

Ethics Policy

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Document Version Control

Document Version	Committee	Committee Action	Date
	SMLT	Recommended approval	1 February
	Board of Directors	Approved	17 March 2023
		Date in force	20 March 2023
	SMT	Recommended approval	10 January 2024
	Board of Directors	Approved	22 January 2024
		Date in force	23 January 2024
		Reviewed by M Jackson (Next review in the next Academic Year.)	02 December 2024
		Date in force	03 January 2025

The Ethics Policy will be reviewed by the Document Lead. Any significant changes beyond the scope of an annual review will require the approval of the Board of Directors acting on recommendations from the Senior Management Team (SMT).

1. Introduction

Our values are as follows:

- **Dare to be different**
- **Make it happen**
- **Don't be mean**

This Ethics Policy builds upon our values by setting out seven ethical principles with which we expect all members of our academic community to act. Our academic community includes our directors, staff and external consultants, students and external members on our committees.

Our ethical principles reflect the following provisions of Regulation 3 of our Articles of Association:

- We will actively promote and apply equality, diversity and inclusion throughout the company, and promote an inclusive teaching and learning environment.
- We will respect the principle of academic freedom, subject to compliance with our equality, diversity and inclusion policies and procedures, and subject to compliance with any legislative or regulatory requirements.
- We will respect the principle of freedom of speech for all our students, members of the Student Guild, staff, external speakers, directors and shareholders, subject to compliance with our equality, diversity and inclusion policies and procedures, and subject to compliance with any legislative or regulatory requirements.

With regard to academic freedom and freedom of speech, our Board of Directors' responsibility extends to securing, promoting and protecting these principles.

2. Ethical principles

Our seven ethical principles are as follows:

2.1 Concern for others

- Act in the interest of others.

All members of our academic community should consider the interests of others.
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2.2 Integrity

- Be honest and truthful.
- Act in accordance with all legal requirements.
- Act in accordance with our regulations, policies and procedures.
- Declare interests in advance and properly manage any conflicts.
- Be open and transparent in decision-making.
- Maintain independence when engaging with our academic partners, other external stakeholders, and any other outside parties.

All members of our academic community should behave honestly, and should communicate truthfully and openly with each other and outside parties unless there are clear and lawful reasons for not doing so.

No one should misrepresent their position or authority.

All members of our academic community should act in accordance with the law, and our regulations, policies and procedures and those of our academic partners.

No member of our academic community should offer or accept bribes (e.g. money, gifts or hospitality that is disproportionate to the relevant circumstances) either on a personal basis or on behalf of Bloomsbury Institute.

No member of our academic community should accept a gift in connection with their role if it could be intended, or might appear to others to be intended, to influence them to behave improperly.

All members of our academic community should declare in advance outside interests relevant to their activities at Bloomsbury Institute and should take steps to manage or eliminate any potential conflicts that may arise.

No one should be involved in making decisions from which they, or anyone with whom they have a close financial or personal relationship, stand to benefit.

2.3 Responsibility and accountability

- Ensure compliance with our ethical principles.
- Raise concerns relating to ethical matters as they arise.

Those in leadership and management positions have a specific responsibility to set an example in their conduct and to promote and support good ethical behaviour. This involves challenging others when their behaviour does not meet our ethical principles.

All members of our academic community have a responsibility for complying with our ethical principles.

Any ethical concerns that cannot be resolved through our existing policies and procedures (e.g. the Staff Grievance Procedures; Staff Disciplinary Procedure; Performance Improvement Procedure; Student Complaints Policy and Procedures; Student Disciplinary Policy and Procedures) may be resolved through the Whistleblowing Procedure (see **Section 4** below).

2.4 Academic freedom and freedom of speech

- Respect the principles of academic freedom and freedom of speech (as set out in Regulation 3 of our Articles of Association), subject to compliance with our equality, diversity and inclusion policies and procedures, and subject to compliance with any legislative or regulatory requirements.

All members of our academic community should recognise the right of others to academic freedom and the freedom of speech within the law by working to secure, protect and promote such rights. This does not absolve anyone of the responsibility for treating others with dignity and respect.

2.5 Dignity and respect

- Treat all people with dignity and respect and ensure that nobody is treated less favourably because of a protected characteristic, or because of their social or economic background, or for any other reason.

All members of our academic community should treat each other with dignity and respect, whether on or off our premises.

