

FIRTHMOOR PRIMARY SCHOOL



Confidential Reporting Policy (Whistleblowing)

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Review frequency	Annual
Review date	October 2021

Introduction

Employees are often the first to realise that there may be something seriously wrong within the Academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academy. 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.

The Academy 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 Academy's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis and anyone who raises a concern is protected by the Public Interest Disclosure Act 1998.

This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting policy is intended to encourage and enable employees to raise serious concerns within the Academy rather than overlooking a problem or 'blowing the whistle' outside.

The policy applies to all employees, volunteers, agency workers, contractors and suppliers.

These procedures are in addition to the Academy's complaints procedures. The Academy responsible for making service users aware of the existence of these procedures. This policy has been discussed with the relevant trade unions and professional organisations and has their support.

Aims and Scope of this Policy

This policy aims to: -

- Encourage you to feel confident in raising serious concerns and 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.

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 miscarriage 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
- Other unethical conduct.
- Deliberate covering up of information relating to the above

It should be noted that this Policy is intended to assist employees who believe they have discovered malpractice or impropriety. It is not designed to question financial or management decisions taken by the Academy, nor should it be used to consider any matters, which have already been, or are currently being addressed under other procedures such as Complaints procedure, Disciplinary and Grievance and Equality Policy

Thus, any serious concerns that you have about any aspect of service provision or the conduct of employees or governors of the Academy or others acting on behalf of the Academy 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 Academy subscribes to.
- Is against the Academy's Procedure Rules and policies.
- Falls below established standards of practice.
- Amounts to improper conduct.

This policy does not replace the Academy's complaints procedure.

Safeguards

Harassment or Victimisation

The Academy is committed to good practice and high standards and wants to be supportive of employees and stakeholders

The Academy 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. In fact, you may be making yourself vulnerable if you do not raise the alarm

The Academy will not tolerate or allow any form of harassment, victimisation or discrimination (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith. If there are any intimidatory threats or instances of harassment/victimisation/discrimination against a 'whistleblower' the Academy will take appropriate disciplinary action against the individual(s) concerned.

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

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, if your concerns require any further action, you may at some future date have to act as a witness and/or provide evidence

Anonymous Allegations

This policy 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 Academy.

In exercising this discretion the factors to be taken into account would include: -

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

Allegations against staff, including supply staff

When an allegation is made against a member of staff, set procedures must be followed. It is important to have a culture of openness and transparency and a consultation with the [Darlington Safeguarding Board \(LSCB\)](#) and the Designated Safeguarding Officer, Mrs Ann Dixon, **within one working day** if staff have;

- Behaved in a way which has harmed, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child or
- Behaved towards a child or children in a way that indicates they would pose a risk of harm to children.

Further information can be found within [Allegations against Staff and Volunteers](#) (Part 4 – KCSIE 2020) and within the [Academy Statement of Procedures for dealing with allegations of abuse against staff](#)

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.

How to Raise a Concern

As a first step, you should normally raise concerns with the Headteacher. 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 the Head Teacher is involved, you should approach the Chair of Governors.

Concerns may be raised verbally or in writing. Employees 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.

The earlier you express a concern the easier it is to take action. If you wish to make a report, please complete the proforma attached to this policy ([appendix 1](#))

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 and guidance on how to pursue matters of concern may be obtained from: -

- Business Manager
- Head Teacher
- Chair of Governors (in the case of a concern regarding the Head Teacher)

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.

NSPCC Whistle blowing helpline

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally or feel that a complaint or concern has not been adequately dealt with. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk.

Further help and advice can be found using the link: [NSPCC Whistleblowing Advice and Support](#)

How the Academy will Respond

The Academy 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 by appropriate representatives, internal audit, or through the disciplinary process;
- Be investigated under another procedure i.e. Child Protection/Safeguarding
- Be referred to the Police;
- Be referred to the external auditor;
- be referred to the Education Funding Agency (ESFA)
- Form the subject of an independent inquiry.
- Or a combination of these

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 Academy 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 raised the concern 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 investigations will take place and if not, why not.

Every effort will be made to ensure that your concerns are dealt with as speedily as possible and you are kept informed of progress made

The amount of contact between the Officers 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 Academy will seek further information from you.

Where any meeting is arranged, off-site if you so wish, a trade union representative or a colleague can accompany you.

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

The Academy 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.

Safeguarding

If an individual, including a volunteer, resigns or is removed from work involving children because of a safeguarding issue, the Academy must make a referral to the disclosure and barring service

The Responsible Officer

The Headteacher has overall responsibility for the maintenance and operation of this policy. The Headteacher will maintain 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 Academy Board of Governors.

Independent Advice

Information and advice can be obtained for the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows: -

Public Concern at Work
CAN
Mezzanine
7 - 14 Great Dover Street
London SE1 4YR

Protect Advice Line: [020 3117 2520](tel:02031172520)
www.pcaaw.co.uk

or alternatively, you can contact;

- your Trade Union;
- your local Citizen Advice Bureau;
- relevant professional bodies or regulatory organisations (e.g. HMRC, HSE);
- the Academy's auditors
- the Police.
- The Education Funding Agency (in the case of financial concerns)

If you do take the matter outside the Academy, you should ensure that you do not disclose confidential information. You should check with the Academy contact point prior to doing so.

