



LONDON SCHOOL
OF SCIENCE & TECHNOLOGY

WHISTLEBLOWING POLICY

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1. Purpose and scope

- 1.1 All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. London School of Science & Technology (LSST) believes it has a duty to identify such situations and take the appropriate measures to remedy the situation. By encouraging a culture of openness within our organisation LSST believes it can help prevent malpractice -- prevention is better than cure. That is the aim of this policy. This policy applies to all employees of LSST and to other workers within LSST including agency workers and home workers.
- 1.2 By encouraging a culture of openness LSST wants to encourage employees and workers to raise issues which concern them at work. They may be worried that by reporting such issues they will be opening themselves up to detrimental treatment, or risking their job security; that is quite understandable but is not the case - all staff have statutory protection if they raise concerns in the right way. This policy is designed to give staff that opportunity and protection. Provided they are acting in the public interest, it does not matter if they are mistaken. There is no question of employees having to prove anything about the allegation they are making but they must reasonably believe that the information they have tends to show some malpractice. While students do not benefit from the same statutory protection as staff, the procedures in this policy also apply to students of LSST.
- 1.3 If there is anything which employees think LSST should know about they should use the procedure outlined in this policy. By knowing about malpractice at an early stage LSST stands a good chance of taking the necessary steps to safeguard the interests of all staff and protect the organisation. In short, staff and students should not hesitate to 'blow the whistle' on malpractice. Note: This policy is not the procedure for general grievances. If an employee has a complaint about their own personal circumstances then they should use the normal grievance procedure, and students should use the Student Complaint Procedure. If an employee or student has concerns about malpractice within the organisation then they should use the procedure outlined in this policy.
- 1.4 The kinds of malpractice covered by this policy are:
- 1.4.1 criminal offences;
 - 1.4.2 miscarriages of justice;
 - 1.4.3 danger to the health and safety of any individual;
 - 1.4.4 damage to the environment;
 - 1.4.5 breach of any legal obligation;
 - 1.4.6 deliberately concealing any of the above.

2. Making a whistleblowing disclosure

2.1 LSST is committed to this policy. If an employee or student uses this policy to raise a concern that is in the public interest LSST gives them its assurance that they will not suffer any form of retribution or detrimental treatment. LSST will treat their concern seriously and act according to this policy. They will not be asked to prove anything about the allegation they raise, but they must reasonably believe:

- that the information they have tends to show some malpractice, and
- that the disclosure is in the public interest.

If an employee or student asks for a matter to be treated in confidence LSST will respect their request and only make disclosures to third parties or other staff with their consent.

2.2 If an employee is concerned about any form of malpractice they should normally first raise the issue with their immediate superior. There is no special procedure for doing this -- they can tell that person about the problem or put it in writing if they prefer.

2.3 If they feel they cannot tell their immediate superior, for whatever reason, they should raise the issue with Mihaly Nagy, the Head of Human Resources.

2.4 Students should raise such concerns with their Personal Tutor in the first instance, and with Justyna Janicka, the Head of Quality in the circumstances in paragraph 2.3.

2.5 If an employee or student has raised concerns and is still concerned, or the matter is so serious (or involves the above contact persons) so that they feel they cannot discuss it with either of the two persons named above, they should raise the matter with the Executive Committee, who can be contacted by email to mohammed.zaidi@lsst.ac.

2.6 Employees and students may raise a whistleblowing concern anonymously from an anonymised email to HR at hr@lsst.ac or quality@lsst.ac, or by post to London School of Science & Technology, Alperton Campus, First Floor, Bridgewater Road, Wembley, HA0 1EH, marked for the attention of the Head of HR or Head of Quality as appropriate.

2.7 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 whistleblowing disclosure that meets the requirements of paragraphs 1.4 and 2.1 above.

2.8 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 with usually justify summary dismissal for gross-misconduct.

3. How LSST will respond

- 3.1 After an employee or student has raised a concern LSST will decide how to respond in a responsible and appropriate manner under this policy. Usually this will involve a confidential meeting with the whistleblower. LSST will then normally make internal enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised. External investigators such as auditors may be brought in where necessary, and LSST will cooperate fully (where necessary) with enforcement bodies such as the CMA, police, UKVI, and HMRC, and with regulators. LSST will endeavour to complete investigations within a reasonable time.
- 3.2 LSST will keep the employee or student informed of the progress of the investigation carried out and when it is completed, and will provide feedback throughout the process. LSST will not be able to inform them of any matters which would infringe the duty of confidentiality owed to others.
- 3.3 LSST will normally aim to arrange an initial meeting within 48 hours of a disclosure being made, and conclude an investigation within 20 working days.
- 3.4 It is not usually possible to provide feedback to staff or students who make anonymous disclosures, although feedback can be requested to an anonymised email account.
- 3.4 LSST will keep (anonymised) records of:-
- The number of whistleblowing disclosures it receives, their nature, and whether confidentiality was requested;
 - The date and content of feedback provided to whistleblowers.

4. Raising your concern externally (exceptional cases)

- 4.1 The main purpose of this policy is to give the employee the opportunity and protection they need to raise concerns internally. LSST would expect that in almost all cases raising concerns internally would be the most appropriate action for them to take.
- 4.2 However, if for whatever reason, they feel they cannot raise their concerns internally and they reasonably believe the information and any allegations are substantially true, they can consider raising the matter with the appropriate regulator. A list of the bodies currently listed as regulators for this purpose and the areas they are responsible for is available from Public Concern at Work (see below), and from

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

4.3 Caution: If an employee has good reasons for not using the internal or regulatory disclosure procedures described above, they may consider making wider disclosure by reporting the matter to the police or to the media, for example. However, employee whistleblowers who make wider disclosures of this type will only receive the legal protection granted to whistleblowers (e.g. from dismissal, or suffering detrimental treatment) in certain circumstances. LSST recommends that employees take legal advice before following this course of action since we believe it will be in employees' own interests to do so. The circumstances in which an employee can make a wider disclosure to the media and still receive legal protection are where:-

- They reasonably believe that the information they disclose and any allegation contained in it are substantially true; and
- They are not be acting for personal gain;
- Unless the wrongdoing is exceptionally serious, if they have not already gone to LSST or the appropriate regulator, they reasonably believe that LSST will subject them to “detriment” or conceal or destroy evidence if they do so; and
- The choice to make the disclosure is reasonable.

5. Advice, support and awareness

5.1 In accordance with the Code of Practice and March 2015 guidance on whistleblowing published by the Department for Business, Energy, & Industrial Strategy, LSST is committed to raising awareness amongst its staff of their whistleblowing rights and duties. This policy will be included in the Staff Handbook, and guidance and training on whistleblowing will be included in the induction process for new staff and managers.

5.2 Public Concern at Work 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 for staff whistleblowers at www.pcaw.co.uk. You can also find advice on whistleblowing for employees through ACAS (<http://www.acas.org.uk/index.aspx?articleid=1919>) or the .gov website <https://www.gov.uk/whistleblowing/what-is-a-whistleblower>

5.3 LSST can provide access to mentoring and counselling for staff during the stressful whistleblowing process if requested by the employee.

5.4 If you have any questions about the application of this policy, please contact the Head of Human Resources.