



Oakswood College

Empowering Through Education



Abuse of Power & Code of Practice

Policy

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Oakswood College
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(Trading name of Oakswood Group Ltd)

Abuse of Power Policy and Code of Practice

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Abuse of Power Policy and Code of Practice

1. Introduction

Oakwood College is committed to maintaining the highest standards of integrity, fairness, and accountability in all its academic and administrative activities. This policy sets out Oakwood College's code of practice on preventing and addressing Abuse of Power within our higher education community. It ensures compliance with UK higher education regulations and the [Office for Students](#) (OfS) requirements for effective governance and management. All academics, staff, and governors must understand that any misuse of authority or position contradicts the core values of Oakwood College and the public interest [governance](#) principles we uphold.

2. Purpose

Abuse of power has no place at Oakwood College. Whether it manifests as academic fraud, workplace bullying, discrimination, financial impropriety, or any misuse of authority, such behaviour is fundamentally at odds with our college's mission and values. All members of the Oakwood College community – from the most junior student or staff member to the CEO - have both rights and responsibilities under this policy: the right to be treated with respect and fairness, and the responsibility to treat others likewise and to speak up against wrongdoing.

The policy and code of practice serve as both a guide and a promise: a guide for expected conduct and procedures, and a promise that Oakwood College will handle allegations of power abuse seriously and impartially. By clearly defining unacceptable behaviours, outlining duties for leadership, providing secure ways to report concerns, and committing to fair investigation and accountability, we aim to deter misconduct and quickly correct it if it occurs.

3. Scope

This policy applies to all members of the Oakwood College community, including senior leadership, academic and professional staff, and any individuals in positions of authority over others. It covers behaviours and actions both on-campus and off-campus whenever they relate to Oakwood College duties. The aim is to foster a culture where power is exercised responsibly and ethically, and where any abuses of power are prevented or addressed promptly and impartially.

The procedures set out in this policy will not normally apply to students, as there are various student-related policies and procedures that fall within the scope of this Policy

which govern the student contract. Therefore, whilst this Policy applies to students, where a student may have breached this Policy, they will be referred into relevant student-related procedures (e.g. Non-Academic Misconduct Policy, Academic Misconduct Policy, Support Through Studies Policy) for the matter to be dealt with appropriately according to their status and their rights.

4. Definitions and Examples of Abuse of Power

Abuse of power refers to situations where an individual misuses their position of authority or influence to exploit, mistreat, or unfairly disadvantage others, or to benefit themselves inappropriately. It can take many forms in a higher education context. The following are definitions and examples of the types of misconduct considered as abuse of power at Oakswood College:

- 4.1 **Academic Misconduct:** Any action by someone in a teaching or evaluation role that violates academic integrity or fairness. This includes general misconduct (e.g. data falsification or plagiarism) and teaching-related misconduct (e.g. giving undue advantage to certain students). Academic misconduct undermines scholarly standards and can involve behaviours like plagiarism, cheating, fabrication of results, or exploiting students' work. For example, an academic using their authority to pressure students into doing personal work or to manipulate research data for personal gain would constitute abuse of power.
- 4.2 **Bullying and Harassment:** Bullying is offensive, intimidating, malicious, or insulting behaviour - often an abuse or misuse of power — that has the purpose or effect of undermining, humiliating, or injuring an individual. Harassment is similar, unwanted conduct (which can be repetitive) that violates a person's dignity or creates a hostile or offensive environment. This can include verbal abuse, threats, spreading malicious rumours, or deliberate exclusion of someone. In an academic setting, bullying might involve a supervisor belittling a staff member or a senior academic repeatedly intimidating junior researcher. Such behaviour is unacceptable at Oakswood College; even subtle actions that demean or intimidate a person are considered harassment. All members of Oakswood College have the right to work and study in an environment free from bullying and harassment.
- 4.3 **Discrimination:** Discrimination is the unjust or prejudicial treatment of people based on personal characteristics such as race, gender, religion, age, disability, sexual orientation, or other protected characteristics defined by the Equality Act 2010. Abuse of power in this form occurs when a person in authority treats someone less favourably or creates policies or decisions because of these characteristics. Examples include a manager who consistently denies opportunities or resources to an individual (or group of individuals) due to bias or prejudice, or any decision-making that is influenced by stereotypes rather

than merit. Oakwood College is committed to equality, diversity and inclusion, and any form of discriminatory behaviour by those in positions of power will be treated as serious misconduct.

