

TRINITY LABAN

Whistleblowing policy

Summary

We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. This policy is intended to support a culture of openness and accountability, which is essential in order to prevent such situations occurring and to address them when they do occur.

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1. Updates to this policy

- 1.1. Trinity Laban has had a Whistleblowing policy since the Public Interest Disclosure Act 1998 came into force.
- 1.2. This policy has been reviewed and updated periodically since that date and has been updated to align to the new Trinity Laban single source of information and policy management framework. The version of this policy replaces was approved by the Audit Committee in June 2021.
- 1.3. This policy has been implemented following relevant consultation. This policy is non-contractual and it may be amended by Trinity Laban at any time.

2. Introduction

- 2.1. Trinity Laban (we/our/us) is committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

3. Scope

- 3.1. This policy covers our staff (including employees, officers such as members of the Board of Governors, consultants, contractors, paid interns, casual workers, agency workers) and students.
- 3.2. The aims of this policy are:
 - a. to encourage staff and students to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
 - b. to provide staff and students with guidance as to how to raise those concerns; and
 - c. to reassure staff and students that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

4. Definitions

- 4.1. **Board of Governors** - Board of Governors.
- 4.2. **Principal/ CEO:** Chief Executive Officer.

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4.3. Secretary: - The Whistleblowing Officer, the designated officer nominated by the Board of Governors to operate this policy.

4.4 Nominated Person – a member of the Executive Team (e.g. Director of Operations, Director of Finance and Estates, Director of Corporate Affairs, Artistic Director, Director of Learning and Teaching etc)

4.5. Whistleblower: The person raising a Whistleblowing Concern under this policy.

4.6. Whistleblowing Concern: A disclosure of the type of information set out in section 6.

5. Responsibilities

5.1. The Board of Governors has overall responsibility for this policy, and for reviewing its effectiveness.

5.2. The Secretary has day to day operational responsibility for this policy.

5.3. The Secretary to the Board (d.surtees@trinitylaban.ac.uk) has been appointed by the Board as the designated officer (Secretary) for concerns under this procedure. In the event of the Secretary to the Board being the object of the concerns, but in no other case, the Principal will act as the designated officer.

(b) The designated officer will be the point of contact for staff who wish to raise concerns under the provisions of this policy. Once a matter has been brought to the designated officer's attention, they will arrange an initial interview, which will be confidential if the whistleblower requests it, to ascertain the area(s) of concern. At this stage the whistleblower may reserve the right to anonymity in any future correspondence or action relating to the concern. The whistleblower will be invited by the designated officer to make a verbal or written statement, and the designated officer will write a summary of the interview, which will be agreed by both parties.

Staff may also approach the People Services Department (Human Resources) or their Union Representative for advice as required.

5.4. If the Secretary is unavailable or absent, or would have a conflict of interest in managing a particular Whistleblowing Concern, then one of the following may act as the Whistleblowing Officer:

a. the Principal;

b. a member of the Executive team as described in 4.4. above; and

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- 5.5.** If none of the officers listed in paragraph 5.4 is available for any reason then the Chair of the Audit Committee may appoint an alternative senior member of Trinity Laban to act as the Whistleblowing Officer.
- 5.6.** The Secretary, in conjunction with the Board of Governors (through the Audit Committee) shall review this policy from time to time.
- 5.7.** The Secretary will report annually to the Board of Governors (through the Audit Committee) on the operation of the policy and (subject to section 8, [Confidentiality and anonymity](#)) whether any disclosures have been made.
- 5.8.** All staff and students are responsible for the success of this policy and are encouraged to use this policy to raise any Whistleblowing Concerns. Staff and students are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Secretary at d.surtees@trinitylaban.ac.uk.
- 5.9.** Managers and other staff who may deal with Whistleblowing Concerns or investigations may seek advice from Legal Services who may, on behalf of the Secretary also issue guidance from time to time and may provide training.

6. What is Whistleblowing?

- 6.1.** For the purposes of this policy a Whistleblower is a person who discloses information which in their genuine and reasonable belief is in the public interest and which tends to show one or more of the following:
- a. criminal activity;
 - b. failure to comply with any legal obligation;
 - c. miscarriage of justice;
 - d. danger to health and safety;
 - e. damage to the environment; and
 - f. the deliberate concealment of any of the above.
- 6.2.** Examples of issues which might be Whistleblowing Concerns include:
- a. bribery (under our Anti-bribery policy);
 - b. financial fraud or mismanagement or impropriety;

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- c. significant breach of a legal or regulatory obligation;
- d. unauthorised disclosure of confidential information;
- e. unauthorised use of data;
- f. academic or professional malpractice (including research misconduct);
- g. breach of any legal obligations imposed by research grants or funders; and
- h. the deliberate concealment of any of the above matters.

