Whistleblowing Policy and Procedure

Version 9.0

Approved by the Board of Governors

Last Amendment: September 2026

The following sets out the School's policy and procedures for anyone seeking to make a protected disclosure ('blow the whistle') regarding suspected instances of serious malpractice which may put the School in breach of the law.

Additional guidance for those in receipt of disclosures of malpractice is appended.

This policy takes on board the principles of openness, accountability and natural justice which are embedded in the *Public Interest Disclosure Act (1998)*, *the Enterprise and Regulatory Reform Act (2013)* and the *Employment Rights Act (1996)*, the amendments to which came into force in June 2012.

The Policy also acts to support LSST's compliance with OfS Condition of Registration E8.

This Policy forms part of LSST's integrated framework for reporting, investigating, and managing serious concerns. All disclosures are handled in accordance with the Whistleblowing Policy, which provides a single reporting structure and consistent protections.

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*The document owner is responsible for maintaining and updating the content of this document and ensuring that it reflects current practice at the School.

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1. PRINCIPLES

1.1. All organisations are faced with the risk of unknowingly harbouring illegal or unethical conduct. It is therefore important that individuals have a safe and accessible procedure whereby such concerns can be raised in a confidential manner, with confidence that the matter will be fully and appropriately investigated.

1.2. The aim of this policy is to address genuine and legitimate concerns about serious malpractice, fraud or corruption in the School; it is intended to encourage such concerns to be raised confidentially within the School without fear of reprisal, which might include the victimisation of a Discloser ('whistle blower'), demotion or dismissal from a position of employment or a study programme, or legal action being taken against them.

1.3. The policy also seeks to balance the need to provide safeguards for any individuals who raise genuine concerns about serious malpractice against the need to protect other members of staff, governors, students and the School against uninformed or vexatious allegations which can cause serious harm to innocent individuals.

1.4. Concerns raised under this policy must be matters of public interest, meaning that they relate to the welfare of the public as compared to the welfare of a private individual. Personal grievances or instances of bullying, harassment or discrimination are not covered by this policy or by whistleblowing law; if the matter is not within the public interest, employees should use the School's *Grievance Procedures*, whereas students should refer to the *Student Complaints Procedure.*

1.5. The protections outlined in this policy apply regardless of whether the disclosure is found to without merit, provided the disclosure has been made in good faith.

1.6. Employees who have entered into a settlement agreement in the course of Employment Tribunal or County/High Court litigation that include confidentiality provisions or 'gagging orders' will not be bound by those terms in respect of a disclosure of serious malpractice that has been made in good faith and meets the definition given in Section 2 of this policy.

1.7. Whilst students do not benefit from the same statutory protection as employees, the procedures and safeguards outlined in this policy will nonetheless apply equally to students of the London School of Science and Technology (LSST).

1.8. The issue of whistleblowing, this policy and its procedures will be brought to the attention of staff and students; information on whistleblowing will be included in the School's Employee Handbook.

2. WHAT QUALIFIES AS A 'PUBLIC INTEREST DISCLOSURE'?

2.1. Making a 'Public Interest Disclosure' or 'Whistleblowing' refers to the act of disclosing information which relates to suspected instances dangerous, illegal or unethical conduct (malpractice) occurring within the School.

2.2. Qualifying disclosures recognised under the employment rights acts 1996 (updated by the ERA 2025) would be:

- Committing a criminal offence.
- Failing to comply with a legal obligation.
- A miscarriage of justice.
- Endangering the health and safety of an individual.
- Environmental damage.
- Sexual harassment (unwanted conduct of a sexual nature as defined in the Equality Act 2010).
- Concealing any information relating to the above.

2.3. Further 2.2, the School is committed to promoting equality of opportunity; statutory breaches or malpractice under this policy include failures to abide by the School's *Equality and Diversity Policy*.

3. DESIGNATED OFFICERS

3.1. The CEO will ensure that at least two members of staff of appropriate experience and standing within the School are designated at any time for the purpose officially receiving and processing disclosures made under this policy.

3.2. The Designated Officers will be responsible for coordinating the School's formal response to disclosures made under this policy in accordance with its investigatory procedures. The CEO may revoke any such designation from time to time and appoint new Designated Officers.

3.3. If for any reason, the disclosure cannot be made to either of the Designated Officers, the CEO of LSST will assume responsibility for coordinating a formal response to the disclosure or delegate this duty accordingly.

