

# **STUDENT VOICING CONCERNS POLICY**

## Introduction

1 The University of Law is committed to openness and accountability. In line with this commitment, we expect students who have serious concerns regarding malpractice within the University, or the activities of staff or other students to voice those concerns in the knowledge that, if made in good faith, their action will be viewed positively.

2 The University has a duty to conduct its affairs in a responsible manner. It is committed to taking into account the requirements of the [Second Report of the Committee on Standards in Public Life 1994 \(the Nolan Committee\)](#). In addition, the University is committed to the principles of academic freedom, freedom of speech and the highest standards of openness, quality and accountability. The policy is intended to cover concerns that fall outside of the [Dignity at Work and Study](#), [Student Complaints](#) and [Academic Appeals](#) Policies. It may not be used to re-open or review a matter already decided under other policies or procedures.

3 This policy has been developed:

3.1 To empower students to raise concerns that are in the public interest;

3.2 To encourage and empower 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 unless the law demands otherwise;

3.3 To ensure that appropriate individuals are notified of concerns;

3.4 To provide students with guidance as to how to raise those concerns;

3.5 To reassure students that they can raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

4 Please note if there is immediate risk to people or property, or a crime is being committed, 999 should always be dialed immediately. If a crime has or may have been committed, the police should be contacted on 101.

## Procedure

5 Examples of concerns covered by this policy include:

- A criminal offence which has been committed, is being committed or is likely to be committed
- a person who has failed, is failing, or is likely to fail to comply with any legal obligation to which they are subject,
- the health and safety of any individual who is being, or is likely to be, endangered
- the environment has been, is being or is likely to be damaged
- a miscarriage of justice has occurred, is occurring or is likely to occur
- serious and/or dangerous incompetence
- the failure to take steps to safeguard groups at risk, students, or personnel
- instances of any form of modern slavery such as servitude, forced and compulsory labour and human trafficking
- unethical activity, corruption and /or bribery, financial malpractice, or fraud
- bullying, discrimination, sexual or other harassment
- deliberate attempts to conceal any of the above.

These examples are not intended to be exhaustive. Generally, concerns are likely to involve something which may be unlawful, or which may be contrary to University policies or which falls below established standards of practice or which amounts to unethical or improper conduct.

### **Referral process**

6 Students should in the first instance contact their Programme and Student Lead with a view to resolving the concern quickly and effectively.

7 If the above (6) does not apply, or the student feels that the matter is more serious or does not feel able to raise the issue with their Programme and Student Lead, the student can raise the concern with their Campus Dean.

8 In cases relating to a Campus Dean, a disclosure should be made to the Vice-Chancellor, who will also follow the procedures outlined below.

9 Anonymous concerns will be considered at the discretion of the University. The decision to do so will depend upon the seriousness of the issues being raised, the credibility of the concern raised, and the likelihood of confirming the allegation from other (named) sources.

## Investigation process

- 10 The Campus Dean or Vice-Chancellor will consider, and risk assess the information made available to them within two working days. Depending on the nature and circumstances of the disclosure they may:
- refer the matter to the police if a crime has, or may have been committed; or someone or property is at risk of harm
  - have to report the concern as a notifiable incident to the [Office for Standards in Education, Children's Services and Skills \(Ofsted\)](#) , [Office for Students](#) and/or the [Education & Skills Funding Agency \(ESFA\)](#)
  - refer the matter to another appropriate authority [see appendix]
  - in the cases of alleged sexual assault or rape advise the complainant to contact the local [Sexual Assault Referral Centre \(SARC\)](#) , for independent advice, medical assistance and support. There is no obligation to complain to the police at any stage to access SARC's services. Victims may change their mind and may make a complaint to the Police in the future
  - authorise an internal investigation under this procedure;
  - refer the matter to be dealt with under a different University procedure
- 11 If on preliminary examination the concern is judged to be wholly without substance or merit, no further action will be taken and the student will be informed by the person to whom the concern was voiced.
- 12 If there is a prima facie indication that the concern is of substance, the Campus Dean will arrange for the matter to be investigated by a member of staff, who the Campus Dean considers to be of the appropriate seniority.
- 13 The Campus Dean or Vice-Chancellor will inform the student of the name of the person chosen to conduct the investigation and the student will be given 2 working days to inform the Campus Dean if they have any reasonable objection to that person carrying out the investigation. The Campus Dean or Vice-Chancellor has the final decision on the matter.
- 14 The person who carries out the investigation will report their findings to the Campus Dean or Vice-Chancellor who will then decide on the course of action to be taken.
- 15 The investigator will seek to keep the student informed of the progress of the investigation and its likely timescale. Investigations will be conducted as quickly as possible having regard to the nature and complexity of the case, within a maximum of 20 working days

