

## The Mortimer Federation of St John's and St Mary's

| Confidential Reporting Code/Whistleblowing Policy |         |               |               |
|---|---------|---------------|---------------|
| Committee   | Finance | Date of Issue | November 2019 |
| Status  |         | Review Date   | November 2021 |
|   |         | Issue Number  | 1             |

### **THE MORTIMER FEDERATION OF ST JOHN'S AND ST MARY'S** **CONFIDENTIAL REPORTING CODE/WHISTLEBLOWING POLICY**

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### 1. Purpose

- 1.1. Employees could be the first to realise that there may be something seriously wrong within the Federation. 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.
- 1.2. The Federation is committed to the highest possible standards of openness, probity 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 Council's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3. This policy document makes it clear that employees can voice concerns without fear of victimisation, subsequent discrimination or disadvantage. The Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the School rather than overlooking a problem or 'blowing the whistle' outside.
- 1.4. The Governing Board have approved the Confidential Reporting Code (Whistleblowing Policy.)
- 1.5. Relevant trade union representatives have been consulted on the content of the policy.

### 2. Applicability

- 2.1. This policy applies to:
  - 2.1.1. All employees and those contractors working for the Federation on Federation premises, for example agency staff, supply teachers and builders.
- 2.2. This procedure is in addition to the school's complaints procedure.

### 3. Roles & Responsibilities

- 3.1. The Executive Headteacher, along with line managers, are responsible for making employees aware of the existence of these procedures.
- 3.2. Employees are responsible for making themselves familiar with the Confidential Reporting Code and complying with the Code.
- 3.3. The Governing Board has overall responsibility for the maintenance and operation of this policy. The Executive Headteacher is responsible for maintaining a record of concerns raised and outcomes (but in a form which does not endanger confidentiality) and will report to the Governing Board as necessary.

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### 4. Policy

4.1. This policy aims to:

4.1.1. encourage employees to feel confident about raising serious concerns and to question and act upon concerns about practice.

4.1.2. provide avenues for employees to raise those concerns and receive feedback on any action taken.

4.1.3. ensure that employees receive a response to their concerns and that employees are aware of how to pursue the concerns if not satisfied.

4.1.4. reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosures in good faith.

4.2. There are existing procedures in place to enable an employee to lodge a grievance relating to his/her own employment. The Confidential Reporting Code is intended to cover major concerns that fall outside the scope of other procedures. The items covered in this code include:

4.2.1. conduct which is an offence or breach of the law.

4.2.2. disclosures related to miscarriages of justice.

4.2.3. serious health and safety risks, including risks to the public as well as other employees.

4.2.4. serious damage to the environment

4.2.5. the unauthorised use of public funds.

4.2.6. sexual or physical abuse of pupils – please refer to Child Protection and Safeguarding Policy.

4.2.7. unethical conduct.

4.3. Any serious concerns that an employee may have about any aspect of conduct by employees of the schools or others acting on behalf of the school can be reported under the Confidential Reporting Code. This may be something that:

4.3.1. makes an employee feel uncomfortable in terms of known standards, the employee's experience or the standards the employee believes the School subscribes to

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4.3.2. is against the schools standing orders, financial regulations or policies.

4.3.3. falls below established standards of practice.

4.3.4. amounts to improper conduct.

4.4. This policy does not replace the school's complaints procedure.

### **5. Safeguards against harassment or victimisation**

5.1. The Federation is committed to good practice and high standards and wants to be supportive of employees.

5.2. The Federation recognises that the decision to report a concern can be a difficult one to make. If what the employee is saying is true, or he/she has a reasonable belief that it is true, the employee will have nothing to fear because he/she will be doing his/her duty to the school and pupils of the school.

### **6. Confidentiality**

6.1. All concerns will be treated in confidence and every effort will be made not to reveal the identity of an employee who raises allegations under this Code. At the appropriate time, however, the employee may need to come forward as a witness.

### **7. Anonymous allegations**

7.1. This policy encourages employees to put their name to allegations wherever possible. This is because concerns expressed anonymously are much more difficult to investigate.

7.2. Therefore, anonymous allegations will be considered at the discretion of the Executive Headteacher in consultation with the Chair of Governors.