6.3. This policy should not be used for complaints relating to your own personal circumstances, such as the way you believe that you have been treated at work or, if you are a student, a complaint about any aspect of student life or an academic appeal. In those cases you should use the Staff Grievance Procedure, Student Complaints Procedure or Examination Regulations as appropriate. This policy may not be used to re-open or review a matter already decided in such procedures or to question or reconsider any financial or business decisions.

6.4. If you are uncertain whether something is within the scope of this policy you should seek advice from the Secretary. Contact details are: d.surtees@trinitylaban.ac.uk

7. Raising a Whistleblowing Concern

7.1. In many cases you will be able to raise any Whistleblowing Concern with your line manager or if you are a student with your Programme Leader, Tutor or Associate Director (together referred to below as Supervisor). You may tell them in person or put the matter in writing if you prefer. We would hope that they would be able to find a way to resolve your concern quickly and effectively. In some cases your line manager or Supervisor may feel that your concern should be referred to the Secretary; if so, they will discuss this with you before making the referral.

7.2. However, where the matter is more serious, or you feel that your line manager or Supervisor has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- a. the Secretary;
- b. the Principal;
- c. a Nominated Representative - a member of the Executive team as described in 4.4. above;

The person to whom the concern is reported will acknowledge its receipt within 5 working days.

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- 7.3.** As soon as possible after receiving your Whistleblowing Concern you will be invited to an initial meeting with the Secretary (or the Principal or the Nominated Representative as appropriate). If your meeting is with anybody other than the Secretary they will report to the Secretary (except where the Secretary has a conflict of interest in the subject matter of the Whistleblowing Concern; in such a case the Principal or the Nominated Representative will act as Whistleblowing Officer).
- 7.4.** We recognise that you may wish to be accompanied to any meeting under this policy by someone who can support you (such as a Trade Union representative or Supervisor). If you wish to bring a companion, you should confirm who you would like to accompany you and we will consider whether their attendance is appropriate. We would not normally allow legal representatives to accompany you. Subject to any applicable law, you and your companion are expected to maintain the confidentiality of the Whistleblowing Concern and any subsequent investigation, recommendation or action.
- 7.5.** After your initial meeting with the Secretary (or Principal or the Nominated Representative) an initial assessment will be carried out to determine:
- a. whether the Whistleblowing Concern falls within this policy or whether it should be considered under a different internal policy; and
 - b. if this policy applies, the scope of any investigation.
- 7.6.** You will be given a written summary of your Whistleblowing Concern and an indication of how we propose to deal with the matter.

8. Confidentiality and anonymity

- 8.1.** We hope that you will feel able to raise Whistleblowing Concerns openly under this policy and we would hope that you do not feel the need to raise your concern on an anonymous basis. However, you may, if you wish, raise your concern in confidence.
- 8.2.** We do not encourage you to make disclosures anonymously because proper investigation can be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.
- 8.3.** Whistleblowing Concerns which are expressed anonymously will be considered at our discretion according to:
- a. the seriousness of the issues raised; and/or
 - b. the likelihood of confirming the allegation from alternative credible sources.

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- 8.4.** We recognise that you may wish to keep your identity confidential when raising a Whistleblowing Concern.
- 8.5.** In the event that we consider it necessary to reveal your identity as part of investigating and dealing with your concerns (whether under this whistleblowing process or another internal process) we will let you know and discuss this with you before we do so. We will endeavour to ensure that you suffer no detriment for raising Whistleblowing Concerns in accordance with this policy.
- 8.6.** If you are concerned about possible reprisals if your identity is revealed you should raise this with the Secretary or the person with whom you raise your concern.
- 8.7.** Malicious or vexatious allegations, or concerns raised in bad faith or with a view to personal gain, may lead to disciplinary action being taken against you.