- 4.4 **Financial Mismanagement:** This involves the misuse or misappropriation of Oakwood College’s finances or resources by an individual in a position of trust. It includes acts such as embezzlement, fraud, improper use of budgets or grants, or authorising expenditures to benefit oneself, family, or friends (nepotism) without regard for proper procedure. Financial mismanagement is an abuse of authority that violates principles of regularity, propriety, and value for money in the use of Oakwood College funds. Examples include a department head manipulating accounts for personal gain, or a manager showing favouritism in awarding contracts (conflict of interest leading to improper procurement). Oakwood College has a zero-tolerance stance toward financial irregularities and expects all managers to handle funds and contracts with transparency and accountability.
- 4.5 **Abuse of Authority/Position:** Any other misuse of one’s seniority or influence that doesn’t fall neatly into the above categories. This can include nepotism (favouring relatives or friends in hiring, promotions, or opportunities), favouritism and unfair treatment not based on merit, or coercive behaviours (pressuring someone to do something outside their role, or to ignore policy, under threat of negative consequences). For instance, if a senior academic forces junior staff to support a personal project unrelated to their duties or threatens negative performance reviews unless personal requests are met, that is an abuse of authority. Similarly, managers ignoring Oakwood College policies to grant undue advantages (or disadvantages) misuse their power. Even if such actions are not outright illegal, they violate Oakwood College’s ethical standards and this policy.
- 4.6 **Sexual Favours or Advancement:** Abuse of power in the form of soliciting or coercing sexual favours in exchange for professional, academic, or financial advantages is a severe violation of ethics and misconduct at Oakwood College. This includes any attempt by an individual in a position of authority—such as a faculty member, manager, or senior leader—to demand, request, or imply that sexual favours will influence decisions related to grades, promotions, funding, employment, or any other professional or academic benefit.

Examples of, but not limited to, Sexual Favour-Related Abuse of Power

- A lecturer or academic supervisor offering a higher grade, positive reference, or research opportunity to a student in return for a romantic or sexual relationship.

- A manager or senior leader pressuring a subordinate or colleague into an intimate relationship by implying it will benefit their career progression, job security, or salary review.
- A staff member making unwanted sexual advances towards a student or another staff member, coupled with an implicit or explicit threat of academic, professional, or financial consequences for rejecting those advances.
- A person in power conditions access to funding, scholarships, leadership roles, or professional opportunities based on sexual compliance.
- Retaliation (such as bad performance reviews, negative recommendations, or exclusion from opportunities) against someone who refuses, resists, or reports sexual favour demands.

4.7 **Power Imbalance and Coercion:** In any professional or academic setting, consent cannot be freely given when there is a power imbalance. Even if a relationship appears to be "voluntary," Oakwood College recognises that the disparity in authority can lead to coercion or undue influence, where a student or employee feels pressured to comply out of fear of repercussions. Therefore, Oakwood College strictly prohibits all romantic or sexual relationships between individuals where one has direct authority over the other, such as:

- Staff (academic and non-academic) and students they support, supervise, assess, or teach.
- Managers and their direct reports.
- Academic or administrative staff and those who depend on them for professional opportunities.

Oakwood College recognises that even consensual relationships between individuals in positions of authority and subordinates can create a conflict of interest, bias, or perceived favouritism. Staff in such situations must disclose such relationships under conflict-of-interest policies so appropriate steps can be taken to remove any direct decision-making power over the subordinate.

4.8 **Zero-Tolerance:** As is set out in our Policy on Sexual Misconduct, Harassment & Unacceptable Behaviours, Oakwood College has a zero-tolerance approach to sexual exploitation, coercion, harassment, sexual misconduct, and favour-based advancement. Any individual found to have engaged in such misconduct may face severe disciplinary action, up to and including dismissal, and may also be subject to legal consequences under UK harassment and sexual misconduct laws. Individuals who witness or experience this form of power abuse are strongly encouraged to report concerns through the College's confidential reporting channels. Oakwood College also prohibits retaliation against individuals who reject unwanted advances or report inappropriate behaviour. Victimisation of whistle-blowers or complainants will be treated as an additional disciplinary offence.

These categories often overlap. For example, discriminatory harassment or a case of academic misconduct could also involve bullying or conflict of interest. Any single incident may be evaluated under multiple definitions of misconduct. The key element is the power imbalance – the accused has some form of authority or influence over the victim or situation, which they have misused. All members of Oakwood College, especially those in leadership or supervisory roles, are expected to conduct themselves in a way that avoids even the perception of abusing power.

5. Responsibilities of Senior Management

Senior Management (Board of Governors, CEO, Directors, Departmental Heads etc.) at Oakwood College have a heightened responsibility to model ethical behaviour and to proactively prevent abuse of power within their areas of oversight. By virtue of their positions, they set the tone and culture of the Oakwood College. The following responsibilities are expected of Oakwood College's senior leaders:

- 5.1 **Upholding integrity and accountability:** Senior leaders must operate openly, honestly and with integrity, demonstrating the values of ethical leadership expected in an English higher education provider. They should exemplify the conduct they expect of others. This includes fostering a culture where concerns can be raised without fear, and where rules and standards are applied consistently, even to themselves. Leaders at Oakwood College accept personal accountability for ensuring their teams and departments abide by this policy and all relevant regulations.
- 5.2 **Compliance with governance standards:** Leaders are collectively responsible for ensuring Oakwood College meets the OfS's public interest governance principles and regulatory conditions. The CEO and the Principal, along with other executive managers, must ensure that adequate and effective governance arrangements are in place so that Oakwood College operates according to the regulatory standards and endeavours to meet its conditions of registration with the OfS, when registered. This means maintaining structures for oversight (committees, audits, etc.) and immediately addressing any management gaps that could allow abuses of power to occur.
- 5.3 **Promotion of a safe and respectful environment:** The CEO and Management must actively promote an Oakwood College culture where bullying, harassment, discrimination, and other abuses of power are not tolerated. They should ensure that dignity at work and policies are communicated and enforced, and that students and staff know their rights. Senior leadership should also champion diversity and inclusion initiatives and respond visibly and decisively to

any incidents or complaints, thereby reinforcing Oakwood College's commitment to a respectful environment.

