

# Whistleblowing Policy and Procedure

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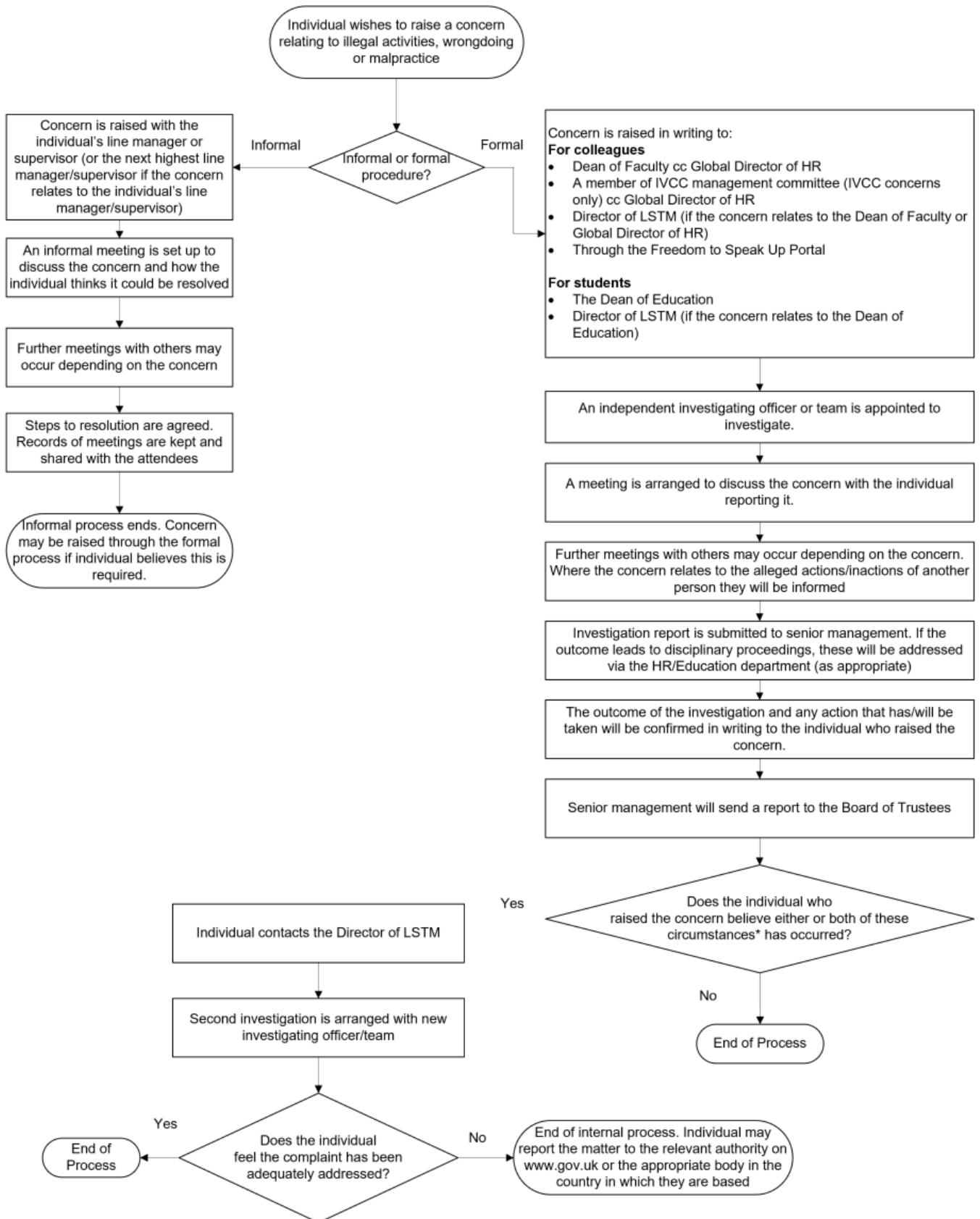
## Modifications from previous version of document

Version	Date of issue	Details of modification
2	December 2021	Full review of policy
2.1	March 2022	Add clarification on formal reporting procedure for IVCC cases (points 9.8, 9.10, 9.11, 9.12)

