

Whistleblowing Policy

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Produced by	The Executive Dean	Approved by	Board of Governors
External reference points	The Public Interest Disclosure Act 1998 (PIDA) after Part IV of the Employment Rights Act 1996 protects workers who make a qualifying disclosure, (or whistleblowers) in the public interest. Protect (formerly Public Concern at Work) The Green House, 244-254 Cambridge Heath Road London E2 9DA Public phone: 020 3117 2520 Email: whistle@protect-advice.org.uk Website URL: http://www.protect-advice.org.uk		

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1. Background & Purpose

LCK Academy provides higher education and support services to members of the public, most of whom receive student loan funding to pay for their tuition. The Academy is, therefore, committed to ensuring full transparency and accountability for the provision of its higher education and support services. As part of this commitment, the Academy implements a rigorous Whistleblowing Policy that protects staff, students and other stakeholders who, in the public interest, feel obligated to disclose a harmful incident, action or pattern behaviour they have witnessed at the Academy. A person making such a disclosure is referred to as a whistleblower.

This Whistleblowing Policy ensures that all LCK Academy employees, students and other stakeholders are aware of their right to make a disclosure against the Academy in the public interest. This policy provides whistleblowers with assurance that they will not be penalised by the Academy for making a disclosure on any of the following grounds:

- (a) that a criminal offence has been committed, is being committed or is likely to be committed,
 - (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which [they] are subject,
 - (c) that an injustice has occurred, is occurring or is likely to occur,
 - (d) that the health or safety of any individual has been, is being or is likely to be endangered,
 - (e) that the environment has been, is being or is likely to be damaged, or
 - (f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- (UK Public Disclosure Act 1998).

2. Aims & Objectives

The main aim of the Whistleblowing Policy is to support, guide and provide protection for LCK Academy stakeholders if they have grounds to make a disclosure against the Academy or Academy stakeholders in the public interest. To this end the Academy intends to meet the following objectives:

- To reinforce the Academy's commitment to supporting stakeholders who make a disclosure on reasonable grounds, even if their suspicions are proven to be mistaken.
- To reassure stakeholders that all steps will be taken to protect them from reprisals such as dismissal or victimisation if they have made a disclosure on reasonable grounds, even if their suspicions are proven to be mistaken.
- To inform and advise stakeholders about the types of corruption, malpractice or criminal behaviour that may lead to a disclosure being made in the public interest, such as suspected bribery and fraud.
- To ensure that all instances where corruption, malpractice or criminal behaviour is suspected at the Academy, or on behalf of the Academy by any stakeholder, are reported promptly and appropriately.

3. Application

'Whistleblowing' refers to an act of reporting a suspicion or allegation that corruption, malpractice or criminality has occurred within an organization. A 'whistleblower' is a stakeholder of an organization who reports a suspicion or allegation of corruption, malpractice or criminality.

A whistleblower may disclose any suspicion of wrongdoing in relation to anything that may have occurred in the past, is currently taking place at the present time or is likely to occur in the future. All such disclosures will be rigorously responded to by the appropriate staff member delegated for this purpose by the Senior Leadership Team. Unless otherwise decided by the SLT, the Whistleblowing Officer who deals with instances of whistleblowing and reports to the SLT is the Director of Advancement and Operations.

The Whistleblowing Policy applies equally and without prejudice to all LCK Academy stakeholders. All stakeholders include staff, students, members of boards and committees including external members, consultants, suppliers and any person who participates in activities conducted by the Academy or on its behalf.

4. Grounds for Disclosure

The Academy expects all stakeholders to disclose instances where they suspect corruption, malpractice or criminal behaviour has occurred at the Academy or on behalf of the Academy by its stakeholders. The following list, which is not exhaustive, provides examples of reasonable grounds that may lead to a disclosure being made:

- Any kind of illegal activity or neglecting to comply with legal obligations
- Failure to comply with regulations - they may place themselves and others at risk of harm such as breaches of health and safety regulations.
- Unauthorised audio, video, or AI-assisted recording or transcription of meetings, teaching sessions, or other activities, where this breaches Academy policy, contractual obligations, or is applicable law.
- Stealing or using Academy resources inappropriately for personal gain
- Offering or accepting a bribe to achieve or confer an unfair advantage such as passing an assessment
- Fraudulent behaviour such as submitting a false certificate in order to gain entry to a course or profiting by intentionally (not mistakenly) submitting a false invoice from a supplier
- Any type of forgery or alteration of an official document including financial accounts to mislead for unfair advantage or person gain
- Stealing or misappropriating funds that are placed in someone's hands for specific purposes such as charitable donations
- Profiting in any way by abusing a position of responsibility
- Failing to accurately report any financial transactions whether intentionally or through neglect
- Any activity that may cause environmental damage beyond reasonable practice. This does not include targeting people that are driving their vehicles.

- Academic and non-academic malpractice (see the Academic Malpractice Policy and Non-Academy Malpractice Policy for more details).

5. Withholding information or attempting to hide evidence of any grounds for a disclosure including the examples provided above. Making a Disclosure

In cases where there are suspicions that a crime has been committed, stakeholders should inform the police regardless of whether they inform other stakeholders at the Academy. However, all stakeholders are encouraged to inform someone at the Academy in a position of authority if they suspect that there has been any criminal behaviour, corruption, malpractice or breaches of regulations such as any of the examples listed in the section above on Grounds for Disclosure.

5.1. Staff Disclosures

In the first instance, staff are encouraged to inform their line manager at the earliest available time the moment they suspect that there has been any wrongdoing. If they believe that their line manager may be implicated for any reason, staff may approach any other senior manager up to and including the Chief Executive Officer (CEO).

5.2. Student Disclosures

In the first instance, students are encouraged to inform their personal tutor at the earliest available time if they suspect that there has been any wrongdoing. If they believe that their personal tutor may be implicated for any reason, students may approach any other lecturer, support staff or senior staff member they trust up to and including the Chief Executive Officer (CEO).

5.3. Whistleblowing Officer

The Senior Leadership Team (SLT) appoints a staff member as the Whistleblowing Officer. Unless otherwise decided by the SLT, the Whistleblowing Officer (WO) shall be the **Director of Advancement and Operations**. The WO is responsible for informing all stakeholders about the details of this policy and its implementations. The WO will receive and keep records of all Whistleblowing reports whether they have been based upon appropriate grounds or otherwise including any vexatious accusations. Any staff member or other stakeholder who receives a whistleblowing report verbally or in writing should pass it to the WO who will then take the appropriate action. The WO will inform the appropriate authorities immediately if they receive accounts of criminal activity or any activity that may lead to criminal activity or may cause harm to a person or the environment.

The WO will report to and advise the SLT and the Board of Governors on all cases of Whistleblowing if and when they occur. The WO is also responsible for ensuring that all staff and students receive and understand their rights and protections in relation to whistleblowing during induction and at other times throughout the year through workshops and the distribution of relevant and updated information.

5.4. Disclosures to College Partners

If a staff member or student makes a disclosure to the appropriate LCK Academy staff member or the WO, but is not satisfied with the response, they may make take their

concern to an external organisation, such as an awarding organisation or university partner that the Academy is working with. We would recommend and request that staff and students try to deal with any concerns they may have internally before making a disclosure to external organisations due to the impact of disclosures, even if they prove to be mistaken as detailed in the next section below.