- 5.4 **Oversight of policy implementation:** Line Managers and the Registrar are tasked with the day-to-day implementation of this Abuse of Power policy. This includes training staff on the policy, providing guidance on ethical decision-making, and monitoring compliance in their departments or administrative units. They must ensure all academic and administrative processes (student assessments, staff appraisals, resource allocations, etc.) have appropriate checks and balances to prevent individual misuse of power. For example, an Academic Manager should make sure that no single individual can unilaterally make significant decisions (like large expenditures or major academic decisions) without peer review or oversight.
- 5.5 **Responding to concerns:** All senior leaders have a duty to take any reports or signs of possible abuse of power seriously. When concerns or allegations are raised (whether formally or informally), leaders must ensure they are addressed promptly and according to the procedures in this policy. The Registrar should maintain clear reporting channels and track concerns raised. Retaliation of any kind against individuals who report concerns must be actively prevented by leadership. If the allegation implicates someone in senior leadership, those not involved must ensure an impartial response (for instance, notifying the CEO or an appropriate governing body member to initiate an independent investigation).
- 5.6 **Fit and Proper Leadership:** Senior leaders and governors are expected to be "fit and proper persons" for their roles. This means, among other criteria, that they have not engaged in serious misconduct or mismanagement in any current or previous employment. The CEO and governing board should verify (through background checks, declarations, etc.) that those in leadership positions uphold high ethical standards. If a senior leader were found to have abused their power, this would call into question their fitness for office, which must be addressed under this policy and, if appropriate, through removal or referral to external regulators.

Oakwood College's senior leadership carries the primary responsibility for cultivating an ethical Oakwood College culture and robust systems that prevent abuse of power. By fulfilling these responsibilities, leaders not only avoid personal misconduct but also ensure that checks and balances are in place at all levels of the College so that no individual can exploit authority without detection or consequence.

6. Prevention and mitigation strategies

Preventing abuse of power is as essential as dealing with it after the fact. Oakwood College will employ a range of proactive strategies to mitigate risks and ensure a culture of integrity:

- 6.1 **Conflict of interest declarations:** All staff (particularly senior staff and governors) must openly declare any actual, potential, or perceived conflicts of interest on appointment and regularly thereafter. Oakwood College conducts an annual Conflict of Interest review where staff and leadership are asked to self-declare any external interests, personal relationships, or financial interests that might overlap with their Oakwood College responsibilities. This transparency helps to identify situations where someone's personal interests could improperly influence their decisions at Oakwood College. Examples include having close family employed in your department or holding financial stakes in a company that does business with Oakwood College. If such situations exist, they must be fully disclosed and managed (e.g. by recusal from decisions) to prevent abuse of power or favouritism. Failure to disclose a known conflict of interest is a serious matter and may lead to disciplinary action.
- 6.2 **Statement of ethical conduct:** Oakwood College requires all academic and staff to affirm their commitment to the Abuse of Power Policy by signing a declaration as part of their employment contract or annual appraisal. This self-declaration is a pledge to uphold values of honesty, integrity, fairness, and respect in one's professional role. By formally acknowledging these expectations, individuals are reminded of their personal responsibility to avoid misconduct such as bullying, bias, or misuse of resources. It also provides a reference point in conversations about behaviour – staff who violate the code can be reminded of the standards they agreed to.
- 6.3 **Mandatory training and awareness:** Oakwood College will provide regular training to all employees (and governors where applicable) on professional ethics and appropriate conduct, and on key Oakwood College Policies, including (but not limited to) the following:
 - Ethics and Values Policy
 - Conflicts of Interest Policy
 - Whistleblowing Policy
 - Personal Relationships Policy
 - Policy on Sexual Misconduct, Harassment & Unacceptable Behaviours
 - Staff Code of Conduct
 - Code of Practice on Freedom of Speech
 - Equality, Diversity & Inclusion Policy
 - Prevent & Safeguarding Policy

‘Training and awareness’ includes induction training for new hires and annual refresher workshops or online modules covering topics such as anti-bullying and harassment, diversity and inclusion, proper use of authority, and managing conflicts of interest. Specialised training will be given to those in supervisory roles on how to handle power responsibly – e.g. training academic managers on fair performance reviews and to recognise unconscious biases. The goal is to ensure everyone understands what constitutes abuse of power and how to prevent it. Ethical dilemmas and case studies may be used in training sessions to help staff identify the proper course of action in challenging situations. Additionally, all staff will be aware of this policy’s content and the procedures to report concerns, so ignorance is never an excuse for misconduct or inaction.

6.4 Policy and procedure controls: Oakwood College will maintain strong Oakwood College policies and procedures that inherently reduce the opportunity for power abuse. For instance, financial controls (like requiring dual signatories or committee approval for expenditures above certain limits) prevent a single person from unilaterally misusing funds. Academic processes such as second marking of assessments or the use of external examiners ensure fairness and prevent a lone academic from unfairly influencing student outcomes. Recruitment and promotion panels must include multiple members and follow clear criteria to curb bias by any one decision-maker. By designing our processes with checks and balances, we mitigate the risk that authority can be exercised unchecked.

