

Speak up policy

1. Introduction

To support the building of an environment that is underpinned by our values of Excellence, Professionalism, Integrity, Inclusivity and Creativity it is paramount that we demonstrate these in all that we do. The Speak up policy demonstrates LSBU's commitment to conduct its affairs in a responsible manner and meeting the highest levels of integrity with the support of its staff.

LSBU welcomes constructive criticism and encourages a climate in which problems can to a large extent be addressed informally. However, it recognises that this is not always possible, and that sometimes more formal means are needed.

The Public Interest Disclosure Act gives legal protection to workers against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. Where an individual discovers information which he or she believes shows malpractice or wrongdoing within the organisation then it should be disclosed without fear of reprisal, and this may be done independently of line management. Employees in other territories will be treated as if such legislation applied to them.

This policy is intended to assist both students and employees who believe they have discovered malpractice or impropriety. It is not to be used to question financial or business decisions taken by LSBU. Nor is it for matters which should be raised under grievance, complaint or disciplinary procedures, or to reopen matters which have already been considered under them. Students on placement should, in the first instance, follow the speak up policy of the institution in which they are placed.

2. Scope of the speak up policy

This speak up policy is intended to allow students, staff and others associated with LSBU by an employment or other business contract to raise concerns and disclose information about perceived malpractice.

The term 'malpractice' includes, but is not limited to:

- financial malpractice, impropriety or fraud
- breaches of financial controls, false accounting/reporting, financial and other reporting irregularities
- academic malpractice
- failure to comply with LSBU's legal or regulatory obligations – for example about the health and safety of students, employees or the public, anti-discrimination legislation, trading standards or environmental protection laws
- unethical business conduct, where colleagues receive or solicit anything of value from a third party or promise, offer or give anything of value to influence the decision of a third party in procurement or contract execution for LSBU
- any other criminal activity, such as assault
- bullying, harassment, discrimination or victimisation of others

- colleagues who are involved in the taking, buying, selling of drugs or other forms of substance abuse
- a miscarriage of justice
- actions intended to hide any of the above
- behaviour which might damage LSBU's reputation

3. Safeguards

3.1 Protection

This speak up policy is designed to offer protection to those identified in paragraph 2 who disclose such concerns, provided that the disclosure is made:

- (i) in good faith, and
- (ii) in the reasonable belief of the individual making the disclosure that it tends to show malpractice.

3.2 Confidentiality

Your identity when making the allegation will be kept confidential to those dealing with the case only, so long as this does not hinder or frustrate any investigation or LSBU's ability to meet its legal obligations. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

3.3 Anonymous Allegations

You are encouraged to put your name to any disclosures you make. Concerns expressed anonymously carry less weight, but may be considered at LSBU's discretion. Factors to be taken into account in exercising this discretion include:

- the seriousness of the issues raised;
- the credibility of the concern;
- any supporting evidence received; and
- the likelihood of confirming the allegation from alternative credible sources.

3.4 Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by subsequent investigation, no action will be taken against you.

The making of malicious or vexatious allegations, however, is likely to result in disciplinary and/or legal action.

4. Procedures for speaking up

4.1 Staff

4.1.1 In the first instance disclosure should be made to your line manager or head of department, who should decide if it is appropriate to resolve the matter locally.

4.1.2 If you feel you cannot raise the matter with your line manager or head of department (e.g. because they are the subject of the disclosure), or if you are dissatisfied with the outcome of your disclosure, you should refer the matter to LSBU's independent reporting line provided by Safecall.

4.2 Independent reporting line

If you wish to raise a concern you should use LSBU's independent reporting line provided by Safecall. You can contact Safecall in confidence by:

- phoning: 0800 915 1571
- emailing: lsbu@safecall.co.uk
- completing a web form available at www.safecall.co.uk/report

Each matter will be considered by the relevant member of the Executive and the Chair of the Audit Committee, who is an independent governor and is independent of the senior management team. If a member of the Executive is the subject of the disclosure it will be considered solely by the Chair of the Audit Committee.

4.3 Students

Students are encouraged to raise any concerns with their course director. If you feel this is inappropriate or you are dissatisfied with the outcome you may raise your concern through the independent reporting line.

If you are a student on placement you should, in the first instance, follow the speak up policy of the institution in which you are placed.

For student nurses and midwives your attention is drawn to the Nursing and Midwifery Council's guidance: Raising concerns: Guidance for nurses and midwives (September 2013). Further information is available on the NMC's website:

<http://www.nmc-uk.org/Nurses-and-midwives/Raising-and-escalating-concerns/>

4.4 Next steps

Members of the Executive or, if appropriate, the Chair of the Audit Committee will consider the information made available and should determine whether there is a prima facie case to answer, whether an investigation should take place, and if so what form it should take. Investigations may involve:

- the application of a standard LSBU management procedure;
- an investigation by the internal auditors or some other person;
- an external investigation;
- referral to an external body (e.g. a funding body or the police), before or after an internal investigation has taken place.

Investigations will not be carried out by any person who will have to reach a decision on the matter. For this reason neither the Vice Chancellor nor the Chair of the Board should be asked to conduct an initial investigation.

4.5 Feedback

Safecall will inform the caller, in outline, of the action taken in response to the disclosure and what further action, if any, is to be taken.

4.6 Reporting of Outcomes

A brief anonymised report of all disclosures and any actions taken will be regularly reported to the LSBU Audit Committee.

4.7 Appeals

If you are dissatisfied with the outcome of your disclosure, you have a right of appeal to an independent governor.

To make an appeal you should write to the Chair of the Board, c/o the University Secretary, marking the envelope "Personal and Confidential: please forward".

5. Monitoring and Review

The University Secretary will report to the Audit Committee annually on the effectiveness of this policy and will ensure that periodic reviews are carried out.

Approved by the Audit Committee on 4 June 2015