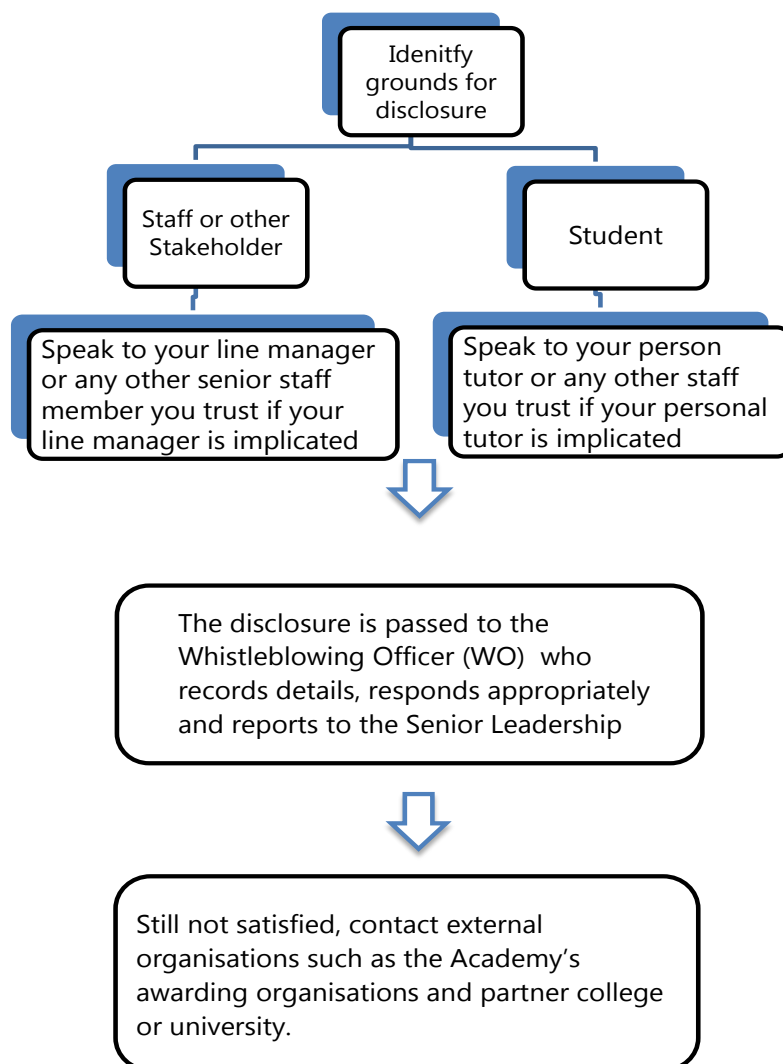
5.5. Impact of a Disclosure

A whistleblower will not face any form or reprisal, victimization, demotion, suspension, dismissal or expulsion for making a disclosure on reasonable grounds, such as those listed in the Grounds for Disclosure above. A whistleblower may choose to resign or leave the Academy upon making a disclosure. The Academy will not discriminate against any staff member if they resign from their position or against a student if they withdraw from their course. The Academy will not deny them any rights or privileges they may be entitled to such as a fair and reasonable reference should they request one.

Although whistleblowers should not be discouraged from whistleblowing, they should be aware of the implications for them and for the Academy. Disclosures may involve external bodies getting involved in their affairs and those of the Academy, including media organisations, and this may negatively impact on the reputation of the Academy regardless of whether any accusation turns out to be false or true. There is also the possibility that individuals will become embroiled in criminal or journalistic investigations.

See overleaf for the process of disclosure

5.6. Process of Disclosure



6. Vexatious or Malicious Allegations

If the Whistleblowing Officer (WO) finds that an allegation is vexatious or carried out with malicious intent and is clearly without appropriate evidence or grounds, the person making the allegation may face disciplinary proceedings. Staff should refer to the Staff Handbook for staff disciplinary procedures, and students should refer to the Non-Academic Malpractice Policy.

7. Monitoring and Review

The Board of Governors will monitor and review this policy annually or at any time if changes in policies, regulations, or legislation are required.

8. Disclosures to External Authorities

In some cases, where there are concerns about criminality, it may be appropriate to disclose something to the authorities (Police), to a regulatory body, one of the Academy's awarding organisations or its college or university partner. It is recommended that if in doubt, staff and students should seek support and advice from the appropriate staff member at LCK Academy such as the Whistleblowing Officer before making a disclosure to an external organization. All stakeholders may contact Protect (formerly Public Concern at Work), which is an independent whistleblowing charity that offers a confidential helpline. Contact details are provided below.

9. Key External Contact

Protect (formerly Public Concern at Work)

Contact details

Protect (formerly Public Concern at Work)

The Green House, 244-254 Cambridge Heath Road

London

E2 9DA

Public phone: 020 3117 2520

Email: whistle@protect-advice.org.uk

Website URL: <http://www.protect-advice.org.uk>