All members of our academic community should work to promote and achieve a culture free of discrimination.

2.6 Collegiality

- Uphold an inclusive and participatory work and social environment in which we encourage, support and behave appropriately to one another.

All members of our academic community should seek to be a good citizen and work in the best interests of our academic community as a whole.

All members of our academic community should support (and, where applicable, participate in) democratic consultation through our deliberative committee structures.

All members of our academic community should meet the highest standards of good personal and professional conduct.

2.7 Sustainability

- Minimise any negative impact we may have on the environment by effectively managing our resources.

All members of our academic community should be mindful of the impact that their actions or inactions may have on the environment and seek to minimise any negative impact.

3. Application of the ethical principles

It is impossible to devise a single set of rules and procedures that cover every ethical dilemma. Rather, the seven ethical principles should guide the exercise of judgement in each individual case.

These ethical principles are to be applied throughout our academic community, whatever the nature of the activity (e.g. when making a decision) or interaction (e.g. a student interacting with fellow students).

If anyone has a concern that a member of our academic community is not observing this Policy, it should normally be discussed with the individual first.

If this does not resolve the issue, it should then be discussed with a relevant person in authority, for example:

- if the concern relates to a member of staff, it should be discussed with the individual's line manager or a member of the Senior Management Team or Strategic Leadership Team, as appropriate;
- if the concern relates to an external consultant, it should be discussed with an executive director;
- if the concern relates to a student, it should be discussed with the individual's Course Leader;

- if the concern relates to an executive director, it should be discussed with a non-executive director;
- if the concern relates to a non-executive director, it should be discussed with an executive director;
- if the concern relates to an external member of one of our committees, it should be discussed with the Chair of the committee.

If this does not resolve the issue, we have various policies and procedures through which formal action may be taken, where appropriate, for example:

- Performance Improvement Procedure
- Staff Grievance Procedures
- Staff Disciplinary Procedure
- Student Complaints Policy and Procedures
- Student Disciplinary Policy and Procedures

With regard to external consultants, we include a contractual right to terminate the contract both on notice and without notice.

With regard to directors, Regulation 51(h) of our Articles of Association provides the ultimate power to dismiss a director, by a majority decision of the directors. The Whistleblowing Procedure could be used by a member of our academic community to formally raise a concern (see **Section 4** below).

With regard to external members on our committees, there is a contractual right to dismiss prior to the end of the term. The Whistleblowing Procedure could be used by a member of our academic community to formally raise a concern (see **Section 4** below).

4. Whistleblowing Procedure

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The Whistleblowing Procedure is designed to enable any member of our academic community to disclose information, in good faith, which relates to genuine concerns of suspected serious wrongdoing by a member of staff or a director, or dangers relating to the running of Bloomsbury Institute, without fear of reprisal, even if such concerns turn out to be mistaken (provided the information was disclosed in good faith and the concerns were genuine).

A suspected serious wrongdoing by a member of staff or a director, or a suspected danger relating to the running of Bloomsbury Institute, includes the following:

- A criminal offence (to include fraud, corruption, bribery or blackmail) has been, is being or is likely to be committed.
- A breach of a legal obligation has been, is being or is likely to be committed.
- A miscarriage of justice has occurred, is occurring or is likely to occur.
- The health and safety of an individual has been, is being or is likely to be endangered.
- The environment has been, is being or is likely to be damaged.
- A serious breach of our regulations, policies or procedures (including the Corporate and Academic Governance Framework, and the Financial Regulations) has been, is being or is likely to be committed.

- Obstruction or frustration of the exercise of academic freedom or freedom of speech as set out in Regulation 3 of our Articles of Association.
- Serious breach of the ethical principles set out in our Ethics Policy.
- Unauthorised disclosure of confidential information.
- Information tending to show any of the above matters has been, is being or is likely to be deliberately concealed.

A whistleblower is a person who raises a genuine serious concern in good faith relating to any of the above matters. The whistleblower may or may not be directly affected by the matter.

All members of staff are protected under the Public Interest Disclosure Act 1998.

Whistleblowers can seek advice from Protect, the independent whistleblowing charity, which offers a confidential helpline¹.