4. MAKING OR RECEIVING A DISCLOSURE

4.1. This policy is not intended to prevent or replace resolution of an issue though informal dialogue where this is possible and/or appropriate; those making a disclosure might first consider if the matter can be addressed by simply speaking directly to persons involved. Where informal resolution is not felt to be appropriate or is not possible, a formal disclosure of suspected malpractice should be made to the School.

4.2. **Any person who wishes to make a disclosure, or receives a disclosure that serious malpractice is occurring, has occurred or may occur, should contact one of the following persons:**

- The Lead Designated Officer: The Principal of LSST - Professor Paul McDermott
- The Designated Officer: Quality Manager - Dr Justyna Janicka

4.3. *Or where neither of the above can be contacted for any reason***:**

- The CEO: Ali Jafar Zaidi

4.4. A Disclosure can be made via the LSST Whistleblowing email: whistleblowing@lsst.ac which redirects to the Designated Officers.

4.5. Alternatively, employees may prefer to raise the matter through their line manager or a trusted individual who will pass the enquiry on to the Designated Officer or the CEO; students may seek to raise the matter with their Personal Tutor or a member of the Support Team (*guidance for those receiving a disclosure of malpractice is appended).*

4.6. Any disclosure to a Designated Assessor under this policy shall, wherever possible, be submitted in writing to the above email addresses.

4.7. If it is not practical to submit the disclosure in writing, the disclosure may be given orally. The Discloser should provide as much supporting evidence as possible about the disclosure and the reason why they suspect the matter falls within the public interest.

4.8. If the Discloser has strong reason to believe that they cannot safely raise the matter within the School, then they may instead choose to direct the disclosure to the appropriate external agency (See section 7).

5. INVESTIGATION OF DISCLOSURES

5.1. **Initial Consideration**

5.1.1. Receipt of a disclosure by the Designated Officer will trigger the School's investigatory procedures; the Designated Officer will consider the disclosure at face value and consider whether:

- The matter is indeed of public interest or if it should be dealt under a separate policy.
- The matter is too vague or frivolous to investigate and no further action can be taken.
- The matter is of a criminal nature and should be referred to the Police.
- There is an immediate risk to personal safety and wellbeing and/or business continuity (warranting suspension of certain business activities or an individual's access to premises pending investigation).
- The School has a duty to report the incident to any other external agency (e.g. the Office for Students (OfS), the Education and Skills Funding Agency, the National

Audit Office (NAO), The Information Commissioners Office (ICO), UK Visas and Immigration (UKVI), awarding bodies, partnered institutions, etc.).

5.1.2. The Designated Assessor will then appraise members of the School's Executive team of the situation (excluding any person who is named in the disclosure so as not to compromise any impending investigation).

5.1.3. Where the Designated Assessor is minded not to investigate the matter further under this procedure (for example in the event of i. or ii. above), the Discloser will be informed of the reason for this.

5.2. **Formal Investigation**

5.2.1. Where the Designated Assessor believes an investigation is warranted, they will offer to interview the Discloser as soon as practicable after the initial disclosure (usually within 48 hours). The purpose of the interview will be for the Designated Officer to obtain as much information as possible from the Discloser as to why they suspect the malpractice and to consult with the Discloser about further steps which could be taken.

5.2.2. Following the initial interview the Designated Officer will decide to either investigate the matter personally, or appoint a neutral person, not directly involved in the issue, who is competent in conducting investigations and has appropriate knowledge of the subject matter to carry out the investigation on their behalf.

5.2.3. In circumstances which warrant it, the Designated Officer may call upon the services of external auditors to assist in an investigation, for example, where disclosures relate to complex financial matters. The rationale for any involvement of external audit services will be recorded.

5.2.4. The investigation should be conducted without undue delay, having regard to the nature and complexity of the issue.

5.2.5. Following the initial interview, those against whom the disclosure has been made will be notified of the allegations in writing, and that an investigation will take place under this policy.

5.2.6. Interviews with other persons involved in the disclosure will be scheduled as soon as is practicably possible, additional time may be allocated after the interview for locating and compiling supporting evidence.

5.3. **The Right to be Accompanied**

5.3.1. Any person called into a formal meeting with the School in relation to these proceedings will be informed of their statutory right to be accompanied, usually by a work colleague or an accredited trade union/employee representative; students may be accompanied by a friend or a student representative.