9. Investigation and outcome

- 9.1.** As explained above, the form of the investigation will depend on the nature of the matter raised and the Secretary (or Principal or the Nominated Representative, as appropriate) will determine initially whether the matter should be investigated and if so:
- a. whether that investigation should take place under an existing internal procedure (e.g. if the allegation relates to potential fraud then the investigation will take place under the fraud response policy); or
 - b. whether it is necessary to set up an investigation separate from existing processes.
- 9.2.** The Secretary (or Principal or the Nominated Representative, as appropriate) will also consider at this initial stage (and on an ongoing basis) whether any external body needs to be notified (such as the police, the Office for Students or a funder).

Another internal procedure

- 9.3.** If the Secretary considers that a concern should be dealt with under another internal procedure, they will notify you of that decision. That internal procedure will take place in the normal way and in accordance with any relevant regulations and policies. Your involvement (including applicable confidentiality issues) will depend on the relevant procedure. The outcome of any investigation under an internal procedure will be reported to the Secretary so that they may decide whether any further action should be taken to minimise future wrongdoing. Depending on the applicable procedure you may or may not be informed of the outcome of the internal procedure (including any actions taken by us under it).

Whistleblowing investigation

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- 9.4.** Investigations will not normally be undertaken by the Secretary. The Secretary will appoint an investigator or team of investigators which might include staff with relevant experience or specialist knowledge of the subject matter. The investigator(s) may contact you for any further information. They may make recommendations for change to enable us to minimise the risk of future wrongdoing. However, it is for the Secretary to decide what action we should take as a result of any whistleblowing investigation.
- 9.5.** The Secretary will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any action taken as a result.

A process outline is attached at **Appendix 1**.

10. If you are not satisfied

- 10.1.** While we cannot guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 10.2.** If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts in paragraph 5.4 of [Responsibilities](#). Alternatively, you may contact the chair of Audit Committee. Contact details can be obtained from the Secretary.

11. External disclosures

- 11.1.** The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 11.2.** The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body like the Office for Students. It will rarely be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, "Live Well" (formerly Public Concern at Work), operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at :

<https://www.thelivewelldirectory.com/Services/1615>.

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12. Protection and support for Whistleblowers

- 12.1.** It is understandable that Whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff and students who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 12.2.** Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment (such as bullying and harassment) connected with raising a concern in good faith. If you believe that you have suffered any such treatment, you should inform the Secretary immediately.
- 12.3.** We will not tolerate such conduct which is likely to result in disciplinary procedures being commenced.
- 12.4.** In addition, individuals may be personally liable if they subject a person to any kind of detriment because they raised Whistleblowing Concerns.
- 12.5.** Certain members of staff may also be protected by the Public Interest Disclosure Act 1988 (PIDA). We believe that this policy incorporates the provisions of PIDA, but to the extent that it does not, the provisions of PIDA will apply.

Request this policy in an alternative format

If you need this policy in a different format, email d.surtees@trinitylaban.ac.uk. In your message, include the format you need, for example: plain text, braille, BSL, large print or audio.

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APPENDIX 1

1. Process description

1.1. Whistleblowing Concern is raised with the Whistleblowing Officer (Secretary), Principal, Secretary to the Board or Nominated Representative.

then

1.2. The Whistleblowing Officer (Secretary), Principal, or Nominated Representative invites you to a meeting to discuss your Whistleblowing Concern.

then

1.3. The Principal, or Nominated Representative report to the Secretary (as appropriate).

then

1.4. Secretary (or if relevant the Principal, or Nominated Representative) decide on one the three steps below (as appropriate):

- a. No investigation required:
 - o Procedure ends.
- b. Investigation required under another internal procedure:
 - o Secretary notifies you of their decision and the procedure that will be followed.
 - o The internal procedure will be followed, and the outcome reported to the Secretary.
 - o Depending on the applicable procedure, you may or may not be informed of the outcome of the procedure or any actions taken by the Trinity Laban.
- c. Investigation required under Whistleblowing Policy:
 - Investigator or team of investigators appointed.
 - You may be contacted by the investigator(s) to explain the investigation process and to discuss any other issues that you have (such as whether you seek to keep your identity confidential.)

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- You and the Secretary will be kept up to date with the progress of the investigation.
- The investigator(s) will report the outcome of the investigation to the Secretary.
- The Secretary will consider the investigation and decide what action (if any) to take.
- The Secretary may, if appropriate, inform you of their decision and/or what steps Trinity Laban is taking in relation to your Whistleblowing Concern.