6.5 Open-door culture and communication: Oakwood College’s leadership will promote an open-door policy and encourage open communication across all levels of the Oakwood College. This means staff and students should feel comfortable raising questions, seeking advice, or voicing concerns related to ethics or potential misconduct. Regular forums, town-hall meetings, or feedback sessions may be used to discuss systemic issues or power dynamics that worry our community. When leaders are approachable and transparent in their decision-making, it reduces the likelihood of abuses going unnoticed or unchallenged. Furthermore, awareness campaigns (posters, email reminders, intranet resources) will periodically reinforce messages such as “no bullying tolerated” and “speak up if something isn’t right.” An informed and vigilant community is one of the best defences against abuse of power.

Implementing these preventive measures allows Oakwood College to stop problems before they start. However, we recognise that no system can eliminate all misconduct. Therefore, the following sections outline how concerns can be reported and how Oakwood College will respond to allegations of abuse of power, to ensure accountability and justice when issues do arise.

7. Reporting mechanisms and whistleblowing

Oakwood College is committed to providing safe, accessible, and trusted channels for reporting any suspected abuse of power. All members of the Oakwood College community should feel able to report concerns or incidents without fear of reprisal. Multiple reporting mechanisms are in place to accommodate different comfort levels and ensure confidentiality:

7.1 Internal reporting channels: Individuals are encouraged to report concerns through the normal managerial or Oakwood College channels whenever possible. This could mean:

- a. **Line Manager/Supervisor:** If you feel able, report the issue to your immediate supervisor or another manager you trust. Oakwood College expects managers to listen to such concerns with empathy and discretion, and to take appropriate action or escalate the issue.
- b. **Human Resources (HR):** Staff members can approach the HR department to report bullying, harassment, discrimination or other abuses. HR can provide advice on next steps and will treat reports sensitively.
- c. **Registrar's Office:** Students or staff can report academic misconduct or authority abuse to the Registrar or the designated officer for student complaints. The Registrar's office oversees student welfare and will ensure academic-related abuses (e.g. a professor exploiting students) are handled.
- d. **Well-being Team:** Individuals may directly contact them to report wrongdoing.

All reports made through internal channels will be handled promptly and in confidence, following the investigation procedures outlined in the next section. The receiving party (manager, HR, etc.) must document the concern and escalate it as appropriate. Importantly, no one is required to report a concern to a person they believe is involved in the wrongdoing – in such cases, they should go to an alternative channel (for example, bypass a supervisor suspected of misconduct and go directly to HR or higher management).

7.2 Anonymous reporting: Oakwood College provides a mechanism for anonymous reporting to protect individuals who fear identification. This may be an online form on the Oakwood College intranet. Oakwood College is investing in a secure third-party hotline service. Individuals can submit a report without revealing their name. While anonymous reports will be taken seriously and investigated to the extent possible, reporters are encouraged to provide as much detail and evidence as possible, since follow-up can be limited if investigators cannot seek clarification. Oakwood College assures that anonymity will be respected and the identity of whistle-blowers will not be sought out if they choose not to disclose it. However, in some cases, complete anonymity might

limit the ability to act, but even so, raising the concern is valuable and will help Oakwood College monitor problem areas.

7.3 Whistleblowing – Protected Disclosures: Oakwood College explicitly affirms that any member of staff who discloses information about wrongdoing in good faith (i.e. whistle blows) is protected by law and Oakwood College policy from retaliation. The UK Public Interest Disclosure Act 1998 (PIDA) protects employees who raise concerns about specific types of wrongdoing (such as criminal acts, legal breaches, miscarriages of justice, dangers to health and safety, or misuse of public funds). Under PIDA, whistle-blowers have the right not to be dismissed or subjected to any detriment for making a protected disclosure. Oakwood College’s policy is fully aligned with these legal protections. We will not tolerate any form of retaliation (e.g. demotion, harassment, victimisation) against a whistle-blower. Any employee, including those in senior positions, who retaliates against someone for reporting a concern will face disciplinary action. Whistle-blowers may also make disclosures *externally* to certain regulatory bodies (called “prescribed persons” in law, such as the OfS, the Equality and Human Rights Commission, etc.) if internal reporting is not appropriate; Oakwood College acknowledges this right.

7.4 Confidentiality and support: All reports, whether named or anonymous, will be treated confidentially to the maximum extent possible. The information will only be shared with those responsible for addressing it (and, if necessary, with relevant authorities). The person raising the concern may request updates or be informed of the outcome of any investigation (though details might be limited by privacy obligations to those being investigated). Oakwood College will also provide support to those who report misconduct – for example, counselling services via the Employee Assistance Program or access to student support services, as needed. We understand that raising issues, especially against someone in power, can be stressful, and we are committed to supporting whistle-blowers and complainants through the process.

7.5 False or malicious allegations: While Oakwood College encourages everyone to speak up, it also expects reports to be made in good faith. Deliberately false, malicious allegations of abuse of power (that a reporter knows to be untrue) are unacceptable. Such behaviour can damage reputations unjustly and waste resources. If an investigation finds that an accusation was knowingly fabricated, it will be treated as a serious disciplinary matter. (This does not include reports made in error or based on genuine belief – those will not be penalised even if not substantiated.)