## Contents

Procedure Flowchart .....	4
1. Scope .....	5
2. Introduction and Context .....	5
3. Equality and Diversity .....	6
4. Safeguarding.....	6
5. Definitions .....	6
6. Raising a Concern .....	7
7. Support .....	8
8. Informal Reporting Procedure.....	8
9. Formal Reporting Procedure.....	9
Appendix A – Linked Policies and Procedures (Colleagues) .....	11
Appendix B – Linked Policies and Procedures (Students) .....	11

# Procedure Flowchart



\* Circumstances are:  
 • The investigating officer/team is involved in wrongdoing and/or has not completed a full and proper investigation.  
 • The investigating officer/team has not reported the outcome of the investigation to the Senior Management Group.

## **1. Scope**

- 1.1. This is an LSTM Group policy. For the purposes of this policy, the LSTM Group shall include IVCC, WTC and all subsidiaries. Where LSTM is used in this document, it should be read as referring to all LSTM Group companies save for any variations highlighted. Where an LSTM specific role or committee is referred to, it should be read as referring to the equivalent role/committee within the LSTM Group company.
- 1.2. This policy applies to all employees of LSTM Group, regardless of employer. Other individuals performing functions in relation to the organisation, such as agency workers, consultants, students, volunteers, honorary appointments, suppliers or self-employed contractors are also encouraged to use it.
- 1.3. The LSTM Group is a global employer and endeavours to write policies that apply to all its employees. Where local employment law or regulations require a different approach, the HR department will advise managers and colleagues.
- 1.4. This policy does not form part of any employee's contract of employment, and we may amend it at any time.

## **2. Introduction and Context**

- 2.1. LSTM is committed to conducting its affairs in accordance with the highest standards of integrity and in accordance with our code of conduct. However, we realise that all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct.
- 2.2. This policy aims to:
  - a) Encourage individuals to report suspected wrongdoing as soon as possible, in the knowledge their concerns will be taken seriously, investigated as appropriate and that their confidentiality will be respected as far as possible.
  - b) Provide guidance on how to raise concerns and provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace.
  - c) Reassure individuals that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 2.3. All individuals performing a role with or within LSTM are encouraged to raise concerns within the organisation as soon as possible. This will enable LSTM to effectively investigate the concern.

### 3. Equality and Diversity

- 3.1. LSTM is committed to promoting equality of opportunity, combatting unlawful discrimination and promoting good community relations. We will not tolerate any form of unlawful discrimination or behaviour that undermines this commitment and is contrary to our equality policy.

### 4. Safeguarding

- 4.1. In line with our Safeguarding policy and procedures, LSTM's processes reflect our organisational commitment to keeping children and vulnerable adults safe.

### 5. Definitions

- 5.1. **Whistleblowing** – the disclosure of information which relates to a genuine concern of suspected wrongdoing or dangers at work.

- 5.2. **Qualifying Disclosure** – a report of suspected illegal activities, wrongdoing or danger at work affecting any of our activities that meets the following criteria:

- a) A disclosure of information has been made.
- b) The reasonable belief that the information tends to show one or more of the following has occurred, is happening or is likely to occur in the future:
  - A criminal offence,
  - Breach of any legal or professional obligation or regulatory requirements,
  - A miscarriage of justice,
  - Danger to health and safety,
  - Damage to the environment,
  - Financial or non-financial maladministration, malpractice, or fraud,
  - Failure to protect vulnerable adults and/or children from abuse or neglect (a safeguarding issue),
  - Attempts to suppress or conceal information relating to the above.
- c) The reasonable belief that the disclosure is in the public interest.
- d) If you feel you cannot make your disclosure to LSTM and wish to raise your concern externally, it must be reported to a [prescribed person or body](#) in the UK, or appropriate actions taken in line with requirements in the country in which you are based.

- 5.3. UK law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external

to LSTM. [Protect](#), a UK-based independent whistleblowing charity, operates a confidential helpline. You can contact them via:

- Website: <https://protect-advice.org.uk/>
- Telephone: +44 (0)20 3117 2520

Similar support organisations may be available in the country in which you are based.

