



Bexhill
Academy

Grievance Whistle Blowing Policy 2023-2024

Updated: January 2023
Next Review: January 2024

GREIVANCE AND WHISTLE BLOWING POLICY

BEXHILL ACADEMY

for Bexhill Academy

This policy was adopted on 1 January 2023
This policy is due for review on 1 January 2024

Grievance

Bexhill Academy supports the principles laid out in the ACAS Code of Practice regarding grievances. Grievances are concerns, problems or complaints that employees raise with the setting, such as concerns or complaints about their work, employment terms, working conditions or relationships with colleagues.

Grievances should be raised with the employee's Head of Department or if not appropriate, with the Senior Leadership Team Link or the Executive Principal.

Bexhill Academy will strive to resolve most grievances informally. However the grievance procedures laid out below will be followed if the issue is not resolved or the employee wishes to raise the grievance formally.

Employees wishing to raise a formal grievance should do so in writing, setting out the nature of the grievance.

Stage 1: Following any necessary investigations, the employee will be invited to a grievance hearing to discuss the issue. Alongside the manager who received the grievance, another senior member of staff will be present to ensure the appropriate conduct is followed; witnesses or witness statements regarding the grievance will also be invited. The employee has a right to be accompanied by another member of staff or union representative at all meetings.

Stage 2: Following the grievance hearing, the investigating managers will decide what action to take and the employee will be informed in writing of the decision without unreasonable delay. The employee will be notified of their right to appeal.

Stage 3: Employees have the right to appeal the decision; this should be given in writing giving the grounds of their appeal and should be submitted without unreasonable delay and within 10 working days. Following any further necessary investigations, a grievance appeal hearing should be held. The appeal will be dealt with impartially and wherever possible by a manager who has not previously been involved in the case.

Stage 4: Following the grievance appeal, the investigating managers will decide what action to take and the employee will be informed in writing of the decision without unreasonable delay. If not further investigations are required, the employee will be informed this is the final decision.

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

All stages of the grievance procedures, including investigations will be documented and kept confidentially.

Whistle Blowing

Bexhill Academy supports measures laid out in the Public Interest Disclosure Act 1998 which protects whistle blowers from any form of victimisation. Whistle blowing applies where a worker is making a disclosure regarding the following offences or breaches:

- Criminal offences
- Failure to comply with a legal obligation
- Miscarriages of justice
- Threats to an individual's health and safety
- Damage to the environment
- A deliberate attempt to cover up any of the above

For the purposes of this policy 'worker' applies to all employees, as well as agency workers, selfemployed workers if they are supervised and people who aren't employed but are in training with Bexhill Academy.

Workers who whistle blow must believe the information is substantially true and will be following their duty and acting in the public interest by following Bexhill Academy's whistle blowing procedure. This procedure ensures concerns are dealt with effectively and efficiently and Bexhill Academy do all they can to preserve the confidentiality of workers who raise concerns.

Bexhill Academy's procedure encourages workers to disclose information through the appropriate channels first before raising their concerns with external bodies or people. In the first instance, workers should raise their concerns with their Line Manager. This will depend however on the seriousness and sensitivity of the concerns, if their Line Manager is not appropriate, the concerns should be taken to the Senior Leadership Team Link or the Executive Principal. . If this has failed to resolve your issue then you should approach the Chair of the Trust Board, Mr Tom Attwood, citing your concerns in writing and the action you have already taken. For independent advice on whistle blowing, workers should access information from www.pcaw.co.uk

Concerns should be raised verbally or in writing, giving the following information regarding their concerns (where possible):

- Background and history to the concern
- Names of those involved
- Date and places
- Reason for making the disclosure regarding the concern
- Demonstrate that the disclosure is being made honestly and that they have reasonable suspicion that malpractice has occurred, is occurring or is likely to occur.

This information will aid the subsequent investigations, Bexhill Academy will begin by making initial enquiries to decide whether an investigation is appropriate and how this should be undertaken before involving the worker who has raised the concerns and those accused of malpractice. Some concerns may be resolved without the need for investigation, however if urgent action is required this will be taken before any investigations take place. The whistle blower will be notified of how Bexhill Academy proposes to deal with the concern within 10 working days of it being raised.

All concerns will be treated in confidence, however during an investigation it may be necessary to make the origin of the disclosure known to the person/s being investigated.

Any concerns which fall under specific procedures such as conduct or discrimination will follow the appropriate disciplinary procedures. Please refer to the Disciplinary policy for further details.

Bexhill Academy accepts that deciding to report a concern can be very difficult and uncomfortable, if a concern is raised in good faith and following investigation is unconfirmed, no action will be taken against the whistle blower. If however a whistle blower raises a concern maliciously or for personal gain, disciplinary action will be taken against them. Please refer to the Disciplinary policy for further details.

This Grievance and Whistle blowing policy and procedure will be reviewed annually.