By providing these multiple avenues – informal or formal, named or anonymous – Oakwood College ensures that everyone can raise the alarm if they witness or experience abuse of power. We encourage a “see something, say something” mindset,

where reporting is seen as a responsible and valued action that helps Oakwood College maintain its ethical standards.

8. Investigation procedures

When an allegation or report of abuse of power is received, Oakwood College will follow a structured and impartial investigation process. The goals are to establish the facts, protect the rights of all parties, and determine an appropriate outcome in line with our policies and regulatory obligations. Investigation procedures will adhere to principles of fairness, objectivity, and confidentiality. The key steps and best practices are as follows:

NB: if an allegation or report falls within the scope of the Policy on Sexual Misconduct, Harassment & Unacceptable Behaviours, the Stage 1 Disclosure Procedure under that Policy will be followed to ensure a trauma-informed, survivor-centred approach.

8.1 Initial assessment: Upon receiving a report, the designated authority (e.g. HR Director, or an appointed Investigations Officer by the Board of Governors) will do a preliminary assessment. This involves reviewing the allegation to determine its nature and severity, whether there may be a breach of any College Policy, and identifying who might be involved.

- a. If the report implicates a particular manager or staff member, that person will not have any role in handling or deciding the case.
- b. In cases involving senior leadership, the matter may be referred to an appropriate external member or the Board of Governors to ensure independence.
- c. The initial assessment also considers whether any immediate interim actions are needed – for example, temporarily changing reporting lines, suspending financial authority, or placing someone on administrative leave – to prevent further potential harm or interference with evidence while the investigation is ongoing. Such measures are without prejudice, precautionary, not disciplinary, and do not presume any guilt.

8.2 Appointing an investigator or panel: Where there may be a breach of any Oakwood College policy that does not have its own investigation procedure, Oakwood College will appoint an investigator or an investigation panel not connected to the allegation. This could be an internal investigator from HR or another department who has no conflict of interest, or in sensitive cases, an external independent investigator, such as an external HR consultancy or legal firm, to ensure impartiality. For example, allegations against a high-ranking individual like the CEO would typically be investigated by someone external to avoid bias. The investigator/panel will have appropriate training or experience in handling misconduct investigations and will follow established terms of reference outlining their scope and authority. Appointment will normally be made by the

CEO or where the CEO may have a potential conflict of interest, the Chair of the Board of Governors.

8.3 Investigation process: The investigator will conduct a thorough fact-finding process, which typically includes:

- a. **Collecting evidence:** Gather any relevant documentation (emails, reports, files, financial records, CCTV footage if applicable, etc.) and secure them so they are not tampered with. IT Services may assist in retrieving electronic records if needed.
- b. **Interviews:** Speaking with the complainant/reporter/witness to get full details of the allegations and interviewing the person accused of potential misconduct (the respondent) to hear their side of events. Both parties are allowed to bring a colleague or representative for support during formal interviews, in line with ACAS guidelines on disciplinary investigations. The investigator will also identify and interview witnesses or other individuals who might have relevant information. Interviewees will be reminded to maintain confidentiality of the process.
- c. **Notes and records:** Detailed notes or recordings (with consent) of interviews will be made, and interviewees may be asked to review and sign written statements to confirm accuracy. All investigation materials will be kept securely and confidentially.
- d. **Timeline:** Oakswood College strives to complete investigations as promptly as possible, typically within a specified timeframe (e.g., 30 days for straightforward cases, longer for complex ones). If an investigation exceeds the usual timeframe, the investigator or HR will inform the relevant parties of the delay and provide an updated expected completion date.

8.4 Impartiality and fairness: The investigation will be conducted in an impartial manner. The investigator will approach the task with an open mind, seeking evidence that both substantiates and refutes the allegations, rather than aiming to prove guilt from the outset. The individual accused of abuse of power will be given a fair opportunity to respond to each allegation against them (the principle of “hearing both sides”). They will be informed of the core details of the allegations in writing before a formal interview, and allowed to submit their own evidence or name witnesses for the investigator to interview. Investigations will follow the [ACAS Code of Practice](#) on disciplinary proceedings to ensure fairness (for instance, avoiding any bias, and separating the investigation phase from any eventual decision-making or disciplinary phase).

8.5 Confidentiality: To protect all individuals involved, the investigation proceedings should be kept confidential within the small group of necessary participants. This

is to prevent rumour, protect reputations during the fact-finding stage, and preserve the integrity of evidence (for example, avoiding collusion or coaching of witnesses). Participants in the investigation (complainant, accused, witnesses) will be instructed not to discuss the case details with others, aside from a personal representative or advisor if they have one. Breaches of confidentiality may result in separate disciplinary action. Once the investigation is concluded, involved parties will be reminded to continue respecting confidentiality even as appropriate actions are taken.

8.6 Report and recommendations: After gathering and reviewing all evidence, the investigator will compile an investigation report. This report will summarise the allegations, the evidence collected (including witness statements), and the findings of fact. The report should indicate whether, on the balance of probabilities, each allegation is substantiated (proven) or not substantiated, based on the evidence. The investigator may also include any recommendations for action – for example, whether formal disciplinary proceedings should be initiated, or if other actions like mediation, training, or policy changes are suggested (if the issue was more systemic or not due to malicious intent). In some cases, especially if an external investigator was used, they might present the facts without a recommendation, and a separate Disciplinary panel or officer will decide on next steps.

