

WHISTLEBLOWING POLICY

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The Royal Academy of Music moves music forward by inspiring successive generations of musicians to connect, collaborate and create.
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MARYLEBONE ROAD, LONDON NW1 5HT
RAM.AC.UK



**UNIVERSITY
OF LONDON**

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1. POLICY STATEMENT

- 1.1 The Royal Academy of Music is committed to maintaining the highest standards of honesty, openness and accountability.
- 1.2 The aims of this policy are:
 - i To encourage you to report suspected wrongdoing as soon as possible, in the knowledge that your concerns will be taken seriously and investigated as appropriate
 - ii To provide you with guidance as to how to raise those concerns internally
 - iii To provide reassurance that you can raise genuine concerns without fear of reprisals, even if you turn out to be mistaken.
- 1.3 The Academy will ensure that your concerns are dealt with fairly and properly. Anyone found to be victimising you for whistleblowing will be subject to the Academy's disciplinary procedures.
- 1.4 This policy applies to all Academy staff, students, members of the Governing Body and other stakeholders including those contracted to provide services to the Academy and any members of the public.

2. PURPOSE OF THE POLICY

- 2.1 This policy is designed to allow you to raise serious concerns of a public-interest nature (as defined in paragraph 5.2) in relation to the Academy. It also describes how the Academy will investigate, and where appropriate, act on your concerns.
- 2.2 The Academy will consider concerns that are not of a public-interest nature, or which fall into an area covered by other Academy policies or procedures. These concerns will be considered under the relevant policy rather than the Whistleblowing Policy. Examples include:
 - Grievances by staff connected with their employment.
 - Complaints by students about their courses of study or research and the service the Academy provides.
 - Appeals against assessment decisions.
 - Appeals from disciplinary procedures for staff and students.
 - Dignity at Work (anti-harassment).

3. WHAT IS WHISTLEBLOWING

- 3.1 The Public Interest Disclosure Act 1998 (PIDA) came into force on 2 July 1999. It encourages people to blow the whistle about malpractice in the workplace and is designed to ensure that organisations respond by acting on the message rather than against the messenger.
- 3.2 The PIDA applies to employees blowing the whistle about crime, civil offences (including negligence, breach of contract, etc), miscarriage of justice, danger to health and safety, or the environment, and the cover-up of any of these.
- 3.3 The PIDA gives legal protection to staff (including employment agency supplied workers and those on work experience) against being dismissed or penalised by employers as a result of disclosing information which, in the reasonable belief of that member of staff, is in the public interest and tends to show one or more specified types of malpractice, wrongdoing or dangers. This is known as 'whistleblowing'.
- 3.4 The PIDA protects disclosures to prescribed bodies such as the Health and Safety Executive, the Financial Conduct Authority, the Environment Agency, the Serious Fraud Office, the Office of Fair Trading, the Director of Public Prosecutions and HM Revenue & Customs, where the whistleblower has a reasonable belief that the information and their allegation is in the public interest.
- 3.5 Although not covered by the Act, the Academy extends the principle of protection to students against being penalised as a result of disclosing such information.
- 3.6 Wider disclosures (eg to the police, media, Members of Parliament and non-prescribed regulators) are protected only if, in addition to the tests for regulatory disclosures, they are reasonable and meet one of the three preconditions below and are not made for personal gain:
 - i You believe you would be victimised if the matter was raised internally or with a designated regulator
 - ii You believe a cover-up was likely and there was no regulator
 - iii You had already raised the matter internally or with a prescribed regulator.

Wider disclosures made without any one of these three preconditions will be regarded as a disciplinary matter by the Academy.

4. WHO IS COVERED BY THIS POLICY?

- 4.1 This Policy makes provision for any member of Academy staff, student, member of the Governing Body and other stakeholders, including those contracted to provide services to the Academy and any members of the public who may have concerns arising from a visit to the Academy, to raise concerns about malpractice, impropriety or wrongdoing within the Academy and to do so with the knowledge that, if in the public interest, their action will be viewed positively. Whistleblowers will be protected from victimisation.