## **6. Raising a Concern**

6.1. We encourage individuals to raise concerns with LSTM as soon as possible.

6.2. Usually, concerns can be resolved within day-to-day management or supervision and where possible should be dealt with informally.

6.3. If a concern cannot be dealt with through day-to-day management or supervision and does not relate to illegal activities, wrongdoing or malpractice, colleagues should use the [Grievance Policy and Procedure](#) and students should use the Student Complaints Procedure. Colleagues and students can also use the appropriate procedure linked to our Dignity at Work and Study Policy (if applicable).

6.4. If concerns relate to illegal activities, wrongdoing or malpractice, this policy should be used, however if your concerns relate to a safeguarding issue, please refer to our [Protecting Children & Vulnerable Adults Policy and Procedure](#) for further detailed guidance and information on how to report.

6.5. We hope that all individuals will feel able to voice concerns openly under this policy and encourage them to do so. Anonymous disclosures can be made via the [Freedom to Speak Up](#) portal (internal), but it should be noted that this may restrict our ability to investigate the matter properly. We are unable to provide feedback on the outcome where disclosures are anonymous

6.6. If an individual wishes to raise their concern confidentially, we will make every effort to keep their identity secret and only reveal it when necessary. This may include where it is necessary to progress the matter, or where required by law.

6.7. Throughout and after the procedures in this policy, all parties are expected to maintain confidentiality and should not canvas support, gather witness statements, discuss the concern, or otherwise direct witnesses. Such actions may lead to disciplinary action under the appropriate policy, up to and including dismissal (for staff) or expulsion (for students).

6.8. If no action is required after investigation, whether as part of the informal or formal process, the colleague who raised the concern will not be subject to further action, as long as their concern was genuine and raised in good faith.

- 6.9. In the unusual event where it is evident that an individual has misused this policy or made allegations that are not based on genuine belief, the [Disciplinary Policy and Procedure](#) will apply for colleagues and the Student Disciplinary Code for students.

## 7. Support

- 7.1. We aim to encourage openness and will support individuals who raise concerns under this policy, even if their genuine concern turns out to be mistaken or unsubstantiated. The HR or Education department (as appropriate) are available to support individuals who raise concerns.
- 7.2. [Protect](#) (see point 5.3) can also support individuals who raise a concern.
- 7.3. People who make a protected disclosure (see point 5.2) must not suffer any detrimental treatment as a result of raising a genuine concern and we extend this to individuals who make a disclosure relating to other serious wrongdoing. If you believe that you have suffered any such treatment, you should inform the Global Director of HR via [hr@lstmed.ac.uk](mailto:hr@lstmed.ac.uk). Any individual who treats a person who has made a disclosure detrimentally may be subject to disciplinary action through the appropriate policy.
- 7.4. We are also committed to supporting individuals against whom allegations have been made and support is available through the HR or Education department (as applicable).
- 7.5. All colleagues and students can access [LifeWorks](#), who are completely independent of LSTM, will not share who has accessed support and whose services are provided at no cost to you. You can call and speak to a specialist at any time of the day, 365 days per year in your preferred language. If it is clinically appropriate, they will arrange counselling at no cost to you.

## 8. Informal Reporting Procedure

- 8.1. Colleagues are encouraged to report any concerns informally, however if they do not wish to, or feel this is not appropriate, they may formally raise their concern without firstly raising an informal concern (see [Section 9](#)).
- 8.2. Informal reports may be made to the immediate line manager or supervisor. If the concern relates to the immediate line manager or supervisor, please speak to their manager. The person receiving the report will set up an informal meeting as soon as possible to discuss the concern(s) and how the individual thinks it could be resolved.
- 8.3. Depending on the concern, the manager or supervisor may need to speak to others to state their views and potential resolution options.



- 8.4. Individuals may bring a companion from within LSTM to the meeting for emotional support, or if they require additional support that relates to a disability or long-term health condition.
- 8.5. The manager or supervisor will keep a record of all meetings and the agreed steps to resolution which must be clear, specific, and measurable. Records must be shared with the individuals involved in the meeting. If an individual is unclear about the proposed solution, they should seek clarity with the manager/supervisor.