8.7 Outcome notification: The investigation findings will be reviewed by the appropriate HR Disciplinary panel or Officer (which could be a senior manager not involved in the case, or the Board of Governors for executive-level cases). If the investigation finds sufficient evidence of misconduct, Oakwood College will proceed to invoke its disciplinary procedure. If the investigation finds no evidence or inconclusive evidence, the case may be closed with no further action, or other non-disciplinary remedies may be applied if appropriate (such as offering mediation if it was a conflict/miscommunication issue). The person who raised the concern and the person accused will be informed in writing that the investigation has concluded. The complainant will be notified if their allegation was found to be substantiated (though they will not usually receive full details of any disciplinary actions against the other party, due to privacy). The respondent will be informed of next steps if any (e.g. invitation to a disciplinary hearing, or exoneration). Oakwood College will strive to ensure that anyone who raised a concern in good faith feels that the matter was taken seriously and handled fairly, in order to encourage trust in our processes.

8.8 Appeals: If the complainant or the respondent is dissatisfied with the investigation process (for example, they believe it was biased or materially flawed), they may appeal in writing to the Chair of the Board of Governors, under one or more of the following grounds of appeal:

- a) That there is new evidence that the appellant was unable, or for good reason, unwilling, to make available for consideration earlier in the process;
- b) That there is evidence of a material administrative and/or procedural error, which may have had a bearing on the case and/or outcome;
- c) That there is evidence of prejudice and/or unfair bias in the investigation and/or decision-making process;
- d) That the outcome is disproportionate.

8.9 The Chair of the Board of Governors (or their nominee, who will normally be either another governor or an External Officer, in accordance with the College Policy on Procedural Integrity and Fairness) will review the appeal under the relevant ground upon which it is made, along with reviewing the conduct and findings of the investigation to determine whether or not grounds for appeal have been established. In the event that a finding is made that the appellant has established grounds, the Chair will determine if further action is required (such as a reinvestigation or modification of conclusions).

8.10 To reach this decision, they may appoint a panel, chaired by the Chair of the Board of Governors and comprising at least 2 other individuals, one of whom will normally be another governor, the other who may be a governor or an internal officer.

8.11 This appeal process does not replace any rights of individuals to seek external legal remedies.

The right of appeal including the grounds and how to submit an appeal, will be set out in the letter formally informing an individual of the decision which they can appeal against.

Throughout all investigation stages, Oakwood College is committed to best practices and to ensuring the process is as transparent as possible to the parties involved. The overarching priority is to deal with allegations of abuse of power in a manner that is just and effective, upholding the trust of our community in the Oakwood College's ability to self-correct and enforce its values.

9. Disciplinary measures and regulatory alignment

Confirmed cases of abuse of power will result in decisive disciplinary action by Oakwood College. The specific measures will depend on the severity of the misconduct, the role of the individual, and any relevant employment laws or contractual obligations. In all cases, disciplinary outcomes will be consistent with Oakwood College's HR policies and the need to uphold the integrity of Oakwood College, and they will align with the expectations of UK higher education regulators, including the OfS. Possible disciplinary measures include:

9.1 Informal counselling or Warning: For minor infractions or first-time issues that are not egregious (and if the individual acknowledges the problem), Oakwood

College may opt for an informal resolution. This could involve a management conversation or coaching about the inappropriate behaviour, combined with a clear warning that any recurrence will result in formal discipline. A written note of the counselling may be kept on file for a specified period. *(Note: Truly minor issues would likely be handled outside of this Abuse of Power Policy, but we include this for completeness where an abuse might have been unintentional or borderline.)*

9.2 Formal Written Warning: If an allegation is substantiated but the misconduct, while significant, does not warrant removal from position, a formal warning will be issued. The individual will receive a written notice detailing the findings of misconduct, why their behaviour constitutes abuse of power, and the expectations for correction. The warning will remain in their personnel record for 24 months and any further similar misconduct in that time may lead to escalated sanctions. Alongside a warning, other corrective actions might be imposed, such as mandated training (for example, attendance at a leadership ethics workshop or counselling on respectful workplace behaviour).

9.3 Demotion or Reassignment: Oakwood College reserves the right to demote a staff member or remove certain duties/privileges if they have abused their power. For instance, an academic manager who bullied subordinates might be removed from their managerial role and reassigned to a non-supervisory position, with a reduction in grade or pay if appropriate. Similarly, someone could be stripped of budgetary authority or committee roles if they misused those powers. This action can serve as a consequence and a preventive measure, ensuring the person no longer has the power they misused. Such measures would typically be accompanied by a formal warning or final warning about conduct.

9.4 Suspension or Dismissal: For severe cases of abuse of power – especially those that constitute gross misconduct – the individual’s employment or association with Oakwood College may be terminated. Gross misconduct includes, for example, severe bullying or harassment, proven discrimination, theft or fraud, serious academic/research fraud, or any behaviour causing significant harm to others or Oakwood College’s integrity. In these cases, Oakwood College may suspend the individual with or without pay during the disciplinary process and following a disciplinary hearing where the individual has a chance to respond, a decision of summary dismissal (immediate termination of employment) can be made. Dismissal for gross misconduct would typically be without notice (forfeiting any notice period or payment in lieu of notice), subject to Oakwood College’s contractual terms and legal advice. For staff on academic contracts, dismissal procedures will follow any statutes or ordinances that apply to ensure due process, especially in Higher Education Oakwood Colleges with statutes for academic staff. The CEO (or delegated authority) will approve dismissals of senior staff, usually in consultation with the Governing Body.

