



Brereton C of E (A) Primary School

Confidential Reporting Procedure (Whistle Blowing Policy)

Introduction

This procedure has been developed by the local authority for the use of Cheshire East employees. It therefore applies to all staff at Brereton C of E (A) Primary School. However, it can also be used by agency staff, other people acting in a similar capacity to an employee, by Contractors and their staff and other individuals providing services/support to the local authority (e.g. volunteers). The same principles in terms of protection from harassment and victimisation, confidentiality, support and information on the local authority's response will apply.

As a public service organisation, the local authority will use public funds prudently and apply the highest standards of conduct throughout the organisation. This procedure encourages you to help maintain these standards, by enabling you to draw attention any concerns which you may have about the operation of the local authority. Initially the local authority will seek to deal with your concerns through its internal procedures. Public disclosure may well be justified at some point but you are encouraged not to pursue this angle until the local authority has had the opportunity to investigate the concern. Premature or unnecessary publicity may impede proper investigations, hurt individuals or damage the local authority's reputation.

Examples of concerns that may be raised under the procedure are:

- Law breaking;
- Misriages of justice;
- Health and safety risks (to anyone);
- Damage to the environment.
- Unauthorised use of money;
- Dishonesty, fraud and corruption;
- Sexual, physical or financial abuse of clients;
- Other unethical conduct;

The local authority wants normal operational or managerial channels to be sufficiently open and effective for most concerns to be raised that way. But this will not always be appropriate or possible and that is why we have a Confidential Reporting Procedure. It offers the means to raise concerns you may have about any aspect of service provision or the conduct of staff or elected members or other people acting on behalf of the local authority. A concern may arise, for example, from worries about failure to observe standards or policies being circumvented or improper conduct.

The procedure does not cover concerns that are covered by other procedures. For example, an employment problem may well be covered by the Grievance Procedure or Personal Harassment & Bullying Procedure.

Harassment or Victimisation

You may be put off raising a concern because you are worried about reprisals. If you raise a concern in good faith and genuinely believed it to be well founded, you should have nothing to fear. You will be doing your duty to the local authority and the public. The local authority will not tolerate any harassment or victimisation (including covert pressure) and will do all it can to protect you. If you are involved in other procedures, such as disciplinary or redundancy, these must be kept quite separate from the investigation of your complaint.

You will not be penalised in any way where you make an allegation in good faith and it is not confirmed after it has been investigated. A concern that is raised frivolously, maliciously or for personal gain may result in action being taken against you.

Confidentiality

Your concern will be treated in strict confidence, within this Procedure, and everything done to keep your identity secret (if this is what you want). But note that you may have to be a witness at some point. It might then not be possible to keep your identity fully secret.

Anonymous Allegations

An anonymous concern is likely to carry much less weight than one which is signed; the investigating manager would have to decide whether or not to accept it. This decision would depend on the seriousness of the issue, the credibility of the concern and the likelihood of being able to confirm the allegation in other ways. Signed concerns are always better.

Raising a Concern

Who to approach

There is a list of the managers within the local authority with whom you can raise a concern (see the last page for contact addresses and phone numbers). When deciding who it would be best to approach, take into account the type of matter, its seriousness and its sensitivity and who may be involved. Some examples are given.

- The manager for the service area in question or their manager (*Example - for a local service delivery concern*);
- The local authority Manager or another local authority Manager in the department concerned (The names and addresses of local authority Managers are available from the Personnel Office or from the local authority Personnel Corporate Personnel Unit) (*Example - for a service delivery concern within the wider department*);
- The Head of Service Improvement and Audit (*Example - for a concern about financial probity*);
- The local authority Solicitor and Monitoring Officer (*Example - for a concern which has local authority wide implications or should be raised with someone independent of your department*);
- The Chief Executive (*Example for a concern that cannot be addressed by others*).

How to raise your concern

You can raise your concern orally (i.e. face to face or over the phone) or in writing. If you write, mark the envelope 'personal and confidential'. Whichever way you choose, please give as much information as you can. Remember also to give your name, and for employees, your job, where you work and say if you do not want to be contacted at work (if so, give your home address and phone number). If you are not employed by the local authority please let us know your relationship with the local authority (for example, contractor, partner organisation, council tax payer.)