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APPENDIX 2

PRESCRIBED PERSONS

Disclosure of information may be made to the following persons, who have been prescribed by Government:

- 1. Health & Safety issues:** Health and Safety
Executive Local
Authority
- 2. Environmental issues:** Environment Agency
- 3. Utilities:** OFGEM (Gas &
Electricity) OFCOM
(Telecoms) OFWAT
(Water)
ORR (Rail Regulator)
- 4. Financial Services:** Financial Services
Authority HM
Treasury
- 5. Fraud & fiscal irregularities:** Serious Fraud Officer
HMRC (Revenue and Customs)
- 6. Public Sector Finance:** NAO (National Audit Office)
- 7. Company Law:** Department of Trade & Industry
- 8. Competition & consumer law:** OFT (Office of Fair Trading)
Local Authority
- 9. Others:** Certification Officer (Trade
Unions) Charity Commission
Civil Aviation Authority
Criminal Cases Review Commission
Data Protection Commissioner
Pensions Regulator

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APPENDIX 3

THE PUBLIC INTEREST DISCLOSURE ACT 1998

<http://www.legislation.gov.uk/ukpga/1998/23/introduction>

1 Introduction

- 1.1 The Public Interest Disclosure Act 1998 protects from victimisation staff who raise concerns about malpractice, in good faith, in ways specified by the Act.
- 1.2 The Act directs a member of staff to raise a matter internally in the first instance, making use of any internal whistleblowing procedures. However, the Act will protect staff who choose to make external disclosures in a range of circumstances. If a member of staff discloses information in a way that is not covered by that Act, then the Act offers no protection.

2 Malpractice

- 2.1 The Act applies to people at work raising genuine concerns about crimes, civil offences (including negligence, breach of contract, breach of administrative law), miscarriages of justice, dangers to health & safety or the environment, and the cover up of any of these. It applies whether or not the information is confidential and whether the malpractice is occurring in the UK or overseas.

3 Individuals covered

- 3.1 In addition to employees, the Act covers contractors, trainees, agency staff and homeworkers. The usual employment law restriction on minimum qualifying period and age do not apply to the Act. The Act does not presently cover the self-employed (except in the NHS), volunteers, the intelligence service, the army or the police force.

4 Internal disclosures

- 4.1 A disclosure made in good faith to the employer will be protected if the whistleblower has a reasonable suspicion that the malpractice has occurred, is occurring or is likely to occur.

5 Disclosure for advice

- 5.1 A disclosure made for the purpose of obtaining legal advice is protected.

6 Disclosure to Ministers

- 6.1 A member of staff in a public body subject to ministerial appointment (e.g. the NHS, OfS) may make a disclosure direct to a Minister in the sponsoring Department.

7 Regulatory disclosures

- 7.1 The Act makes special provision for disclosure in good faith to prescribed persons [see Appendix 1 on previous page]. Such disclosure will be protected where it meets the test for internal disclosures and, additionally, the whistleblower honestly and reasonably believes that the information and any allegation in it are substantially true.

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8 Wider disclosures

8.1 Wider disclosures, for example to the police, media, a Member of Parliament, or a non-prescribed regulator, are protected if, in addition to the test for regulatory disclosures, they are reasonable in all the circumstances and they are not made for personal gain.

8.2 In order to obtain protection for a wider disclosure, at least one of the following preconditions must apply:

- The whistleblower reasonably believes that he/she would be victimized if the matter were raised internally or with a prescribed regulator
- There is no prescribed regulator and the whistleblower reasonably believes that the evidence is likely to be concealed or destroyed
- The concern has already been raised with the employer or a prescribed regulator
- The concern is of an exceptionally serious nature

9 Full protection

9.1 A whistleblower who is victimised or dismissed in breach of the Act may bring a claim to an employment tribunal for compensation. All awards will be uncapped and based on the losses suffered (though for victimisation short of dismissal the overriding requirement is that the award should be just and equitable). Where the whistleblower is sacked, he/she may within seven days seek interim relief so that his/her employment continues or is deemed to continue until the full hearing.

10 Confidentiality clauses

10.1 Gagging clauses in employment contracts and severance agreement are void insofar as they conflict with the Act's protection.

Approved by Audit Committee – 4th June 2026

Next Review Date: - June 2029