5.3.2. An employee's chosen companion has the right to address the meeting to put the employee's case forward, and to summarise and respond on the employee's behalf to any view expressed at the meeting. The companion may also confer with the employee during the meeting.

5.3.3. An employee's companion at a formal meeting may not answer any questions which are put directly to the employee.

5.3.4. Where the Discloser elects to bring a companion to a formal meeting, the companion's details (including their name and relationship to the Discloser) should be provided to the Designated Assessor in advance.

5.3.5. The Discloser will be under an obligation to use all reasonable endeavours to ensure that any companion they bring to a formal meeting keeps the matter strictly confidential, as required by law or until such time as it comes into the public domain.

5.4. **Conclusion of the Investigation**

5.4.1. At the conclusion of the investigation, the Designated Assessor will compile a recommendation report for the CEO, who will approve the recommendations or request further investigation be carried out.

5.4.2. Where an investigation has indicated that there is substance to the allegations, the Designated Officer's report will be used to inform the School's disciplinary proceedings.

5.4.3. The grounds on which the Designated Assessor may recommend that no further action by the School should be taken are as follows:

- The Designated Assessor is satisfied that that malpractice within the meaning of this policy has not occurred, is not occurring or is not likely to occur.
- The Designated Assessor is satisfied that the disclosure is not in the public interest and may be dealt with under the appropriate School policy.
- The matter concerned is already the subject of legal proceedings, or has already been referred to the appropriate authorities.
- The matter is already (or has already been) the subject of proceedings under one of the School's other investigatory procedures.

5.4.4. Once the CEO has decided what further action, if any, should be taken, the Designated Officer will inform the Discloser in writing of the outcome. If no further action by the School is proposed, the Designated Officer will give the reasons for this. The letter from the Designated Officer will be sent to the Discloser at their home address marked "Private and Confidential".

5.4.5. In accordance with the UK General Data Protection Regulation (UK GDPR), any personal data collected or processed in relation to the investigation of a disclosure will be handled lawfully, fairly, and transparently. Personal data will be used only for the purposes of managing and investigating the disclosure, and access will be strictly limited to those who need it to carry out their roles in the process.

6. SAFEGUARDS AND PROTECTIONS FOR DISCLOSERS

6.1. **Confidentiality**

6.1.1. The School will make every effort to preserve the confidentiality of disclosures and keep the identity of the Discloser(s) secret. However, total confidentiality cannot be guaranteed as some serious disclosures could only be pursued by identifying the Discloser(s) either during the course of the internal procedure, or externally (for example where the School would have a public duty to report a crime).

6.1.2. The School cannot guarantee the confidentially of a Discloser where they have themselves told anyone other than the Designated Assessor about the alleged misconduct.

6.1.3. In spite of the above, individuals are not encouraged to make disclosures anonymously as this may impede the School's investigation of the matter or make it impossible if further details or evidence cannot be obtained; it may also be difficult to verify the credibility of allegations. Anonymous concerns will nonetheless be taken seriously and investigated as fully as possible by the School.

6.1.4. Disclosers who are genuinely concerned about possible reprisals if their identity is revealed should speak to the Designated Officer or the Principal to see what, measures can then be taken to preserve the confidentiality of a disclosure.

6.1.5. Any report or recommendations by the Designated Assessor in relation to the matter will not identify the Discloser, unless the Discloser otherwise consents in writing or unless there are is compelling evidence that the Discloser did not have grounds for believing that malpractice had taken place and has acted maliciously. In the absence of such consent or grounds, the Designated Assessor will not reveal the identity of the individual as the Discloser of information under this Policy, except:

- Where the Designated Assessor is under a legal obligation to do so.
- Where the information is already in the public domain.
- To the Designated Assessor's administrative assistant, on a strictly confidential basis.
- To a professionally qualified lawyer for the purpose of obtaining legal advice, on a strictly confidential basis.

6.2. **Data Protection**

6.2.1. Any documentation including computer files and portable storage media kept by the Designated Assessor relating to the matter will be kept securely and in accordance with the School's data protection policy, so that as far as practicable only the Designated Assessor (and their administrative assistant) shall have access to it.

6.2.2. As far as practicable, any documentation prepared by the Designated Assessor will not reveal the identity of the individual as the Discloser of information under this policy.

