



Policy 1.13

Radley Schools Group Whistleblowing Policy

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Whistleblowing Policy

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Introduction

This policy applies to all employees of Radley Schools Group. Other individuals performing functions in relation to the Group, such as agency employees and contractors, are encouraged to use it.

It is important to the Group and its schools that any fraud, misconduct or wrongdoing by employees or officers of the Group is reported and properly dealt with.

The Group has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about one or more of the following matters they reasonably believe has, is or is likely to be committed.

These are called “qualified disclosures” and include:

- Danger to the health and safety of any individual, Child Safeguarding, or the environment;
- Criminal activity;
- Financial malpractice or impropriety or fraud;
- Failure to comply with any legal obligations;
- Unethical conduct;
- Gross incompetence;
- The deliberate concealment of information about any of the above.

The policy also provides, if necessary, for such concerns to be raised outside the organisation to a legal adviser, to a government Minister, the Department for Education or a person prescribed by the Group.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

A disclosure to any other person will only be protected under the policy if:

- The member of staff reasonably believes the information disclosed and any allegation contained in it are substantially true;
- The member of staff does not make the disclosure for the purposes of personal gain;
- The employee believes if raised to the employer either: they will be subjected to detriment, evidence is likely to be concealed or destroyed if raised with the employer; or
- a previous disclosure of substantially the same information has been made; and
- in the circumstances of the case, it is reasonable for them to make the disclosure. **Elements**

of the Policy

The Group:

- Will not tolerate malpractice;

- Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;

- Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- Will invoke the Group's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations; and will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

This procedure is separate from the Group's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation.

Principles

This procedure is to enable members of staff to express a legitimate concern regarding actual or suspected wrongdoing within the Group. We hope that in many cases, employees will be able to raise concerns with their line manager and/or Head. If the allegation is against the Head then raise the matter with the CEO and/or Head of HR. Where the allegation is against the CEO, then the allegation should be directed to the Council. Employees may put their concern in writing or tell the appropriate person face to face. The manager or Head may be able to agree on a way of resolving the concern quickly and effectively. In some cases, the manager or Head may refer the matter to another more appropriate person.

However, where the matter is more serious or the employee feels that their line manager has not addressed the concern, or they prefer not to raise it with the manager for any reason, they should follow the procedure below.

How to Raise a Concern

Where an employee has a concern, they may write to the Head of the school or to the Group Head of HR via hr@radleyschoolsgroup.org.uk. The employee should provide as much detail as possible and any supporting evidence they have. If there is evidence of criminal activity then the Police will all cases be informed.

Employees are encouraged to put their names to any disclosures of information. If a concern is raised anonymously, it will be much more difficult for the Group to look into the matter, to protect the whistleblower's position or to give them feedback. If a situation arises where the Group is not able to resolve a concern without revealing the whistleblower's identity, the investigator will discuss whether and how to proceed with the whistleblower. We will make every effort to keep your identity secret.

An employee who is not satisfied that their concern is being properly dealt with will have the right to raise it in confidence with the CEO.

Procedure

Upon receipt of a disclosure, the investigator will normally write to the employee who has reported the concern, to acknowledge receipt of the disclosure and to arrange a meeting to discuss it. An investigation into the matter (either by investigating the matter personally or immediately passing the issue to someone in a more senior position) will be carried out within a reasonable timescale. The investigation may involve the employee and other individuals involved giving a written statement. The employee's statement will be taken into account, and they will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the Head or CEO, who will take any necessary action, including reporting the matter to the Council, any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who

carried out the investigation) will report the matter to the HR department and start the disciplinary procedure. At the conclusion of any investigation, the employee will be told the outcome of the investigation and what the board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Any investigation will be completed in as short a time as possible, consistent with the need for it to be full and thorough. The investigator will prepare a report detailing the findings and confirm whether or not any wrongdoing has occurred. The report will include recommendations and details of how the matter can be rectified or whether or not a referral is required to an external organisation, such as the local authority or the police.

We will aim to keep the whistleblower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Group from giving them specific details of the investigation or any disciplinary action taken as a result. The whistleblower should treat any information about the investigation as confidential. If the Group concludes that a whistleblower has made false allegations maliciously, then disciplinary action will be taken.

Whilst the Group cannot guarantee the outcome a whistleblower is seeking, the Group will aim to deal with the concern fairly and in an appropriate way. By using this policy, employees can help the Group to achieve this.

Protection and Support for Whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. The Group aims to encourage openness and will support employees who raise genuine concerns under this policy, even if they turn out to be mistaken.

Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or unfavourable treatment connected with raising a concern.

Employees must not threaten or retaliate against whistleblowers in any way. If an employee is involved in such conduct, they may be subject to disciplinary action.

If it is necessary for anyone investigating an employee's concern to know their identity then this will be discussed with the employee. Any employee who is concerned about possible reprisals if their identity is revealed should contact the Group Head of HR. The Group is committed to ensuring that employees who make a disclosure will not suffer any detriment as a result of raising a concern. If

there is evidence of criminal activity then the Police and relevant authorities will in all cases be informed.

If the employee reasonably believes that the appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made.

These include:

- HM Revenue & Customs;
- the Financial Conduct Authority;
- the Competition and Markets Authority;
- the Health and Safety Executive;

- the Independent Office for Police Conduct; and ● the Serious Fraud Office.

External Procedures

- the Environment Agency;

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any actual or suspected wrongdoing in the workplace. The Group recognises that in extreme circumstances employees may have the right to raise a concern directly with an external body. In most cases a member of staff should not find it necessary to alert anyone externally.

Where all internal procedures have been exhausted, however, a member of staff shall have a right of access through the Chief Executive to the Council if they are still not satisfied that their concern is being properly dealt with.

The law recognises that in some circumstances it may be appropriate for a member of staff to report their concerns to an external body such as a regulator or the Police. Under no circumstances should an employee approach a commercial body or the media. The Group encourages any employee to seek advice before reporting a concern to anyone external to the Group as to do so may constitute a breach of confidentiality and could damage the reputation of the Group. The independent whistleblowing charity, Protect (formerly Public Concern at Work), operates a confidential and independent helpline which employees are encouraged to use. They also have a list of prescribed regulators for reporting certain types of concern.

Protect Helpline: **020 3117 2520**

Contact via email: [Protect Advice Line](#)

Malicious Disclosures

False, malicious, vexatious or frivolous accusations will be dealt with under the Group's Disciplinary Procedure.