The following headings should help you organise your thoughts but you do not have to follow them exactly:

- Why you are concerned and the background information;
- Any other procedures which you have already used - and what happened;
- The people who are involved and where they work;
- Dates or periods of time;
- The names and jobs of any other people who will (or may) support your concern.

The earlier a concern is raised the better. Whilst you will not be expected to prove that allegations are true, you will need to show that you have a reasonable basis for your concern.

You may want to discuss the matter with one or two colleagues first. Their support could be helpful. There is nothing to stop two or more of you putting your names to a concern.

Involvement of your trade union or professional association, or other support such as a friend

You may ask your trade union or professional association or other support, to raise a matter on your behalf. In this case, if you wish, you can remain anonymous when the concern is first raised. But you may have to be involved personally if the matter goes further.

You may also have your trade union, professional association or a friend at any meeting or interview.

Help with the procedure

Any of the following will help you to understand the procedure:

- The manager for your team;
- The Personnel Manager for your service (names are available from the local authority Personnel Corporate Personnel Unit);
- Head of Service Improvement and Audit.

- local authority Solicitor (who is also the local authority Monitoring Officer).

How Your Concern Will Be Dealt With

As a start, discreet enquiries will be made by a senior manager to decide whether an investigation is needed and if so, how it should be carried out. This will help protect everyone concerned. The overriding principle will be the public interest.

If this first, testing, stage shows that the concern should be followed up, there will either be a special examination or another procedure will be used, if appropriate. Examples of special procedures are the local authority's Disciplinary Procedure, the Personal Harassment and Bullying Procedure or child protection procedures. It may be necessary to involve other agencies, for example the police or the local authority's external auditors. Any urgent action will be taken before the investigation starts. It may be possible of course, to sort out the concern without a detailed investigation.

What You Will Be Told

Within 10 working days of your concern being received, the manager who carries out the initial enquiries will write to you confirming:

- What initial enquiries have been made;
- How your concern has been or will be dealt with;
- How long any further action may take (as far as this can be known);
- What further work is planned and how you may be involved.

The amount of contact you have with the people considering the matter will depend on many things. These include the type of concern, the potential difficulties of investigating it and the availability of information. You may need to provide more help.

Wherever possible, you will be told the final outcome of an investigation.

Personal Support

The local authority will do all it can to minimise any difficulties which you may have because you have mentioned your concern. As far as we can, you will be offered personal support, which the manager leading the investigation will arrange. For example, if you had to give evidence in disciplinary or criminal proceedings, full advice about the procedure would be given to you.

If You Are Not Satisfied with the local authority's Response

This procedure is meant to give everyone an effective way to raise a concern *within* the local authority (and if possible, to resolve it internally). You should not feel that you have to take an issue outside the local authority to get satisfaction. But if you are still unhappy after using the procedure (and getting a final response), you are entitled to consider taking your concern elsewhere. If you do this, these are some contacts which are available:

- The local authority's external auditors (see the last page for contact details);
- Your trade union;
- A Citizens Advice Bureau;
- A relevant professional or regulatory body;
- A relevant voluntary organisation;
- The police.

If you raise the matter outside the local authority, you must take into account the rules about disclosing confidential information (for employees Code of Conduct).

Monitoring the Procedure

The local authority's Monitoring Officer, working with the local authority Personnel Officer, will monitor how the procedure works. They will report at least annually to an appropriate Committee of the local authority (the Performance and Overview Committee).

CONTACT DETAILS

Local Authority Solicitor (and local authority Monitoring Officer)

Gerry Budd, Legal Services, County Hall
Tel: 01606 602239
email: gerry.budd@cheshire.gov.uk

Head of Service Improvement and Audit

Dominic Oakeshott, Policy & Performance, County Hall
Tel: 01606 602459
Email: dominic.oakeshott@cheshire.gov.uk .

Local Authority Personnel, Corporate Personnel Unit

County Hall
Tel: 01606 602271 or 01606 602273

External auditors

The Audit Commission, in Chester via the County Hall postal system
Tel: 01606 602521

This policy was ratified by the Governing Body, after due consultation with staff at its meeting on 2nd November 2010.

This policy will be reviewed in November 2013.