## 9. Formal Reporting Procedure

- 9.1. We request that all formal reports are made in writing to ensure clarity on the issues to be investigated, which is of utmost importance in whistleblowing cases.
- 9.2. Formal reports by colleagues can be raised through:
- The Dean of your Faculty, with a copy sent to the Global Director of HR via [hr@lstmed.ac.uk](mailto:hr@lstmed.ac.uk)
  - In the case of IVCC, formal reports should be made to a member of Management Committee, with a copy sent to the Global Director of HR via [hr@lstmed.ac.uk](mailto:hr@lstmed.ac.uk)
  - If your concern relates to the Dean of your Faculty or the Global Director of HR, to the Director of LSTM via [director@lstmed.ac.uk](mailto:director@lstmed.ac.uk)
  - Through the [Freedom to Speak Up](#) portal
- 9.3. Formal complaints by students can be raised through the Dean of Education via [studentsupport@lstmed.ac.uk](mailto:studentsupport@lstmed.ac.uk). If your concern relates to the Dean of Education, it should be raised with the Director of LSTM via [director@lstmed.ac.uk](mailto:director@lstmed.ac.uk)
- 9.4. Upon receipt of a report, an independent investigating officer or team will be appointed to investigate the concern. A member of the HR department will be allocated to employee related cases.
- 9.5. The individual raising the concern will be invited to a meeting with the investigating officer/team to discuss the concern(s), disclose related information, present any supporting documents or other evidence, and answer any questions that the investigating officer/team may have. There will also be the opportunity for the individual to state how they think the concern(s) could be resolved.
- 9.6. The individual may be accompanied to the meeting by a colleague from within LSTM or a trade union representative. If additional support relating to a disability or long-term health condition is required, the individual should speak to the HR or Education department (as appropriate) in the first instance.

- 9.7. The investigating officer/team may need to meet with others to complete the investigation. Where a concern relates to the alleged action(s) or inaction(s) of another person, they will be informed. This will be a verbal overview in the first instance and then in writing when the full allegations are available.
- 9.8. The investigating officer/team will submit their report to the LSTM Senior Management Group. In the case of IVCC, the report will be submitted to the IVCC CEO and Management Committee.
- 9.9. Should the outcome of the investigation lead to disciplinary proceedings, this will be addressed via the HR or Education department, as appropriate.
- 9.10. Following the report to the Senior Management Group (or equivalent), the individual who raised the allegation will receive written correspondence with the outcome of the investigation and any action that has or will be taken by Senior Management Group and the reasons for these (subject to confidentiality for other individuals). The outcome of any disciplinary proceedings will not be shared.
- 9.11. On conclusion of the investigation(s), LSTM Senior Management Group, or in the case of IVCC the Management Committee, will send a report to the Board of Trustees.
- 9.12. If the individual who raised the concern believes either or both of the following apply, they should contact the Director of LSTM via [director@lstmed.ac.uk](mailto:director@lstmed.ac.uk), or in the case of IVCC the CEO, who will arrange for a further investigation with the support of the HR department:
- The investigating officer/team is involved in wrongdoing and/or has not completed a full and proper investigation.
  - The investigating officer/team has not reported the outcome of the investigation to the Senior Management Group, or IVCC Management Committee.
- 9.13. Further investigation will only occur where the concerns stated in 9.12 apply. No other concerns will lead to a second investigation.
- 9.14. Any second investigation will follow the procedure above, however a new investigating officer/team will be appointed to consider the complaint, supported by a member of the HR department.
- 9.15. If, following any second investigation, the individual raising the complaint still feels it has not been addressed adequately, the LSTM procedure has been exhausted and the matter should be reported to the relevant authority on [www.gov.uk](http://www.gov.uk) or the appropriate body in the country in which you are based.

## **Appendix A – Linked Policies and Procedures (Colleagues)**

- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Dignity at Work and Study Policy
- Raising and Resolving Dignity at Work Concerns Procedure
- LSTM Code of Conduct
- Protecting Children & Vulnerable Adults Policy and Procedure

## **Appendix B – Linked Policies and Procedures (Students)**

- Student Complaints Procedure
- Student Disciplinary Code
- Dignity at Work and Study Policy
- Raising and Resolving Dignity at Study Concerns Procedure
- LSTM Code of Conduct
- Safeguarding Students Policy