5. Raising a concern

A concern should be raised as follows:

- if the concern relates to a member of staff, it should be raised with the individual's line manager or a member of the Senior Management Team or Strategic Leadership Team, as appropriate;
- if the concern relates to an external consultant, it should be raised with an executive director;
- if the concern relates to an executive director, it should be raised with a non-executive director;
- if the concern relates to a non-executive director, it should be raised with an executive director.
- if the concern relates to an external member of one of our committees, it should be discussed with the Chair of the committee.

The person to whom the concern is raised will determine whether it falls within the remit of the Procedure.

If the concern does not fall within the remit of the Procedure, the concern will be dismissed.

The whistleblower will have a right of appeal to the Board of Directors whose decision on this point shall be final.

5.1 Investigation

If the concern comes within the remit of the Procedure, the Principal and Chief Executive Officer (or nominee) will appoint an Investigating Officer. If the concern relates to the Principal and Chief Executive Officer, a non-executive director will appoint an Investigating Officer.

The Investigating Officer will normally interview any person to whom the concern relates and any other relevant persons, including the person who has raised the concern.

¹ <https://protect-advice.org.uk/>

If a person to whom the concern relates is interviewed by the Investigating Officer, that person will have the right to be represented or accompanied by a representative, provided such person is not acting as a legal representative.

At the end of the investigation, the Investigating Officer will present a written report to the Principal and Chief Executive Officer (or to the non-executive director if the concern relates to the Principal and Chief Executive Officer). The report will set out the Investigating Officer's findings and recommendations.

5.2 Decision

5.2.1 Concern related to a director

If the concern relates to a Director, the matter will be referred to the Board of Directors.

In the case of a non-executive director, the Board could decide to reprimand the director or, ultimately, to terminate the director's term of office.

In the case of an executive director, the Board could decide to instigate action against the executive director under the Staff Disciplinary Procedure. In this instance, the Board will normally rely on the Investigating Officer's written report (that includes the Investigating Officer's findings and recommendations), rather than require a new investigation to be undertaken.

5.2.2 Concern related to a member of staff

If the concern relates to a member of staff (excluding executive directors), the Principal and Chief Executive Officer (or nominee) will make a final decision on the basis of the Investigating Officer's written report.

The Principal and Chief Executive Officer (or nominee) could decide to instigate action against the member of staff under the Staff Disciplinary Procedure. In this instance, the Principal and Chief Executive Officer (or nominee) will rely on the Investigating Officer's written report (that includes the Investigating Officer's findings and recommendations), rather than require a new investigation to be undertaken.

At the conclusion of the disciplinary proceedings, the Principal and Chief Executive Officer (or nominee) will present a confidential report to the Board of Directors setting out the concern, the findings and recommendations of the Investigating Officer, and the outcome.

5.2.3 Information provided to the person raising the concern

The Board of Directors will determine what information, if any, should be provided to the person raising the concern.

5.3 Confidentiality and anonymity

A concern that is raised anonymously (i.e. where the identity of the person raising the concern is unknown) will not be dealt with.

The investigation will be dealt with on a confidential basis.

A whistleblower may request that their identity is not disclosed to any other persons during the investigation. Such request will be respected unless the Investigating Officer determines that disclosure is critical to the investigation. If this situation arises, disclosure will not be made without first informing the whistleblower.

5.4 Protection for whistleblowers

No detriment will be suffered by any whistleblower who takes action under this Procedure, provided any information was disclosed in good faith and any concerns were genuine, even if such concerns turn out to be mistaken.

In addition, all members of staff are protected under the Public Interest Disclosure Act 1998.

6. Related regulations, policies and procedures

Internal

- Articles of Association
- Code of Practice on Freedom of Speech and Academic Freedom
- Corporate and Academic Governance Framework
- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- Financial Regulations
- Harassment and Sexual Misconduct Policy
- Performance Improvement Procedure
- Research Ethics Code of Practice
- Staff Disciplinary Procedure
- Staff Grievance Procedures
- Staff Relationships Policy
- Student Complaints Policy and Procedures
- Student Disciplinary Policy and Procedures

External

- Bribery Act 2010²
- Equality Act 2010
- Higher Education (Freedom of Speech) Act 2023
- Public Interest Disclosure Act 1998

7. Review

The Ethics Policy will be reviewed by the Document Lead. Any significant changes beyond the scope of an annual review will require the approval of the Board of Directors acting on recommendations from the Senior Management Team (SMT).

² Also applicable are other laws, statutes, regulations and codes relating to anti-bribery and anti-corruption.