7.3. In exercising this discretion, the factors to be taken into account would include:

7.3.1. the seriousness of the issue raised

7.3.2. the credibility of the concern

7.3.3. the likelihood of confirming the allegation from attributable sources.

### **8. Untrue allegations**

8.1. If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against the employee.

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8.2. If, however, the employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action will be taken against the employee.

### 9. How to raise a concern

9.1. In most circumstances the employee should raise concerns with the immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice.

9.2. For example, if the employee believes that senior management is involved, the employee should approach the Executive Headteacher, Chair of Governors, Head of Education Services or Human Resources as appropriate.

9.3. Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

9.3.1. the background and history of the concern (giving relevant names and dates)

9.3.2. the reason why the employee is particularly concerned about the situation.

9.4. The earlier the employee expresses the concerns, the easier it will be to take action.

9.5. Although the employee is not expected to prove beyond reasonable doubt the truth of an allegation, the employee should demonstrate to the person contacted that there are reasonable grounds for the concern.

9.6. The employee may wish to obtain advice/guidance on how to pursue matters of concern from one of the following:

Human Resources

Bracknell Forest Council

Head of Education Services

01344 352770

9.7. The employee may wish to consider discussing the concern with a colleague or trade union representative first and may find it easier to raise the matter if there are other colleagues who have the same experience or concerns.

9.8. The employee may invite a trade union or professional association representative or friend to be present during any meetings or interviews in connection with the concerns raised.

### 10. How the School will respond

10.1. The Federation will respond to the employee's concerns. Testing out the concerns is not the same as either accepting or rejecting them.

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- 10.2. Where appropriate, the matters raised may:
- Be investigated by management, or through the disciplinary process
  - Be referred to the police
  - Be referred to the internal auditor
  - Form the subject of an independent inquiry.
- 10.3. 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. Concerns over allegations which fall within the scope of specific procedure (for example, child protection or discrimination issues) will normally be referred for consideration under the procedures for dealing with these issues.
- 10.4. 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.
- 10.5. Within ten working days of a concern being raised, the Executive Headteacher or Chair of Governors will write to the employee:
- Acknowledging that the concern has been raised
  - Indicating how it is proposed to deal with the matter
  - Giving an estimate of how long it will take to provide a final response
  - Telling the employee whether any initial enquiries have been made
  - Supplying the employee with information on staff support mechanisms (if appropriate).
  - Telling the employee whether further investigations will take place and if not, why not.
- 10.6. The amount of contact between the individual considering the issue and the employee who raised the issue will depend on 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 the employee.
- 10.7. Where any meeting is arranged, off-site if requested, the employee can be accompanied by a trade union representative or a work colleague.
- 10.8. The school will take steps to minimise any difficulties the employee may experience as a result of raising a concern. For instance, if the employee is required to give evidence

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in criminal or disciplinary proceedings the school will arrange for the employee to receive additional advice.

- 10.9. The school accepts that the employee will need to be assured that the matter has been properly addressed. Thus, the school will inform the employee of the steps that have been taken to resolve the matter as appropriate.

### 11. How the matter can be taken further

- 11.1. This policy is intended to provide employees with an avenue within the school to raise concerns. The Federation hopes the employee will be satisfied with any action taken. If this is not the case, or where the concerns cannot be raised with the Executive Headteacher or Chair of Governors, because the allegations relate to them, the employee can raise their concerns directly with the Head of Human Resources at West Berkshire Council (WBC). The Federation hopes that the employee will be satisfied with any action taken either by the Federation or West Berkshire Council. However if the employee wishes to take the matter outside the Federation or West Berkshire Council, the following are possible contact points:

Public Concern at Work    0171 404 6609

Audit Commission            01628 796122

A relevant Trade Union

Citizens Advice Bureau

Relevant Professional Bodies

Regulatory Organisations

Thames Valley Police

- 11.2. If the employee chooses to take the matter outside the Federation or West Berkshire Council, the employee should ensure that he/she does not disclose confidential information. An employee should not take concerns directly to the media without first complying with this policy.

\_\_\_\_\_  
Chair of Finance Committee

\_\_\_\_\_  
Date

Approved by the Full Governing Board \_\_\_\_\_  
Date

\_\_\_\_\_  
Chair of Governors

**Share Your Light**  
***Impartias Lucem Tuam***

*Matthew 25:29 "For whoever has will be given more, and they will have an abundance"*