



# **HARLOW GREEN COMMUNITY PRIMARY SCHOOL**

**Confidential Reporting Code/Whistle  
blowing Policy as per Gateshead Council  
code**

**Gateshead Council**  
**Confidential Reporting Code**

**Contents**

- A. Confidential Reporting Code
- B. Explanation of Code
- C. Procedures
- D. The Council's Response
- E. Legislation

## **A. Confidential Reporting Code**

The Council is determined to ensure that its employees provide the best levels of service and act properly.

This code is designed to give employees the chance to draw attention to concerns about wrong or unacceptable practice. It is not about telling tales on colleagues but aims to ensure that work is carried out honestly and well.

All concerns will be recorded and investigated promptly.

Concerns will, so far as is possible, remain confidential and those raising them will be treated fairly by the Council.

Reports will be prepared, following investigation and appropriate action will be taken to resolve concerns.

This code has been discussed with relevant trade unions and has their support.

## **B. Explanation of Code**

1. The sorts of issues covered by the code include:
  - (a) any unlawful act;
  - (b) breaches of Council policy, codes of practice and acceptable standards of behaviour;
  - (c) misuse of assets;
  - (d) actions which could harm people;
  - (e) significant damage to property;
  - (f) abuses of position, power or authority;
  - (g) unfair discrimination, and
  - (h) other unethical conduct.
2. This code is meant to add to existing procedures (e.g. for dealing with grievances). It should only be used where employees reporting concerns feel that other procedures can not be used.
3. In many cases it is the Council's employees who are best placed to know of any concerns about wrong or unacceptable practice within the Council and to identify matters which fall short of what the Council expects. The Council therefore expects employees to report their concerns and will treat failure to do so as a serious matter. The earlier you express the concern the easier it is to take action.
4. Although you are not expected to prove beyond doubt the truth of a concern, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern. The Council recognises the potential vulnerability of employees who express concerns under this procedure and will not tolerate any attempt to harass or victimise such a person.

5. Where a concern is found to be malicious or has been made in bad faith, this will be regarded as a serious matter and could lead to disciplinary action.
6.
  - (a) This code encourages you to put your name to your concern whenever possible.
  - (b) Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council.
  - (c) 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 concern from attributable sources.

### **C. Procedures**

1. Line managers will normally be the first point of contact. They will be responsible for initiating investigations to concerns promptly. If employees feel that their line manager may be involved in the matter about which they are concerned, a more senior manager should be the person informed of the concern.
2. The person receiving the concern will:
  - (a) record it;
  - (b) ensure confidentiality, so far as may be possible in dealing properly with it;
  - (c) investigate promptly and respond to the employee concerned, under section D. below. The person receiving the concern will also have a right of access to the relevant Group or Strategic Director and to appropriate Council records and documents;
  - (d) report to the appropriate Group or Strategic Director and the Strategic Director, Human Resources, where the investigation identifies a serious cause for concern. Where a concern involves theft, fraud or financial irregularities or bribery or corruption which involves the Council's finances, the Strategic Director, Finance & I.C.T. should be notified before proceeding with any further investigation. The Strategic Director, Finance & I.C.T. shall take such steps as he may consider necessary by way of investigation and will report to the relevant Group or Strategic Director as to any further action to be taken;
  - (e) recommend appropriate action to resolve the concern.
3. Where the employee's concern relates to the conduct of a Group or Strategic Director, the employee should report to the Chief Executive.
4. Where the employee's concern relates to the conduct of the Chief Executive, the employee concerned should report to the Strategic Director, Legal &

Corporate Services, who will liaise with the Strategic Directors, Finance & I.C.T. and Human Resources in applying these procedures.

5. It is desirable for those raising concerns to give the person charged with investigating them all relevant facts and the reasons for concern.
6. Although employees are not expected to prove the truth of any allegation, they will need to demonstrate sufficient and genuine grounds for concern.

#### **D. The Council's Response**

1. Initial enquiries will be made to decide what investigation will be appropriate. Concerns which come within the scope of existing procedures (e.g. child protection issues) will normally be considered under those procedures.
2. Some concerns may be resolved by agreed action without the need for investigation.
3. Within 10 working days of a concern being received the Council will, in writing -
  - (a) acknowledge receipt of the concern;
  - (b) indicate how it proposes to deal with it;
  - (c) give an estimate of how long it will take to provide a final response;
  - (d) state whether any inquiries have been made, and
  - (e) state whether any further investigations will take place, and if not, why not.
4. If necessary, further information will be sought from the person raising the concern.
5. If a meeting is arranged between the person responsible for dealing with the concern under this procedure and the employee raising it, then the employee has the right to be accompanied by a trade union representative or a friend who is not involved in the area of work to which the concern relates.
6. The Council will confirm in writing to those raising concerns that they have been properly dealt with. Information about outcomes of investigations will be given unless this is not possible for legal reasons.
7. Employees must observe the guidelines set out in the Council's Code of Conduct for Council Employees and especially those contained in Section 6 of that Code, which deal with the use of confidential information.

## **E. Legislation**

- ◇ Public Interest Disclosure Act 1998

### **See other Council Policies:**

- ◇ Disciplinary Procedure
- ◇ Grievance Procedure
- ◇ Bullying and Harassment Policy
- ◇ Racist Incident Reporting Policy
- ◇ Fraud and Corruption Policy
- ◇ Code of Conduct

**Local Authority Designated Officer for Safeguarding (LADO):  
Nicholas Leon  
Tel no: 0191 4333554**