- 16 The course of action to be taken may be one or more of the following:
- 16.1 Take no further action other than inform the student of the decision and the reasons for it.
- 16.2 Refer the matter for appropriate action under the University's Policies such as the [Dignity at Work and Study Policy](#), [Complaints Policy](#), [Staff or Student Disciplinary Policy](#), [Safeguarding Children and Adults at Risk Policy](#) or [Prevent Duty Policy](#).
- 16.3 Refer the matter to the Director of Legal Services .
- 17 Upon conclusion of the investigation the student will be informed of the outcome.
- 18 A student who is dissatisfied that no course of action is to be taken under 16.1 above, should raise the matter under the [Complaints Policy](#).
- 19 If at any point in the investigation process the investigator considers there to be an imminent threat to any person or property, they will report their concerns to the Campus Dean or Vice-Chancellor who will inform the appropriate internal and external authorities.

### **Notification to the subject(s) of the disclosure**

20 Where there is an investigation, the person or persons identified as giving rise to the concern will be informed of each allegation made against them and any evidence supporting it and will be allowed to respond before any investigation is concluded.

### **Right to be accompanied**

- 21 All staff invited to co-operate with an investigation have the right to be accompanied by a work colleague or trade union representative.
- 22 All students invited to co-operate with an investigation have the right to be accompanied by a friend, relative, Campus Safeguarding Officer or University of Law Students' Union representative.
- 23 The companion will be required to respect the confidentiality of the disclosure and subsequent investigation.

### **Confidentiality**

24 Where possible the identity of the student will be protected. There may be circumstances however where it will not be possible to proceed without revealing the student's identity for example if the student's evidence is needed at a disciplinary or court hearing or the student poses a risk to themselves or others.

25 The need for confidentiality may prevent the investigator providing specific details of the investigation to the student.

26 The student should treat any information about the investigation as confidential.

### **Malicious Allegations**

27 If an investigation concludes that a disclosure has been made maliciously, in bad faith, or with a view to personal gain, the University reserves the right to take appropriate action which may include disciplinary action.

### **Protection for students raising concerns**

28 Individuals who raise genuinely held concerns in good faith under this policy will not be subjected to any detriment as a result of such action, even if they turn out to be mistaken. Detriment includes unwarranted disciplinary action or victimisation.

29 If a student believes that they have suffered detrimental treatment as a result of raising concerns under this policy, they should raise the matter under the Complaints Policy.

30 Any staff or student who victimises or retaliates against those who have raised concerns under this policy will be subject to disciplinary action.

31 If a student who has raised a concern under this policy is not satisfied by the process or the outcome, he/she may be entitled to refer the matter to the Office of the Independent Adjudicator (OIA) for Higher Education in line with existing University policies. They may also contact the relevant authorities listed in Appendix 1.

### **Monitoring and evaluation of provision**

32 Responsibility for reviewing and evaluating the effectiveness of the Student Voicing Concerns Policy lies with the Academic Board.