6.2.3. The Discloser will not be required by the School without their consent to participate in any enquiry or investigation into the matter established by the School unless there are grounds to believe that the Discloser may have been involved in misconduct or malpractice.

6.2.4. The School will ensure that its employees do not subject the Discloser to any form of mistreatment, on the grounds of their disclosure of information under this Policy. The Discloser should report any complaints of such treatment to a Designated Assessor. If the Discloser wishes the Designated Assessor to take action in relation to such complaints, they may be asked to consent in writing.

6.3. **Protection Against Disciplinary Action**

6.3.1. No disciplinary or adverse legal action will be taken against a Discloser on the grounds of a disclosure made, provided this has been made in good faith. This will not prevent the School from bringing disciplinary action in cases where disclosure has not been made in good faith, there are reasonable grounds to believe that a disclosure has been made maliciously or where an external disclosure is made in breach of this Policy or otherwise than to an appropriate public authority without reasonable grounds.

6.3.2. Further to 6.10, an employee will not be at a disadvantage in any redundancy selection process as a result of having made a protected disclosure in line with this policy.

6.3.3. Victimisation of staff or employees who make a whistleblowing disclosure on grounds of that disclosure is never acceptable, and all allegations of such will be investigated fully and if proved, will usually justify summary dismissal for gross misconduct.

7. MAKING AN EXTERNAL DISCLOSURE

7.1. If the Discloser is not satisfied with the action decided upon or the outcome of the School's investigation of a disclosure of malpractice, they may raise the matter concerned on a confidential basis directly with the appropriate external regulatory body; the UK Government publishes a list of such bodies here:

https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies

7.2. The Discloser may elect to contact the appropriate external regulatory body in the first instance if they have reason to believe that the School will not investigate the matter impartially or effectively, or where they genuinely believe that they will be subject to detrimental treatment as a result of making the disclosure.

7.3. Under no circumstances does the School encourage making a disclosure to journalists or the media, nor will a Discloser who does so receive the protections outlined in this Policy.

8. REVIEW OF WHISTLEBLOWING POLICY

8.1. The School's Board of Governors will periodically instruct its Audit Committee to seek assurances from the Executive Committee that whistleblowing is effectively managed and will receive an annual report on numbers and outcomes of any whistleblowing; the Executive Committee will be tasked to ensure that associated whistleblowing protocols are widely known by employees and students throughout the School.

8.2. All changes to the policy will be ratified by the Board of Governors.

9. INDEPENDENT ADVICE

9.1. Independent and confidential advice on whistleblowing may be obtained from Protect – the leading UK whistleblowing charity by calling their confidential helpline on 020 3117 2520 or by visiting their website at Protect - Speak up stop harm - Whistleblowing Homepage

9.2. School Employees can also find advice on whistleblowing for employees through the following:

Advisory, Conciliation and Arbitration Service:
The law - Whistleblowing at work - Acas

and

the Government website:
Whistleblowing for employees: What is a whistleblower - GOV.UK

9.3. LSST can provide access to mentoring and counselling for employees or students who are affected by stress or anxiety arising from the need to make a protected disclosure.

APPENDIX: GUIDANCE ON RECEIVING A DISCLOSURE

If a disclosure of malpractice is made to you…

DO:	DON'T:
Stay calm	Panic
Recognise your own feelings, but keep them to yourself	Express shock or embarrassment or other opinions about what you are told
Use language that the Discloser can understand,	Use unnecessarily technical business or legal expressions
Reassure them that: • he/she has done the right thing in telling you • he/she is not to blame • you believe he/she is telling the truth	• Probe for more information • use leading questions
Ask open questions; e.g. "what happened?"	Ask presumptive questions; e.g. "did Charlie do this?"
Listen carefully	Make them repeat the story
Note down what they are saying and keep these notes safe; if you do not have writing materials to hand, do this immediately after you have finished talking.	Leave them to find a notepad; Make an audio recording of the disclosure unless you have the discloser's expressed permission.
Explain what you will do next (i.e. tell your line manager or Designated Officer) in a way that is appropriate to their age and emotional state.	**Promise confidentiality to them**
Report to your line manager and/or Designated Officer	Approach the person against whom the allegation has been made or discuss the disclosure with anyone other than the Designated Officer or other relevant personnel.
Seek advice and support for yourself if you need to.	

Remember: how you react may mean the person telling or not telling their story.

VERSION HISTORY

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