TITLE	REF	VERSION
Whistleblowing Procedure	GOVPRO007	3

DEPARTMENT	Governance		
DATE	4th June 2026	REVIEW DATE	4th June 2028

Whistleblowing Procedure

1. Purpose

1.1 Activate Learning recognises that all institutions face the risk of things going wrong or of unknowingly harbouring malpractice. We take malpractice very seriously and are committed to operating with honesty and integrity and we expect all staff to maintain high standards too. We encourage open communication from all those who work for us and we want everyone to feel secure about raising concerns. Any suspected malpractice should be reported as soon as possible.

1.2 All staff have protection under whistleblowing laws if they raise concerns in the correct way. This procedure is designed to give staff that opportunity and protection. It does not matter if an individual who raises a concern is mistaken about it - staff do not have to prove anything about the allegation they are making but they must reasonably believe that their disclosure is made in the public interest and that the information they have tends to show some malpractice.

1.3 This procedure outlines the process for making and investigating such concerns.

2. Scope

2.1 This procedure applies to all individuals working for the Activate Learning Group (hereafter referred to as the "Group"), including senior postholders, employees, casual workers, agency staff, contractors and volunteers (collectively referred to as "staff" in this procedure).

2.2 This procedure does not form part of any employee's contract of employment, and we may amend it at any time.

3. When to use this procedure

3.1 This procedure is for individuals who believe that they have discovered malpractice or impropriety in the workplace and wish to report a whistleblowing concern, as defined under **item 4**. The Group provides other mechanisms for raising concerns that do not meet this definition, including the following:

3.1.1 learners are encouraged to raise concerns by making a complaint to their tutor, Faculty Manager or via the Customer Compliments, Comments and Complaints procedure.

3.1.2 concerns relating to safeguarding should be raised under the Safeguarding and Child Protection Policy.

3.1.3 concerns over the quality of financial or business decisions should be escalated via line management.

3.1.4 concerns relating to your employment or work should initially be raised with your line manager and if unresolved, raised under the Grievance Procedure.

3.2 There is a difference between whistleblowing and raising a grievance:

3.2.1 whistleblowing is where an individual has a concern that has a public interest aspect to it, e.g. because it affects staff, students, third parties or the public generally.

3.1.2 a grievance is a complaint that generally relates to an individual's own employment position or personal circumstances at work.

3.2 If you are requesting reconsideration of matters which have been addressed under another procedure you should pursue this via the appeal mechanism set out in the relevant procedure.

3.3 If you are unsure of the most appropriate procedure for raising a concern, please contact the Head of Governance or the Chief People Officer.

4 Malpractice covered by this policy

4.1 Whistleblowing is the reporting of suspected malpractice, wrongdoing or dangers in relation to the activities the Group undertakes. The kinds of malpractice covered by this policy include circumstances whereby any of the following have occurred, are occurring or are likely to occur:

4.1.2 criminal offences, including bribery and corruption, facilitation of tax evasion and failure to prevent fraud;

4.1.3 miscarriages of justice;

4.1.4 danger to the health and safety of any individual;

4.1.5 damage to the environment;

4.1.6 sexual harassment;

4.1.7 breach of any legal or professional obligation;

4.1.8 the deliberate concealment of any of the above matters.

4.2 A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected malpractice, wrongdoing or danger affecting any activities the Group undertakes (a whistleblowing concern) you should report it under this procedure.

5 Our commitment

5.1 We are committed to the principles set out in this procedure. If you use this procedure to raise a concern, the Group will not tolerate any form of retribution or detrimental treatment. We will treat your concern seriously and act according to this procedure.

6 Procedure for raising a whistleblowing concern

6.1 If you are concerned about any form of malpractice covered by this procedure, you should normally raise the issue with your line manager. If you feel you cannot tell your line manager for any reason, you should raise the issue with the Head of Governance or the Chief People Officer. Contact details are at the end of this procedure.

6.2 A concern can be raised by telephone, in person or in writing. It is preferable if it is made in writing via email or using the form at **Appendix 1**. Although you are not expected to prove the truth of your concern or provide evidence, you will generally need to provide, as a minimum, details of the nature of the concern, why you believe it to be true, and the background and history of the concern (giving relevant dates and names where possible).