9.5 Referral to External Authorities: In addition to internal disciplinary action, certain cases may require Oakwood College to report the matter to external bodies:

- a. If the abuse of power involves potential criminal activity (e.g., theft, assault, fraud), Oakwood College will refer the case to the police or relevant law enforcement agency. Criminal proceedings may run in parallel with our internal process or trigger a separate legal process.
- b. If the issue pertains to a breach of professional conduct standards of a regulated profession (for example, a Health-related academic who violated HCPC ethics), Oakwood College may report the individual to the relevant professional body.
- c. The Office for Students (OfS) may be notified in cases where senior management failings or governance issues are evident – for instance, if a governor or senior officer is implicated in financial mismanagement or serious misconduct that could call into question Oakwood College’s compliance with public interest governance requirements. The OfS expects higher education providers to ensure senior managers are “fit and proper persons” and have not been involved in serious misconduct. A substantiated abuse of power by someone in a fit-and-proper position will be communicated to the OfS as required under conditions of registration. This is aligned with OfS Condition E3, which holds the governing body responsible for ensuring compliance and accountability in such matters.
- d. Other regulatory or oversight bodies might include the Office of the Independent Adjudicator (OIA) for student-related complaints (if a student is unsatisfied with the outcome, they can escalate to the OIA), or the Charity Commission if Oakwood College is registered as a charity and the misconduct involves mismanagement of charitable funds or trust.
- e. For discrimination or harassment cases that have legal implications, individuals also have rights to bring claims to an Employment Tribunal or report to the Equality and Human Rights Commission (EHRC). While those are external actions individuals may take, Oakwood College’s role is to cooperate with any external investigations and to have properly addressed the issue internally first.

9.6 Documentation and record-keeping: All disciplinary actions taken under this policy will be documented. A record of the decision, the rationale, and the sanctions will be kept in the individual’s confidential HR file. Outcomes (without personal details) may be reported in summary to senior management or the Board for oversight purposes (for example, the number of cases and general nature of outcomes, to monitor trends). For any sanction short of dismissal, there will be a plan for monitoring the individual’s compliance going forward – e.g.,

periodic check-ins, mentorship, or follow-up training to ensure no repeat of behaviour.

9.7 Right to Appeal Disciplinary Action: Individuals who are subject to disciplinary action have the right to appeal the decision in accordance with Oakwood College's grievance or appeals procedure. The appeal would typically be heard by a more senior or separate panel than the one that made the original decision. Grounds for appeal could include new evidence, procedural flaws, or disproportionate punishment. Oakwood College will ensure appeals are heard fairly and impartially, and outcomes of appeals will be final internally (subject to any external legal rights).

Oakwood College ensures that its disciplinary process is not only internally fair but also aligned with the expectations of external regulators. The OfS, for instance, through its regulatory framework, emphasises transparency, accountability, and value for money, all of which are undermined by unchecked abuses of power. By taking appropriate disciplinary measures, Oakwood College demonstrates to regulators like OfS that it takes governance failures seriously and rectifies them. This helps maintain our good standing as a provider that meets the required standards for quality and governance.

Finally, disciplinary action serves the purpose of upholding justice within the Oakwood College – it reassures victims and the wider Oakwood College community that abuses of power will have consequences, and it deters future misconduct. The range of possible sanctions allows proportional response, but Oakwood College will not hesitate to apply the toughest sanctions (including termination and external reporting) for the most serious breaches of trust and authority.

10. Implementation, monitoring, and continuous improvement

To ensure that this Abuse of Power Policy is effective, Oakwood College will implement it through clear communication, regular monitoring, and continuous improvement based on experience and feedback. The following measures outline how the policy will be put into practice and kept up to date:

- 10.1 **Approval and governance oversight:** This policy has been formally approved by Oakwood College's senior management and Governing Body. The CEO and the Board of Governors take ultimate responsibility for its implementation. The Registrar will act as the Policy Owner, overseeing the rollout and enforcement of the policy across the Oakwood College.
- 10.2 **Communication and accessibility:** Oakwood College will widely communicate this policy to ensure awareness. Upon adoption, the policy will be circulated via official email to all staff and published on the Oakwood College staff intranet and student portal. Key points may be summarised in staff newsletters and

student handbooks. New employees will receive a copy of this policy (or be directed to it) as part of their induction pack. Likewise, new students (especially graduate students who may supervise others or be involved in teaching) will be informed of the standards of conduct expected. The policy is written in clear language and is available in alternative formats if needed. We will encourage everyone to familiarise themselves with the content and ask questions if any part is unclear.

10.3 Embedding into Processes: Elements of this policy will be embedded into Oakwood College’s operational processes. For example:

- a. Annual appraisal forms for staff will include a check or declaration related to ethical conduct and conflict of interest.
- b. Committee terms of reference (for recruitment, promotion, procurement committees, etc.) will cite the need to avoid conflicts and biases, referencing this policy.
- c. Our risk management framework will treat “abuse of power or misconduct risk” as a governance risk to be reviewed regularly, with mitigation plans in place.
- d. Whistleblowing and complaints procedures will explicitly reference this policy so that someone reporting can cite it and know the guiding framework.