How the matter can be taken further?

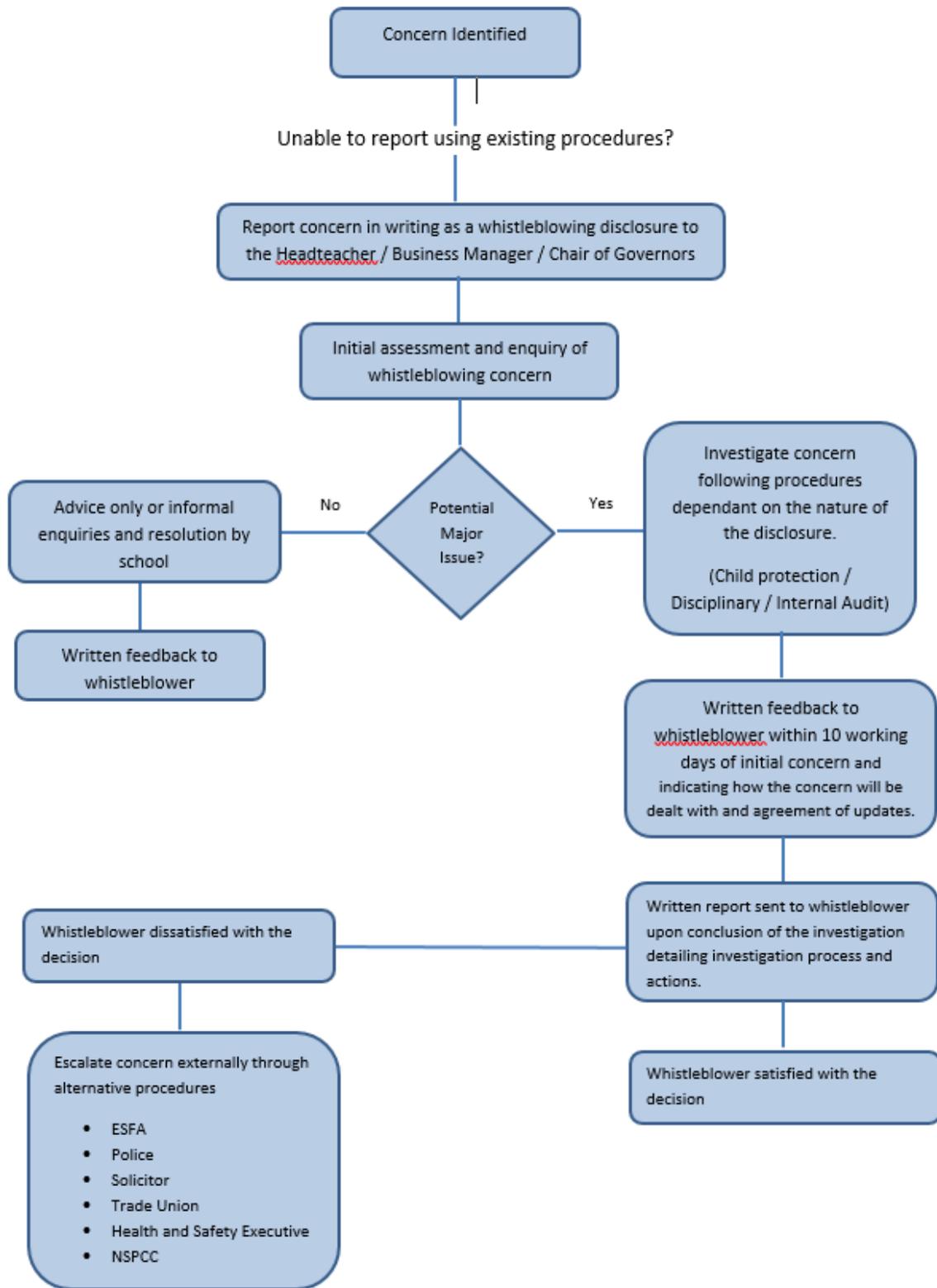
This policy is intended to provide you with an avenue within the Academy to raise concerns. The Academy hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Academy you should contact a prescribed person or body.

Guidance is available from [GOV.UK- Blowing the whistle: list of prescribed people and bodies](#)

You can also make a direct disclosure to a solicitor or the police.

Review and monitoring

This policy is reviewed on an annual basis





Confidential Reporting (Whistleblowing)

REPORT FORM

The Academy 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 Academy's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis

If you wish to make a report please use this pro-forma.

1. Background and history of the concern (giving the relevant dates).

Please use additional sheets if necessary

2. The reasons why you are particularly concerned about the situation.

Please use additional sheets if necessary

3. You are encouraged to put your name to this report, however the Academy acknowledges that concerns may be expressed anonymously. If you feel able to, please give your name and details below.

Name:.....

Address:.....

.....

.....