5. PROTECTED DISCLOSURES

- 5.1 The Academy will provide protection if you raise legitimate concerns about specified matters, known as 'protected' disclosures (see 5.2).
- 5.2 A 'protected' disclosure is the disclosure of information made in the public interest. Whistleblowers are protected in law when the disclosure refers to the following:
- Criminal offence
 - Failure to comply with legal obligations
 - Miscarriage of justice
 - Danger to health and safety
 - Damage to the environment
 - Modern slavery and human trafficking
 - Institutional discrimination or harassment
 - Professional malpractice
 - Improper conduct or unethical behaviour
 - Unauthorised disclosure of confidential information
 - Concealment or covering up any of the above matters.
- 5.3 If you are uncertain whether something is within the scope of this Policy, you should seek advice from the Director of Finance (the Academy's Reporting Officer), Director of HR, or the Registrar and Director of Student Operations..

5.4 Separate policies and procedures are in place to cover areas such as:

- Equality and Diversity
- Health and Safety
- Disability
- Dignity at Work (anti-harassment)
- Safeguarding
- Financial Procedures and Prevention of Fraud
- Gifts and Hospitality
- Discipline and Appeal
- Grievances
- Academic appeals including those against assessment outcomes
- Appeals arising from disciplinary procedures.

These and other policies and procedures are available on the Academy's intranet.

5.5 The Whistleblowing Policy is not designed to permit or encourage questioning of legitimate financial or business decisions properly taken by the Academy. You may not use the Whistleblowing Policy to bring about the consideration (or reconsideration) or any matters of private interest which may be properly and appropriately addressed under other Academy policies and procedures, such as those listed in 5.4.

6. CONFIDENTIALITY

6.1 Staff, students and other stakeholders should feel able to voice whistleblowing concerns under this policy. If you want to raise concerns confidentially, the Academy will make every effort to keep your identity secret. This may not be possible if it is incompatible with a fair investigation or if there is another overriding reason for the disclosure. If it is necessary for anyone investigating your concerns and/or the subject of your concerns to know your identity, the Academy will discuss this with you.

6.2 You are encouraged not to make disclosures anonymously. Proper investigation may be more difficult or impossible if further information cannot be obtained and it may also be difficult to establish whether any allegations are credible. The Academy will consider the seriousness of the issues you raise.

- 6.3 If you are a member of staff, advice can be sought from Public Concern at Work <http://www.pcaw.org.uk/>, the independent whistleblowing charity which offers a confidential helpline. If you are a student, advice can be sought from the Student Union.

7. HOW TO RAISE A WHISTLEBLOWING CONCERN

7.1 To whom and how should a report be made?

In the first instance you should raise any concerns informally with a line manager, Head of Department, tutor, member of the Students' Union, Registry or other trusted person. The person notified may be able to agree a way of resolving the concerns quickly and effectively or may refer the matter to the Reporting Officer for whistleblowing concerns. In cases of disclosure relating to the Director of Finance, disclosure should be made to another member of the Senior Management Team or the Principal.

If your concerns have not been resolved, you should put them in writing to the Director of Finance as the Academy's Reporting Officer.

The Reporting Officer will acknowledge receipt of the report within five working days and keep a record of action taken.

7.2 Investigation and outcome

Preliminary enquiries will be carried out by the Reporting Officer in order to ascertain whether a full investigation is necessary. The preliminary enquiries will take no longer than ten working days.

If, after preliminary investigation, your concerns are judged by the Reporting Officer to be not of a public-interest nature, no further action will be taken. In this case, the Reporting Officer will submit a full report of your concerns and of the decision to take no further action to the Chair of the Audit Committee. If the Chair of the Audit Committee disagrees with the Reporting Officer's decision then an investigation will be undertaken and the Chair will appoint another person to manage the investigation.

When appropriate, you will be informed of the final decision to take no further action.

If the Reporting Officer or Chair of the Audit Committee decides that an investigation should be undertaken, the investigation will be carried out internally or the matter may be referred to an external body for investigation.

If your concerns are referred to an external body, the external body's practice and procedure will supersede the Academy's procedure for investigation.