### Version history

Version	Amended by	Revision summary	Date
V1.0	Director of Operational Services and Student Association Administrator	Initial drafting	25/10/16
V1.1	Registry Officer	Change to coding convention	24/03/20
V1.2	Director of Student Experience, Wellbeing and Inclusion	Updates	20/07/20
V1.3	Director of Student Experience, Wellbeing and Inclusion	Review	October 2021
V1.4	Director of Student Experience, Wellbeing and Inclusion	Review	January 2024
V1.4	Approved by Academic Board		8 February 2024

## Appendix 1

### For free advice and guidance:

#### [Citizens Advice Bureau](#)

For impartial advice and signposting

[Contact details](#)

#### [Local Safeguarding Partnerships and Safeguarding Boards](#)

For information about escalation and whistleblowing in local authority areas for adult and child safeguarding

#### [University of Law Students' Union](#)

##### [Protect](#)

Independent whistleblowing charity

020 3117 2520.

### Whistleblowing Contacts

#### [Action Fraud National Fraud and Cyber Crime Reporting Centre](#)

[Report online](#)

**0300 123 2040** Monday to Friday 8am - 8pm

#### [Education & Skills Funding Agency \(ESFA\)](#)

Customer Service Team

Education and Skills Funding Agency

Cheylesmore House

Quinton Road

Coventry CV1 2WT

[complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

#### [Her Majesty's Chief Inspector of Education, Children's Services and Skills \('the Chief Inspector'\)](#)

For matters relating to the welfare of children and young people with regards to social care and education

The Chief Inspector

Ofsted

Piccadilly Gate

Store Street

Manchester

M1 2WD

Tel: 0300 123 3155

Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)

#### [The Health and Safety Executive](#)

For



## Student Voicing Concerns Policy

- the industries and work activities for which the Health and Safety Executive is the enforcing authority under the Health and Safety (Enforcing Authority) Regulations 1998
- the health and safety of individuals at work, or the health and safety of the public arising out of or in connection with the activities of persons at work

Tel: 0300 003 1647

Online form: [www.hse.gov.uk/contact/concerns.htm](http://www.hse.gov.uk/contact/concerns.htm)

### **The Local Authority**

Contact them for

- matters which may affect the health or safety of any individual at work
- matters which may affect the health and safety of any member of the public arising out of or in connection with the activities of persons at work

For concerns about:

- child abuse allegations against a member of University personnel, contact the Local Authority Designated Officer (LADO)
- adult abuse allegations against a Person in a Position of Trust (PiPoT), the Local Authority Position of Trust Leads and/or Social Services

[Local Authority Contacts](#)

### **NSPCC**

For concerns

about how organisations are managing safeguarding children and young people:

[NSPCC Whistleblowing Advice Line](#)

### **Office for Students**

Finlaison House  
15 – 17 Furnival Street  
LONDON  
EC4A 1AB

[info@officeforstudents.org.uk](mailto:info@officeforstudents.org.uk)

0207 400 4100

### **Office of Qualifications and Examinations Regulation (Ofqual)**

For matters in relation to which the Office of Qualifications and Examinations Regulation exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009.

Whistleblowing and Malpractice Complaints investigation manager  
Ofqual  
Earlsdon Park

## Student Voicing Concerns Policy



53-55 Butts Road  
Coventry  
CV1 3BH

Tel: 0300 303 3344

Email: [whistleblowing@ofqual.gov.uk](mailto:whistleblowing@ofqual.gov.uk)

Online form: [www.smartsurvey.co.uk/s/ofqual-whistleblowing/](http://www.smartsurvey.co.uk/s/ofqual-whistleblowing/)

### **The Quality Assurance Agency for Higher Education (QAA)**

For matters relating to the quality of service of an Access Validating Agency or a particular Access to Higher Education Diploma or course provider

The Quality Assurance Agency for Higher Education  
Southgate House  
Southgate Street  
Gloucester  
GL1 1UB  
+44 1452 557000

[AHE@qaa.ac.uk](mailto:AHE@qaa.ac.uk)

### **UK Research and Innovation (UKRI)**

For matters relating to possible conflicts of interest, conduct and ethics issues in research. Contact the relevant [Local Research Office](#) for further information