



[London School of Executive Training]

# **Whistle Blowing Policy**

## 1. Purpose

- 1.1 LSET is committed to the highest possible standards of openness, probity and accountability in public life. In line with that commitment, we encourage employees or workers with serious concerns about LSET activities to come forward and voice those concerns on a confidential basis and without fear of reprisal.
- 1.2 This procedure is part of the normal day to day management rules and does not form part of any member of staff's contract of employment/service and it may be amended from time to time at the sole discretion of LSET management.

## 2. Scope

- 2.1 This procedure provides employees or workers with:
  - ☞ guidance on how to raise serious concerns about any aspect of the LSET activities and receive feedback on any action taken;
  - ☞ the means to take the matter further if dissatisfied with LSET response; and
  - ☞ Reassurance of protection from possible reprisal or victimisation for whistleblowing in good faith.
- 2.2 There are other, existing, procedures for employees or workers to raise concerns arising from their employment, for example, the Grievance Procedure.
- 2.3 A serious concern may be about something that an employee or worker sincerely believes in good faith:
  - ☞ is unlawful;
  - ☞ involves sexual, physical or other abuse;
  - ☞ is against the College's rules and procedures;
  - ☞ amounts to improper conduct;
  - ☞ involves damage to the environment;
  - ☞ is a health and safety risk to participants, employees or workers, or the public;
  - ☞ involves fraud, corruption or other financial irregularity including but not limited to funding body or examination body requirements; or
  - ☞ involves unauthorised use of public funds;



### 3. Safeguards

- 3.1 **Harassment or victimisation:** LSET recognises that the decision to raise a serious concern may be a difficult decision to make and will not tolerate harassment or victimisation of those reporting such concerns in good faith.
- 3.2 This does not mean, if an employee or worker is already subject to a formal process, for example, disciplinary or redundancy, that such processes would be halted as a result of whistleblowing.
- 3.3 **Confidentiality:** LSET will do its best to protect the identity of those raising a serious concern who does not want their name to be disclosed. However, it should be recognised that the investigation process may reveal the source of the information and a statement may be required from the person raising the concern.
- 3.4 **Anonymous allegations:** This procedure invites employees or workers to put their name to any serious concern raised as this permits a dialogue to be entered that enables the investigator to seek or explore further information. Concerns expressed anonymously are less powerful but will be investigated thoroughly as far as it is practicable to do so and at the discretion of the LSET management. Factors to be considered in investigating anonymous allegations include the seriousness and credibility of the concern raised and the availability of evidence to investigate.
- 3.5 **Untrue allegations:** If an allegation is made in good faith but is not confirmed by the investigation, no action will be taken against the person raising the concern. However, when it appears that there are clear grounds for suggesting that the person raising the concern acted frivolously, maliciously or vexatious, LSET may undertake a disciplinary or other investigation. Depending on the outcome formal disciplinary action or other action may then be taken.

### 4. How to Raise a Concern

- 4.1 If the serious concern involves a participant or member of academic staff, a safeguarding or academic issue then it should be raised with the Academic Advisor immediately. If the serious concern involves fraud, corruption or financial irregularity, a health and safety matter or an issue involving a member of the Support staff it should be raised with the LSET chairman. Concerns involving the Deputy Chief Executive or Chief Operating Officer should be raised with the Chairman. The Clerk to the Governors may refer concerns raised to another party as appropriate, for example, a concern rose regarding the directors or Chairman.
- 4.2 Concerns are better raised in writing. The person raising the concern is invited to set out the background, history of the concern and give information where possible, for example, names, dates and places, and the reason for the concern arising. However, if the person raising the concern does not feel able to put it in writing, concerns may be raised in person.

- 4.3 Urgent and serious concerns should always be raised immediately. Besides, the earlier the concern is expressed then generally the easier it is to act.
- 4.4 A person raising a serious concern is not expected to prove the truth or investigate the matter themselves but is expected to demonstrate the grounds for their belief. It is very important that evidence is preserved but not altered or tampered with.
- 4.5 A person with a serious concern may wish to discuss the matter in confidence with a trusted colleague or trade union or professional association representative in advance of raising the matter.

## **5. How LSET will Respond**

- 5.1 LSET will respond to any concerns raised. It will test the evidence for the matters raised but it should be noted this is not the same as rejecting the concerns. Initial enquiries will be made to decide whether an investigation is appropriate and if so, the form it will take. The matters raised may be investigated internally or referred to an external body as appropriate, for example, the Police, the external Auditor or other independent, safeguarding or regulatory body. Some concerns may be resolved by agreed action without the need for investigation.
- 5.2 The overriding principle which LSET will have in mind is the public interest.
- 5.3 Within 10 working days of a concern being received, LSET will contact the person raising the concern to:
- ☐ acknowledge that the concern has been received;
  - ☐ indicate how it proposes to deal with the matter;
  - ☐ give an estimate of how long it will take to provide a final response;
  - ☐ inform the person raising the concern whether any initial enquiries have been made; and
  - ☐ inform the person raising the concern as to whether further investigations will take place, and if not, why not.
- 5.4 The amount of contact between the person considering the concern and the person who raised it will depend on the nature of the matter raised, the potential difficulties involved, and the clarity of the information received. If necessary, further information will be sought from the person raising the concern. Meetings may be arranged off-site and the person raising the concern may be accompanied by a representative from a trade union or professional association or a friend.

5.5 Where possible, LSET will provide information to the person raising the concern on the outcome of any investigation.

## **6. How the Matter can be Taken Further, if Necessary**

6.1 This procedure is intended to provide employees and workers with a clear route to raise serious concerns within LSET and for the concerns to be dealt with and settled appropriately. However, if the person raising the concern considers that this has not happened then they may contact an appropriate external body such as:

- ☐ the Police;
- ☐ a relevant examination or other assessment body;
- ☐ a relevant funding agency; or
- ☐ the local authority or safeguarding body.

6.2 Complaints made to individuals, the media or other bodies may hamper a speedy, full and professional investigation of the serious concern raised.

## **7. Record Keeping**

7.1 LSET Chairman has overall responsibility for the maintenance and operation of this Procedure and will ensure the maintenance of a confidential record of concerns raised and the outcomes.

## **8. Feedback**

8.1 Comment on the Procedure is welcomed and should be forwarded to the Director.