1.1 In the event that the concern relates to both the Head of Governance and the Chief People Officer, the concern should be made to the Chief Executive Officer (CEO), who will ensure all actions ascribed to the Head of Governance and the Chief People Officer in this procedure are undertaken.

6.3 You may wish to consider discussing your concern with a trade union representative before raising it formally under this procedure but remember that once you have raised a concern formally, in the interests of everyone

involved, this is a confidential process. Raising an informal concern may not result in a formal report, unless you agree, or we are required to do so by law.

6.4 The Head of Governance will retain a record of all concerns raised under this procedure and will report all substantiated concerns to the Audit and Risk Committee. The Committee shall bring issues of general importance to the attention of the Corporation.

7 Responding to concerns raised

7.1 We are committed to ensuring that all concerns raised will be dealt with appropriately, consistently, fairly and professionally.

7.2 Receipt of a concern under this procedure will be acknowledged within five working days where possible by the Head of Governance, provided that the discloser is identifiable.

7.3 Correspondence will normally be in writing to the individual's home address, rather than through internal mail, unless otherwise requested.

7.4 The Head of Governance shall appoint an Investigating Officer, who has no direct association with the individual(s) whom the disclosure relates to. This may be an independent member of the Group Leadership Team, Group Executive Team or Corporation Board, or an external investigator, as appropriate.

7.5 Where the concern relates to safeguarding, the designated officer will be notified immediately, in line with the Safeguarding and Child Protection Policy.

7.6 The Investigating Officer may invite you to meet with them to discuss your concerns and ask you for further information about them. The investigator may request further information and/or further meetings after the initial meeting.

7.7 You may bring a colleague or trade union representative to any meeting that takes place under this procedure. The companion must respect the confidentiality of your disclosure and any subsequent investigation.

7.8 Following the initial investigation, the Investigating Officer shall decide whether they believe that your disclosure is wholly without substance or merit, on the basis that:

- you do not have reasonable cause to believe that the suspected malpractice is occurring;
- the matter is already the subject of legal proceedings or appropriate action by an external body; or
- the matter is already subject to another appropriate Group procedure.

7.9 If your disclosure is considered to warrant further action, the Investigating Officer shall decide upon the appropriate course of action. This may include action under existing procedures; internal investigation; referral to the auditors or relevant external bodies such as the Police, LADO, Department for Education (DfE), OFSTED, Office for Students (OfS), Health and Safety Executive (HSE) or the Information Commissioner's Office (ICO).

7.10 The Head of Governance will notify you of the recommended course of action and likely timescales in writing as soon as is reasonably practicable and shall keep you informed if the action is delayed. If your disclosure is considered to have insufficient substance or merit to warrant further action, you will be notified in writing, including the reasons for the decision.

8 Procedure for investigating a disclosure – internal investigation

8.1 The internal investigation will be concluded thoroughly, fairly, and as quickly as reasonably practicably, allowing for a full investigation. The Investigating Officer shall inform any implicated person(s) of the nature and any evidence supporting your disclosure and allow them to comment before any investigation or further

action is concluded. Depending upon the nature of your disclosure, the Investigating Officer may also interview you, in order to ascertain further facts of the matter.

8.2 Upon conclusion of the investigation, the Investigating Officer shall make recommendations for further action to the CEO. In the event that your disclosure involves the CEO or the Head of Governance, recommendations should be made to the Chair of the Audit & Risk Committee. The recipient will take all steps within their power to ensure that the recommendations are implemented, unless there are good reasons for not doing so.

8.3 The Head of Governance will notify you of the outcome of the investigation in writing as soon as it is reasonably practicable.

8.4 If you are not satisfied that your concern has been appropriately addressed, you may appeal against the outcome, by writing to the Chair of the Corporation, within five working days of notification of the outcome. The Chair of the Corporation will make a final decision on action to be taken.

