



**BISHOP GROSSETESTE UNIVERSITY**

**Document Administration**

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## **Bishop Grosseteste University**

### **Whistleblowing Policy: Public Interest Disclosure**

#### **1. Purpose**

- 1.1 The University is committed to conducting its affairs in a responsible and transparent way, meeting the expectations of the Nolan Principles on standards in public life. This Policy provides a process through which employees, students and Members of University Council can disclose information which they believe may show one or more of the following:
- a. that a criminal offence has been committed, is being committed or is likely to be committed. Where fraud or money laundering activity is suspected then reference should be made to the University's Anti-Fraud and Anti-Money Laundering Policy. An individual may choose to disclose their concerns through these procedures or under the Whistleblowing Policy;
  - b. that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
  - c. that a miscarriage of justice has occurred, is occurring or is likely to occur;
  - d. that the health or safety of any individual has been, is being or is likely to be endangered;
  - e. that the environment has been, is being or is likely to be damaged; or
  - f. that information tending to show any matter falling within statements 1.1a to 1.1e is being or is likely to be concealed.
- 1.2 Staff, students and Members of University Council may be the first to realise that there is something wrong within the University. The University therefore actively encourages individuals to come forward and speak up if they see or suspect serious wrongdoing.
- 1.3 To promote a culture of shared responsibility and openness, this Whistleblowing Policy has been written to include the University's wider community. The terms of the Public Interest Disclosure Act specifically address those employed in the UK.
- 1.4 This Policy offers protection to individuals reporting such matters in the public interest. The University will take all reasonable steps to protect such individuals from any form of harassment or discrimination relating to a disclosure.

## **2. Scope**

- 2.1 Employees, students and Members of University Council of Bishop Grosseteste University can make a disclosure under the procedures of this Policy where they reasonably believe that the information is substantially true.
- 2.2 Any concern or complaint by an employee about their terms and conditions of employment should be raised through the Grievance Procedure. Any collective dispute or grievance by employees should be raised through the Joint Consultative Committee.
- 2.3 Individual concerns raised by students in relation to any aspect of the University's provision should be raised through the Student Complaints Procedure.
- 2.4 It should be emphasised that this Policy is intended to assist individuals who reasonably believe that they have discovered malpractice or serious wrongdoing provided that they make the disclosure in the public interest in accordance with this Policy and associated procedure. It is not designed to be used to question financial or business decisions taken by the University.
- 2.5 Nothing in this procedure prevents an individual from exercising their statutory rights under the Public Interest Disclosure Act 1998. Individuals are however advised to seek professional or trade union advice before deciding to disclose matters to a third party/prescribed person outside the University without attempting to use this procedure in the first instance. Current advice on relevant prescribed persons and bodies is available on the Government website.
- 2.6 Individuals should be aware that reporting concerns to the media will, in most cases, result in the loss of legal whistleblowing rights.

## **3. Procedure**

- 3.1 Disclosures should be made directly to the Chief Operating Officer and University Secretary. Where the disclosure relates to the actions of the Vice-Chancellor then the Chair of the University Council will be informed. Where disclosure relates to the actions of the Chief Operating Officer and University Secretary then the disclosure should be made to the Vice Chancellor who will then follow the procedures identified for the Chief Operating Officer and University Secretary below.
- 3.2 If the Chief Operating Officer and University Secretary considers the disclosure to be sufficiently serious, the matter will be brought to the attention of the Chair of Audit Committee.
- 3.3 Individuals making a disclosure are encouraged to put their name to it. Whilst the University will make every effort to protect the identity of the individual it must be recognised that the investigation process may reveal them as the source. Where formal disciplinary action or criminal or civil proceedings result from an investigation it may not be possible to keep the identity of the individual confidential.

- 3.4 The Chief Operating Officer and University Secretary will make initial investigation into the disclosure to ascertain if there are sufficient grounds for proceeding further. Where disclosure relates to the Vice-Chancellor, the investigation will be conducted alongside the Chair of the University Council. Where it is decided not to proceed the decision will be explained fully to the individual who made the disclosure. Where the disclosure relates to the conduct of an individual in their work with children or young adults (under the age of 18), the Chief Operating Officer and University Secretary will contact the City of Lincoln's Local Authority Designated Officer.
- 3.5 Where the disclosure was made by a Member of University Council, the matter will be addressed by the Chair of the University Council or by the Vice-Chair should the Chair be included within the investigation.
- 3.6 Where subsequent and more detailed investigations are necessary the Chief Operating Officer and University Secretary may involve other managers to assist or lead the investigation (for example, in cases of financial irregularity the Director of Finance. Where necessary, the internal auditors may be called upon to carry out an investigation).
- 3.7 The individual who made the disclosure will be notified of the outcome of the investigation.
- 3.8 Any breach of conduct by an employee will be subject to the normal disciplinary procedures. Where relevant, other policies and procedures will be invoked (for example, in relation to fraud and financial misconduct).
- 3.9 An individual may also use external routes if they do not have confidence to raise matters internally within the University, such as the external auditor or regulatory and funding bodies. However, given the conditions for protection under the legislation, employees are strongly advised to seek advice from their trade union, professional association or confidential advisory organisation, such as Public Concern at Work, before pursuing this route.
- 3.10 Regardless of whether a disclosure is founded the University will seek to ensure that any individual making such a disclosure is not subject to any future detriment including bullying or harassment by staff or students of the University. If an employee feels they are being subjected to detrimental treatment as a consequence of their disclosure, they should raise their concerns through the staff Grievance Procedure. Where a student feels subject to detriment they should refer to the Student Complaints Procedure. Where following investigation it is found that the individual has suffered a detriment, steps will be taken to redress this and disciplinary action may be taken against those responsible.
- 3.11 If an investigation concludes that a disclosure has been made maliciously, the whistleblower will be subject to disciplinary action through relevant University procedures.