10.4 Monitoring Compliance: Oakwood College will monitor adherence to this policy through both active and passive means:

- a. Annual Declarations and Audits: As noted, annual conflict of interest declarations will be collected and reviewed. The Executive in charge of governance, i.e., the Registrar, will review these and address any issues. Additionally, periodic internal audits may be conducted on processes susceptible to power abuse (for instance, an audit of expense claims, or an audit of staff promotion decisions for fairness). These audits, done by the internal audit team or external auditors, can identify any anomalies or patterns that suggest misconduct.
- b. Reporting on Cases: The HR department and Registrar will maintain a log of incidents and complaints related to abuse of power. (This log will anonymise personal data as appropriate.) On an annual basis, a report will be presented to the senior leadership team and Board of Governors summarising the number and type of cases reported, the outcome of investigations, and any disciplinary actions taken. The purpose is to detect any trends (for example, if multiple complaints are coming from the same department, indicating a local culture problem) and to ensure accountability at a high level. The CEO will also report to the Board of

Governors about any major cases and the actions taken, confirming that the leadership is actively managing these issues.

- c. KPIs and Surveys: Oakwood College may track certain Key Performance Indicators related to this policy, such as the percentage of staff completing training, or the response time to resolve complaints. We may also utilise staff and student surveys with questions about whether people feel respected, whether they are aware of how to report misconduct, and if they have confidence in Oakwood College's handling of such matters. These feedback mechanisms can alert leadership to problems in the culture or gaps in the policy's effectiveness.

10.5 Review and Continuous Improvement: This policy will be reviewed at least once every two years, or more frequently if required by changing regulations or if significant incidents suggest a need for revision. The review will be conducted by a Review Panel that may include HR, legal advisors, at least one member of the Board of Governors, faculty representatives, and a student representative to ensure a broad perspective. They will consider:

- a. Changes in relevant laws or regulatory guidance (for example, updates from the OfS, new legislation on whistleblowing or equality) and ensure the policy stays compliant.
- b. Lessons learned from cases that have occurred at Oakwood College or sector-wide lessons (for instance, if a high-profile case at another university prompted new best practices).
- c. Feedback from those who have used the policy – complainants, respondents, investigators – to identify any procedural improvements or support needed.
- d. Alignment with related Oakwood College policies (e.g., Student Discipline, Staff Grievance, Anti-Fraud Policy) to ensure consistency and clarity.
- e. After review, any proposed amendments will be submitted to senior leadership and the Governing Body for approval. Once approved, the updated policy will be recommunicated to the Oakwood College community.

10.6 Culture of continuous improvement: Oakwood College's leadership will strive to continuously improve the Oakwood Collegial culture in ways that reduce the likelihood of power abuses. This means not only reacting to problems but proactively asking, "How can we do better?" For example, if monitoring reveals that junior staff are hesitant to report issues about senior academics, we might introduce an ombudsperson role or additional anonymous feedback tools. If training participation is low, we might integrate it into mandatory requirements or create more engaging training content. The goal is to make Oakwood College

a place where ethical leadership and mutual respect are ingrained in everyday practice.

- 10.7 **External Benchmarking:** We will also keep abreast of guidance from bodies like Universities UK, Advance HE, the Equality Challenge Unit, and others that provide sector-wide recommendations on tackling bullying, harassment, and misconduct in higher education. By benchmarking against sector best practices and possibly participating in external assessments or accreditation related to governance, for example, adherence to the Nolan Principles of Public Life as part of their governance ethos, Oakwood College ensures that our approach remains robust and credible.

Oakwood College recognises that real change and prevention of abuse of power depend on more than just written rules – it requires commitment at all levels, constant vigilance, and a willingness to address problems transparently. We believe that by following this code of practice and continually monitoring its effectiveness, Oakwood College will maintain an environment where power is used responsibly for the benefit of our educational mission and not abused to the detriment of any individual or group.

Oakwood College’s senior leadership fully endorses this policy. We ask each member of our community to familiarise themselves with it and join us in creating a culture where integrity and respect govern all interactions. Through vigilance, transparency, and a strong ethical compass, we will ensure that the power entrusted to any individual at Oakwood College is used to educate and support – never to oppress or harm.

11.References:

- Office for Students (OfS) Regulatory Framework – Public interest governance principles and conditions E2/E3 ([Annex A: Initial and general ongoing conditions of registration - Office for Students](#)) ([Annex B: Public interest governance principles - Office for Students](#)) ([Annex B: Public interest governance principles - Office for Students](#)) (standards for governance, integrity, and fit-and-proper management in higher education providers).
- Equality Act 2010 (UK) – Protected characteristics under the law (grounds on which discrimination is unlawful) ([Equality Act 2010 - Wikipedia](#)).
- OfS Public Interest Governance Principle on Regularity, Propriety, and Value for Money (proper use of funds and high standards of conduct in public resources) ([Annex B: Public interest governance principles - Office for Students](#)).
- OfS Fit and Proper Persons criterion (leaders must not have been involved in serious misconduct or mismanagement) ([Annex B: Public interest governance principles - Office for Students](#)).