8.5 All complaints under this procedure will be dealt with as speedily as practicable. There are no set timescales for the investigations, as they need to remain flexible, bearing in mind the variations in time required depending on the complexity of the concerns raised. We will keep you informed of the progress of the investigation, when it is completed and an indication of timings for any actions or next steps that we will take. We cannot, however, inform you of any matters which would infringe any duty of confidentiality owed to others.

9 Confidentiality and Anonymous Disclosures

9.1 All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered support.

9.2 We hope that all staff will feel able to voice their concerns openly under this procedure. Although a concern may be raised anonymously, we would encourage you give your name when reporting your concern whenever possible. If this is not done, it may be more difficult to fully investigate your concern, for us to protect your position or to give feedback on the outcome of any investigations. The Group reserves the right to determine whether to apply this procedure to an anonymised disclosure in light of the seriousness and credibility of the disclosure, and how possible it will be to confirm the allegations.

10 Raising your concern externally (exceptional cases)

10.1 The main purpose of this procedure is to provide an internal mechanism which gives all our staff the opportunity and protection they need to raise concerns of malpractice in the workplace. We would expect that in almost all cases raising concerns internally will be the most appropriate course of action.

10.2 If, for whatever reason, you feel you cannot raise your concerns internally and you reasonably believe the information and any allegations are substantially true, the law recognises that it may be appropriate for you to report your concerns to an external body, such as a regulator (e.g. Ofsted or DfE). A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect (formerly known as Public Concern at Work) (see **Item 12**). Further information and contacts are set out below and on the GOV.UK website at: Whistleblowing: list of prescribed people and bodies - GOV.UK

10.3 We strongly encourage any individual to seek appropriate advice before reporting a concern to anyone external. **Protect** is a leading independent charity whose main objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. They are a source of further information and advice and operate a confidential helpline.

11 Protection and support for those raising concerns

11.1 We are committed to good practice and high standards and to being supportive to staff who raise genuine concerns under this procedure. As a reminder, a range of well-being support is available to staff via the Employee Assistance Programme.

11.2 Any individual raising a genuine concern must not suffer any detriment because of doing so. If you believe that you have suffered any such treatment, you should inform the Head of Governance or the Chief People Officer immediately. If the matter is not dealt with to your satisfaction, you should raise it formally using our Grievance Procedure.

11.3 No member of staff must threaten or retaliate against an individual who has raised a concern in any way, and we will not tolerate any such behaviour. Any person involved in such conduct may be subject to disciplinary action.

11.4 To ensure the protection of all our staff, those who raise a concern frivolously or in cases of disclosures that are reasonably considered to have been made maliciously, vexatiously, or which they do not reasonably believe to be true may be subject to disciplinary action.

12 Further information and contacts

12.1 If you have any queries about the application of this procedure, please contact the Head of Governance at Amy.Gleeson@Activatelearning.ac.uk in the first instance.

12.2 Louise Basu, Chief People Officer at Louise.Basu@Activatelearning.ac.uk

12.3 Postal Address: City of Oxford College, Oxpens Road, OX1 1SA.

12.4 Relevant regulators may include:

Name of regulator	Contact details
Her Majesty's Chief Inspector of Education, Children's Services and Skills	The Chief Inspector Ofsted Piccadilly Gate Store Street Manchester M1 2WD Tel: 0300 123 3155 Email: whistleblowing@ofsted.gov.uk
Secretary of State for Education	Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD Tel: 0370 000 2288 Website: www.gov.uk/contact-dfe
The Health and Safety Executive	Tel: 0300 003 1647 Online form: www.hse.gov.uk/contact/concerns.htm

12.5 Protect is a source of further information and advice at Protect - Speak up stop harm - Whistleblowing Homepage. It also provides a free helpline offering confidential advice on 020 3117 2520.

References

This Procedure should be read in conjunction with the following Activate Learning Policies and Procedures:

- Corporate Ethics Policy
- Safeguarding and Child Protection Policy
- Staff Disciplinary Procedure
- Grievance Procedure
- Fraud Response Procedure
- Bribery and Corruption Procedure
- Sexual Harassment Procedure

Appendices

- Whistleblowing form (printable)