



## **Name of Policy: Public Interest Disclosure (whistleblowing)**

**RESPONSIBLE COMMITTEE:** General Purposes Committee

**RESPONSIBLE OFFICER:** Principal Bursar

**LINKED DOCUMENTS: College:** Bribery and Fraud, Harassment, Disciplinary, Grievance procedure for staff, Serious Incident Reporting procedure

**LINKED DOCUMENTS: Other:** none

**Annual Review date:** First meeting of Hilary Term

### **Introduction**

1. The College aims to conduct its business at all times with the highest standards of integrity and honesty and expects that everybody working at the College maintains the same standards in everything they do.
2. Where there are genuine concerns about possible malpractices or improprieties that are not adequately covered by other College policies, staff are encouraged to make a public disclosure following the procedure outlined in this policy.
3. The Public Interest Disclosure Act 1998 provides employees with legal protection against being dismissed or penalised by their employers as a result of disclosing certain serious concerns.

### **Scope of this policy**

4. This policy covers all employees and workers, as well as casual or agency workers. It aims to protect those who make a “protected disclosure” either during their employment (or duration of a contract) and also after this has ended, and enables them to take action in respect of any victimisation.
5. The policy is intended to assist any member of staff who believe they have discovered malpractice or impropriety to disclose concerns without fear of retribution and to provide a transparent and confidential process for dealing with these concerns.
6. For a disclosure to be protected it must reasonably appear to the employee that it is in the public interest and show malpractice involving one or more of the following:
  - Criminal activity, including fraud or financial irregularity;
  - Corruption or bribery, including receiving or giving gifts or hospitality in breach of the [College's Bribery & Fraud Policy](#);
  - Failure to comply with legal obligations or appropriate professional standards;



- Danger to health and safety;
  - An environmental risk;
  - Academic or professional malpractice;
  - Miscarriage of justice;
  - Attempts to conceal any of the above.
7. An employee making a disclosure relating to the above matters will not be penalised provided the disclosure is made in good faith and in the reasonable belief that the information disclosed and any allegation contained in it are substantial.
8. The College considers it reasonable to expect employees to use this public disclosure procedure rather than air their concerns outside the College. The College will treat such disclosures in a confidential manner. Action will not normally be taken in response to anonymous complaints.
9. The policy is not designed to address the following:
- To question financial or business decisions taken by the College;
  - To reconsider matters that have already been addressed under the College's harassment, grievance, disciplinary or other procedures;
  - To investigate complaints about College services or procedures that are dealt with under separate procedures.

## **Procedure**

10. If appropriate, an employee wishing to make a qualifying disclosure should refer the matter to their line manager in the first instance in writing or verbally. In cases where the line manager is unavailable or the cause of concern, they should approach the Principal Bursar.
11. If the matter requires further investigation, the line manager will refer it to the Principal Bursar (or the President in case the Principal Bursar is the cause of concern). The Principal Bursar (or President) will decide whether the concern should be addressed under other existing procedures, for example in relation to harassment, grievance, discipline or bribery, or investigated under this public interest disclosure policy.
12. The Principal Bursar (or President) will determine who should conduct the investigation or establish a small panel to conduct the investigation. Where such investigation involves outside agencies this may cause some delays.
13. Where a disclosure is made, the person or persons against whom the disclosure is made will normally be allowed to comment before any investigation is concluded.



14. The employee who raised the matter will be informed of the result of the investigation and what, if any, action has been taken.
15. Where a case of malpractice has been found following an investigation, the Principal Bursar (or President) will provide a summary report to the Chair of the Audit, Risk and Governance Committee, including any action taken by the College.

### **Reporting to external bodies**

16. The College recognises there may be matters that cannot be dealt with internally and require involvement of external bodies, such as the police, Health & Safety Executive or external auditors. Where this is necessary, the College reserves the right to make such a referral without the consent of the employee making the disclosure.
17. Employees may also seek advice from Protect (formerly Public Concern at Work), the independent charity offers free and confidential advice on whistleblowing ([www.protect-advice.org.uk](http://www.protect-advice.org.uk)).



## POLICY HISTORY

<b><i>Date of GB approval</i></b>	<b><i>Brief summary of changes</i></b>	<b><i>Confirmation that linked documents have updated if necessary</i></b>	<b><i>College policy register updated</i></b>
MT 21	Generation of Policy and approved by GB	Confirmed	Yes (Iris Burke)
HT 23	Policy reviewed by GB; no amendments	Confirmed	Yes (Iris Burke)
HT 24	Policy reviewed by GB, no amendments	Confirmed	Yes (Iris Burke)
HT 25	Policy reviewed, linked to Serious Incident Reporting, added reporting of malpractice to ARG chair (clause 15); agreed by GB	Confirmed	Yes (Iris Burke)
HT 26	Policy reviewed, no amendments; agreed by GB	Confirmed	Yes (Iris Burke)