Whistleblowing Policy

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Related Documents:

Safeguarding and Child Protection Policy Complaints Policy
Data Protection Policy Code of Conduct
Staff Handbook

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Contents

Introduction....3
Aims....4
Procedure....5
Reasons for Whistleblowing....6
What stops people from Whistleblowing....6
What concerns should you raise?....6
Self Reporting....7
How should you raise a concern?....7
What happens next?....8
Confidentiality....9
External Procedures....9
Malicious Accusations....10
Protection from reprisal or victimisation....10
Further advice and support....10

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Introduction

Oxbridge Group Ltd has adopted a policy and an accompanying procedure on whistleblowing to enable members of staff, volunteers, students, parents and homestays to raise concerns internally and confidentially, about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, failure to comply with legal obligations or unethical conduct. The policy also provides, if necessary, for such concerns to be raised outside the company.

Oxbridge Group Ltd is committed to the highest standards of openness, probity, and accountability. Whoever we may deal with and wherever we may operate, we are committed to doing so lawfully and ethically with integrity. It is the responsibility of each and every one of us to ensure that we fulfil this commitment in our day-to-day working lives. However, from time-to-time there may be situations where the right course of action is unclear, or there may be situations where you suspect or know that something is improper, unethical or inappropriate. We have both a legal and moral duty to take appropriate measures to identify such situations and attempt to remedy them.

It can be difficult to know whether to speak up about something that concerns us. Often people are reluctant to get involved but this could result in serious consequences for Oxbridge Group Ltd, its employees and other associated individuals. That is why this Whistleblowing Policy has been put in place to give confidence that any suspicion of wrong doing will be dealt with in an appropriate and timely manner.

As a member of staff, volunteer, parents, student or homestay you may be the first to realise that there may be something wrong within the company. However, you may not feel able to express your concerns because you feel that speaking up would be disloyal to your colleagues or to the company. You may also fear harassment or victimisation. In these circumstances, it may be easier for you to ignore the concern rather than report it. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk.

Don't think what if I'm wrong - think what if I'm right

Aims

The aim of this policy is to:

- Ensure all employees, homestays, parents and students feel supported in speaking up in confidence and reporting matters they suspect may involve anything improper, unethical or inappropriate.
- Encourage all improper, unethical or inappropriate behaviour to be identified and challenged at all levels of the organisation.
- Provide clear procedures for the reporting of such matters.
- Manage all disclosures in a timely, consistent and professional manner.
- Provide assurance that all disclosures will be taken seriously, treated as confidential, where not in conflict with safeguarding or UK GDPR guidance, and managed without fear of retaliation.

In accordance with the Nolan Principles, the Oxbridge Group Ltd policy on whistleblowing is intended to demonstrate that the company:

- Will not tolerate malpractice.
- Respects the confidentiality of staff, volunteers, parents, students and homestays raising concerns, where not in conflict with safeguarding or UK GDPR guidance, 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 company's Disciplinary Policy and Procedure (Staff Handbook) in the case of false, malicious, vexatious or frivolous allegations.
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff, volunteers, parents, students and homestays.

Procedure

This procedure is to enable members of staff, volunteers, parents, students, and homestays to express a legitimate concern regarding suspected malpractice within Oxbridge Group Ltd

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, failing to comply with a legal obligation, a miscarriage of justice or creating or ignoring a serious risk to health, safety or the environment.

Step 1: Make report to a Director

Step 2: Detail further information or context

Step 3: Director will detail to you response and plan for resolution



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Reasons for Whistleblowing

Each individual has a responsibility for raising concerns about unacceptable practice or behaviour:

- To prevent the problem worsening or widening
- To protect or reduce risks to others
- To prevent becoming implicated yourself

What stops people from Whistleblowing

- Starting a chain of events which spirals
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed

What concerns should you raise?

Concerns that fall within the scope of the whistleblowing policy may be about something that:

- is unlawful
- is against the company's policies
- falls below established standard or practice
- amounts to improper conduct

Remember as member of staff, volunteer, parent, student or homestay, you have the right to raise concerns, which could be about the actions of other employees or private contractors and, under the company's Health & Safety Policy, you are expected to raise concerns about potential health and safety risks.

Please note; before blowing the whistle you should consider the following:

- the responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, volunteers, parents and homestays;
- you should use meetings with senior staff and other opportunities to raise questions and seek clarification on issues that concern you;
- whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, you must act to prevent the problem getting worse, to reduce potential risks to the health and safety of others, and to prevent yourself potentially being implicated.

Self Reporting

Any person working in connection with Oxbridge Group Ltd must report immediately to the Director any convictions they receive.

There may be occasions when a member of staff, volunteer, parent, student or homestay has a personal difficulty, maybe a physical or mental problem, which they know to be impinging on their professional competence.

You have a responsibility to discuss such a situation with a senior member of staff at Oxbridge Group Ltd so that professional and personal support can be offered to you. Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children and young people.

How should you raise a concern?