Subject to any legal requirements, the Reporting Officer will aim to keep you informed of the progress of the investigation, likely timescale and any final action taken. However, the need for confidentiality may prevent the Reporting Officer from giving specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If an investigation is undertaken, the person or persons you have identified as the subject of your concerns will be informed of each allegation made against them and of any evidence.

When the investigation has been concluded the Reporting Officer will let you know the outcome and submit the full report to Chair of the Audit Committee.

If the Academy concludes that you have made a malicious allegation or with a view to personal gain, you may be subject to disciplinary action.

8. IF THE WHISTLEBLOWER IS NOT SATISFIED

- 8.1 The Academy cannot guarantee the outcome you may be seeking when you raise your concerns, but we will deal with your concerns fairly and in an appropriate way. If you are not satisfied with the way in which your concerns have been handled there is a right of appeal on one of the following three grounds only, to the Principal (or Chair of the Governing Body if your allegation relates to the Principal):
 - i you believe that the procedures have not been followed properly, or
 - ii you have evidence of prejudice or bias, or
 - iii you have further evidence which was not available at the time when you originally raised your concerns.
- 8.2 The Principal (or Chair of the Governing Body) will decide if the case meets the grounds for appeal set out above and if it does, an independent member of the Governing Body will be appointed to hear the appeal.
- 8.3 The Principal will let you know the outcome of the appeal and will submit a report to the Audit Committee.
- 8.4 If you are a student and you are not satisfied by the process or outcome of the procedure, you may be entitled to refer the matter to the Office of the Independent Adjudicator, having exhausted the Academy's procedures.

8.5 Outline procedure:

Step 1	You should raise your concerns informally with your line manager/Head of Department/tutor/member of RAMSU/Registrar and Director of Student Operations in the first instance.
Step 2	<p>If your concerns are not resolved by Step 1, write to the Director of Finance as Reporting Officer (or alternative as set out in 7.1), to report your concerns.</p> <p>Reporting Officer to acknowledge receipt of report within 5 working days.</p>
Step 3	<p>Reporting Officer to carry out preliminary enquiries to ascertain whether full investigation is necessary.</p> <p>Preliminary enquiries to take no longer than 10 working days.</p>
Step 4	<p>If Reporting Officer considers concerns to be not of a public-interest nature, no further to be action.</p> <p>Chair of Audit Committee to be notified of decision. If the Chair disagrees with the decision then an investigation will be undertaken.</p> <p>You will be notified of the Chair's decision.</p>
Step 5	<p>If an investigation is to be undertaken, the matter may be referred to an external body.</p> <p>The Reporting Officer will aim to keep you informed of progress.</p>
Step 6	When the investigation has been concluded the Reporting Officer or Chair of Audit Committee will inform you of the outcome and submit a report to the Audit Committee.
Step 7	<p>If you are not satisfied there is a right of appeal (on the grounds stated in point 8.1 only) to the Principal.</p> <p>The Principal or Chair of the Governing Body will appoint an independent member of the Governing Body to hear the appeal and you will be informed of the outcome and a report submitted to the Audit Committee.</p> <p>If you are a student and not satisfied by the process or outcome of the procedure, you may refer the matter to the Office of the Independent Adjudicator having exhausted the Academy's procedures.</p>

9. EXTERNAL DISCLOSURES

- 9.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing at the Academy. In most cases there should be no need to alert anyone externally.
- 9.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. The Academy strongly encourages you to seek advice before reporting concerns to anyone external.

10. AUDIT COMMITTEE

- 10.1 A record of all whistleblowing disclosures and any subsequent actions will be made by the Reporting Officer, who will retain such material for a period of not less than seven years. In all cases, a summary report detailing all disclosures and the outcomes of any investigations will be made to the Audit Committee to monitor the effectiveness of the policy. In order to provide independent oversight, the Reporting Officer will also provide the Chair of Audit Committee with information about any investigations.

This policy was approved by the Governing Body on 28 September 2015 and updated by the Audit Committee on 8 March 2021.