Contact Telephone Number:..... Date:

Please send this completed form to the Headteacher, or alternatively, the Chair of Governors or Academy Business Manager

Statement of Procedures for dealing with allegations of abuse against staff

This statement applies to all pupils, staff, governors, and visitors to Firthmoor Primary School who have a responsibility to recognise abuse in its many forms.

Firthmoor Primary School takes its responsibility of care for its pupils seriously. Effective safeguarding of children can only be achieved by operating a child centred and coordinated approach to safeguarding and promoting the welfare of every child. Every individual and agency work together in sharing information and taking prompt action to support the needs of our most vulnerable children.

Working Together to Safeguard Children 2018 and Keeping Children Safe in Education 2018.

We recognise that any possibility that a member of staff may have hurt a pupil must be investigated thoroughly, but in a way that does not prejudice either the pupil or the member of staff. Any investigation of an allegation of abuse against a member of staff must follow the professional standards and procedures described here.

It is important that everyone is able to raise concerns about what seems to be poor or unsafe practice by colleagues and that concerns expressed by children, parents and others are listened to and taken seriously. Where appropriate, action is taken in accordance with procedures for dealing with allegations against staff.

When an allegation is made against a member of staff, set procedures must be followed. It is important to have a culture of openness and transparency and a consultation with the Designated Safeguarding Officer **within one working day** if staff have;

- Behaved in a way which has harmed, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child or Behaved towards a child or children in a way that indicates they would pose a risk of harm to children

Firthmoor Primary School will always comply with Darlington Borough Council Safeguarding Board Procedures. [Darlington Borough Council - Managing Allegations](#).

If you have concerns about a colleague

Staff who are concerned about the conduct of a colleague towards a child are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount and concerns of poor practice or concerns about a child's welfare brought about by the behaviour of colleagues should be reported.

Any allegation or concerns must be reported to the Designated Safeguarding Lead or Deputy Safeguarding Lead in the absence of the DSL. You must:

- Make a signed and dated written record of your concerns, observations or the information you have received and give it to the DSL/Headteacher straight away.
- Maintain strict confidentiality.

Should the allegation be made against the Headteacher, than this should be immediately reported to the Chair of Governors.

Roles and Responsibilities for the current Academic Year:

Designated Safeguarding Lead:	Mrs Ann Dixon – Headteacher
Deputy Safeguarding Leads	Miss Victoria Morrow – Deputy Headteacher Mrs Dawn Kilpatrick – Inclusion officer
Designated Safeguarding Governor	Mrs Pat Irving
Chair of Governors	Mr Bill Paton

Initial actions following an allegation

The person who has received an allegation, or witnessed an event will immediately inform the Headteacher / Designated Safeguarding Lead who will discuss the matter with the LSCB designated officer (LADO) and provide any further details of the allegation and the circumstances in which it was made. The Headteacher will not investigate the allegation at this stage.

The discussion will also consider whether there is evidence or information that establishes that the allegation is false or unfounded.

All allegations will be taken very seriously.

Following this discussion, if it is believed that the allegation will be referred on, then this would be done with immediate effect. The member of staff will not be approached at this stage unless it is necessary to address the immediate safety of children.

If the allegation has cause to suspect that a child is suffering or is likely to suffer significant harm, the local authority designated officer will immediately refer to children’s social care team and request a strategy meeting in accordance with Working Together to Safeguard Children. In those circumstances the strategy meeting should include the local authority designated officer, the Headteacher, the Chair of Governors and key safeguarding personnel. If there is not cause to suspect that “significant harm” is an issue, but a criminal offence might have been committed, the local authority designated officer should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed.

Action following initial consideration

Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the Headteacher to deal with it. In such cases, if the nature of the allegation does not require formal disciplinary action, the Headteacher should institute appropriate action within three working days.

If a formal disciplinary hearing is required, then the Academy disciplinary procedures will be followed and a hearing should be held within 15 working days.

Where further investigation is required to inform consideration of disciplinary action the investigating officer should aim to provide a report to the employer within 10 working days. Following receipt of this report, a disciplinary hearing should then be held within 15 days. In cases in which children's social care team has undertaken enquiries to determine whether the child or children are in need of protection, the Headteacher and Chair of Governors should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action. The local authority designated officer should continue to liaise with the school to monitor progress of the case and provide advice or support when required or requested.

If an individual, including a volunteer, resigns or is removed from work involving children because of a safeguarding issue, the Academy must make a referral to the Disclosure and Barring service

All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the Academy's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team. If a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, staff can contact the [Darlington Safeguarding Board](#) or [Darlington Borough Council – Managing allegations](#)

Darlington Borough Council has appointed a Designated Officer who is:

Marian Garland

Telephone: 01325 406451 Secure e-mail: dsp@darlington.gov.uk

The NSPCC whistleblowing helpline is also available as an alternative route for staff who do not feel able to raise concerns regarding child protection or have concerns about the way a concern is being handled.

NSPCC Whistleblowing Advice Line on 0808 800 5000 or report it online at help@nspcc.org.uk

Staff, parents and governors are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation is prohibited by law. Publication includes verbal conversations or writing, including content placed on social media sites. The Academy will communicate this to all parties.