The earlier a concern is expressed, the easier and sooner it is possible to take action.

We recognise that due to the sensitive nature of certain situations you may not feel comfortable about discussing your concerns. Below is a list of people who you can turn to:

Helen Wu – Director
helen.wu@oxbridgeguardians.co.uk

Stephanie Gilbert – Director and Designated Safeguarding Lead
steph.gilbert@oxbridgeguardians.co.uk

You can raise concerns by email, orally or in writing, stating that you are using the Whistleblowing Policy.

We request that, where possible, you include the information below in your disclosure:

- that you are raising concerns via the whistleblowing policy
- the background and history of the concerns or suspected wrongdoing
- names, dates and places where possible
- details, to the best of your knowledge, about when, where and how it occurred
- the reasons why you are particularly concerned about the situation
- a list of names of those suspected of being involved
- a list of names of anyone who may have relevant information
- details of how you came to know about the situation
- what, if any, breaches of company policies or procedures have taken place

- the names of anyone you have discussed this incident with
- your name and contact details - these will be kept confidential as far as is reasonably practicable
- the date and time of making the report

You will not be expected to prove the wrongdoing that you believe you have witnessed or suspected. We understand that some individuals may wish to make a disclosure anonymously, when this is the case we will endeavour to investigate your concerns fully, although an investigation may be impeded if we cannot obtain further information from you.

Remember: the earlier you express a concern, the easier and sooner it is possible for the company to take action.

What happens next?

Once you have raised a concern Oxbridge Group Ltd will:

- give you information on the nature and progress of any enquiries;
- take action to protect you from harassment or victimisation;
- provide mediation and dispute resolution if appropriate
- do its best to protect your identity if you do not want your name disclosed (although this might not be possible in all cases, especially if a signed statement is needed from you in order to address the concern via another procedure, e.g. the disciplinary procedure); and
- take no action against you, if you raise a concern, in good faith, that is later confirmed to be unfounded.

Oxbridge Group Ltd will make initial enquiries (usually involving a meeting with you), to decide whether an investigation is required and what form it should take. For example, the matter raised may:

- be resolved simply without the need for further investigation.
- be investigated internally by an appropriate senior member of staff.
- be referred to the Local Authority Designated Officer for advice.
- be referred to the Police.
- form the subject of an independent inquiry.

Concerns or allegations that raise issues covered by other company policies/procedures will normally be addressed under those procedures, e.g. disciplinary, health and safety, grievance, safeguarding and child protection.

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Within ten working days of your concern being received, the person receiving the concern will send you a written response:

- acknowledging that the concern has been received.
- indicating how he/she proposes to deal with the matter.
- giving an estimate of how long it will take to provide a final response; and/or
- indicating whether any initial enquiries have been made, and whether further investigations will take place; or
- explaining the reasons for not investigating further if that is the decision; and/or
- indicating when you can expect to receive further details, if the situation is not yet resolved.

Remember: if your concern, once investigated, is confirmed as unfounded, the company will deem the matter to be concluded and will not expect you to raise the matter via another procedure, or with the person on the list given above, unless new evidence becomes available.

Please note that, if there is clear evidence that you have deliberately made a malicious or false statement, disciplinary action may be taken against you.

Confidentiality

Members of staff, volunteers, parents, students and homestays who wish to raise a concern under this procedure are entitled to have the matter treated confidentially, unless it is in conflict with Safeguarding or UK GDPR guidance or legislation. The complainant's name will not be disclosed to the alleged perpetrator of malpractice without the complainant's prior approval. It may be appropriate, in the interests of confidentiality, that concerns are raised orally rather than in writing, although members of staff, volunteers, parents, students and homestays are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity, then the Police will in all cases be informed.

External Procedures

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff, volunteers, parents, students and homestays may be entitled to raise a concern directly with an external body where they reasonably believe:

- that exceptionally serious circumstances justify it.
- that the company would conceal or destroy the relevant evidence.
- where they believe they would be victimised by others.
- where the Secretary of State has ordered it.

Malicious Accusations

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

Protection from reprisal or victimisation

No member of staff, volunteer, parent, student or homestay will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblower procedures.

Further advice and support

It is recognised that whistleblowing can be difficult and stressful. Advice and support is available from the Directors. You can also seek advice from the Designated Safeguarding Lead.

The NSPCC whistleblowing helpline is available for staff, volunteers, parents, students and homestays who do not feel able to raise concerns regarding child protection failures internally. Individuals can call 0800 028 0285 from 8am to 8pm Monday to Friday. Alternatively, you can email help@nspcc.org.uk

If you are not happy with the response that you receive from the company, you may wish to raise the matter externally with:

- Protect provide a free, confidential advice line for concerned staff to call before whistleblowing. The helpline is 020 3117 2520 and their website is: www.protect-advice.org.uk/.
- a recognised trade union;
- relevant professional bodies or regulatory organisations, e.g. the Health & Safety Executive; Local Authority (Safeguarding), or AEGIS
- a solicitor.