at their joint discretion as to whether the concern will be considered further.

6.3 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.

7. Harassment or victimisation

7.1 Baginton Fields school recognises that the decision to report a concern can be a difficult one to make. However, you have a responsibility to the school and our students and to others for whom you are providing a service to raise serious concerns using the approach outlined in this Confidential Reporting Code.

7.2 The school will not tolerate any harassment or victimisation (including informal pressures) and will take action to protect you when you raise a concern where you reasonably believe the disclosure is in the public interest. Examples of support provided to you include:

- Meetings arranged at an alternative venue to the school site.
- Opportunity to have support from a TU representative, friend or colleague at any meetings – informal or formal.
- Regular support meetings with the Headteacher, or senior manager of your choice, during and after disclosure to provide you the opportunity to express concerns, if required.
- Alternative Key Stage / class placement, if requested.
- Access to the schools procedures for managing discrimination, harassment, victimisation.
- Individual support and advice from a Human Resources Advisor.
- Access to the City Council's Restorative Justice Service
- Access to the City Council's Occupational Health and Counselling Service. 024 7683 3258.

7.3 Disciplinary action will be taken against an employee if they try to stop you from raising a concern or if an employee is responsible for any act of retribution against you for raising a concern.

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

8. Confidentiality

8.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. It must be appreciated, however, that the investigation process may reveal the source of the information, and that a statement may be required as part of the evidence and/or you may need to come forward as a witness at the appropriate time.

9. False Allegations

9.1 If an allegation is knowingly made frivolously, maliciously or for personal gain, disciplinary action may be taken.

10. The Responsible Officer

10.1 The Headteacher has overall responsibility for monitoring the Code and will report annually to the Governing Board on the operation of the Code.

11. Review

11.1 The Code will be kept under review and as a result may be subject to amendment.