



Bladon C of E Primary School

Raising Concerns at Work Grievances and Whistle-blowing Policy (S02)

Reviewed: September 2016

Next Review: September 2019

Authorised by:

Approved by:

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(Tracey Fletcher, Head Teacher)

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(Ray Banks, Chairman of Governors)

The purpose of this policy is to:

Enable school staff to raise concerns directly with the Head Teacher or the Governing Body as appropriate, either about their own employment (**grievance**) or about other aspects of operations (**whistle-blowing**). The School is committed to being able to encourage staff with serious concerns to come forward and express those concerns. In general it is the aim of the procedure outlined below to deal with them as quickly as practical. The School will provide all reasonable protection for staff raising genuine concerns in good faith.

If a member of staff raises a concern in good faith but it is not subsequently confirmed by investigation, no action will be taken against him/her. If however, a concern is raised frivolously, maliciously, or for personal gain, disciplinary action may be taken against him/her.

Raising concerns about your own employment (grievances):

A grievance is defined as “a concern, problem or complaint that an employee raises with his/her employer” Such concerns may be promotion issues, changes in work assignments or performance evaluation, bullying, harassment or racism. In some cases, mediation may be agreed upon as a helpful way to address the issues. This may include where concerns relate to relationships between two or more parties and both sides are willing to abide by the agreements which arise from the process, and where no other formal action is required. Staff may choose to be accompanied by a Trade Union Representative or a work colleague at any step under this procedure.

If you have a concern about the behaviour of a colleague you should, wherever possible, first try to resolve this informally directly with that individual.

When a concern is being dealt with, it is helpful for all parties to keep a brief record of any discussions and agreed actions. Both parties are then able to refer to such notes in any subsequent formal action should the matter fail to be resolved.

Step 1 - If you wish to raise a concern you should discuss this initially with the Head Teacher, or an appropriate governor, as soon as possible. In presenting your concern you should identify a) what your concern is, b) how you are disadvantaged and c) what redress you are seeking. It is important to give evidence where possible in order to facilitate the resolution of your concern.

Step 2 - If you still feel that your concern has not been satisfactorily addressed within a reasonable timescale you may inform the Governing Body in writing, within 10 days of receiving the initial response. A meeting will then be arranged at an early date with one or more governors as the Body shall deem appropriate. The aim of this meeting will be to resolve outstanding issues.

You will be notified in writing of the decision within 10 days of the meeting or informed if further investigations are felt necessary. When you are notified of the decision you will also be advised of your right of appeal.

Step 3 – If you still feel that your concern has not been addressed, you may refer the matter again to the Governing Body within 10 working days of receipt of the decision. The Chairman of Governors shall arrange for your appeal to be considered by a tribunal panel of three or more governors, none of which shall have been involved in steps 1 and/or 2 above. Appellants

may request to address the panel at a hearing if they wish, although the panel may choose to deal with the matter by written submissions where appropriate.

Using this procedure does not affect your right to refer issues to an Employment Tribunal where eligible. However, you should be aware that your right to take a case to an Employment Tribunal may be affected if you do not first raise the grievance in writing with the school and wait a further 28 days before presenting the tribunal claim.

Raising other concerns ('whistle-blowing'):

'Whistle-blowing' is defined as *'raising concerns about misconduct within an organization or within an independent structure associated with it'*. Any serious concerns you have about any aspect of the school's service provision or about the conduct of staff or others acting on behalf of the school, should be reported using the following procedure. Your concern must relate to something which: a) is a breach of school policies; or b) falls below established standards or practice; or c) amounts to improper conduct, including something you believe may be:

- A breach of the law
- A failure to comply with a legal obligation
- A possible miscarriage of justice
- A Health & Safety risk
- Damaging the environment
- Misuse of public money
- Corruption or unethical conduct
- Abuse of pupils or staff
- Deliberate concealment of any of these matters
- Any other substantial and relevant concern

These issues could have arisen in the past, be currently happening or likely to happen in the future. All concerns will be treated sensitively and with due regard to confidentiality and where possible every effort will be made to protect your identity if you so wish. Nevertheless, this information will need to be passed on to those with a legitimate need to have this information and it may be necessary for you to provide a written statement or act as a witness in any subsequent disciplinary proceedings or enquiry. This will always be discussed with you first.

Step 1 - If you wish to raise a concern normally you should raise this initially with the Head Teacher or an appropriate governor. This can be in person or in writing.

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable grounds to raise them. You may wish to obtain assistance or be represented by a Trade Union representative or colleague in putting forward your concern at any meetings that are required.

Step 2 - The person with whom you have raised your concern will acknowledge its receipt as soon as possible and will write to you within 10 days with the following:

- An indication of how the concern will be dealt with
- An estimate of how long it will take to provide a final response
- Whether any initial enquiries have been made
- Whether further investigations will take place, and if not why not

Step 3 - Initial enquiries will be made to decide whether an investigation is appropriate in each case. Where an investigation is necessary, it may take the form of one or more of the following:

- An internal investigation which may result in a disciplinary investigation as defined in Policy N. S03 Staff Disciplinary & Capability Policy
- A referral to the Police
- The setting up of an external independent inquiry

Step 4 – You will be informed in writing of the outcome of any investigation or any action taken, subject to the constraints of confidentiality and the law. If you do not feel your concern has been addressed adequately you may raise it with an independent body such as one of the following as appropriate;

- The Citizens Advice Bureau
- A relevant professional body, regulatory organization or voluntary organization
- The Police
- The Local Government Ombudsman
- The Equal Opportunities Commission
- The Commission for Racial Equality
- The Disability Rights Commission

You must make the disclosure in good faith; you must not make the disclosure for personal gain and you must reasonably believe the information disclosed and any allegation in it to be substantially true; and in all the circumstances it must be reasonable for you to make the disclosure.

