

Public Interest Disclosure (Whistleblowing) Policy

1. Introduction

- 1.1. The College aims to always conduct its business with the highest standards of integrity and honesty. It expects all staff to maintain appropriate standards in everything they do. Staff are encouraged to report any wrongdoing by the College or its staff that falls short of these standards.
- 1.2. The Public Interest Disclosure Act 1998 aims to promote greater openness in the workplace and protects staff from detrimental treatment, i.e. victimisation or dismissal, for raising concerns about matters they reasonably believe to be in the public interest, even where information disclosed may be confidential in nature. Raising such concerns is often referred to as “whistleblowing”.
- 1.3. The purpose of this policy is to provide a means by which staff are enabled to raise concerns with the College if they have reasonable grounds for believing serious malpractice has occurred or is likely to occur. It sets out the procedure for raising a whistleblowing concern and the support and protection that is available to staff when they do so.
- 1.4. The policy is not intended to apply to personal grievances concerning an individual's terms and conditions of employment, or other aspects of the working relationship, complaints of bullying or harassment, or disciplinary matters. Such complaints will be dealt with under existing procedures on grievance, bullying and harassment, and discipline.
- 1.5. This policy is not contractual but sets out the way in which the College aims to handle such matters.

2. Scope

- 2.1. This policy applies to all staff (i.e. employees and workers), both non-academic and academic.
- 2.2. The policy may be used to deal with specific concerns which are in the public interest and specifically where a staff member has a reasonable belief that one of the following has occurred or is likely to occur:
 - a criminal offence
 - a failure to comply with legal obligations
 - a miscarriage of justice
 - a health and safety danger
 - an environmental risk
 - or a concealment of any of these.
- 2.3. Whistleblowers do not have to be able to prove the allegations but should have a reasonable and genuine belief that the information being disclosed is true and that the disclosure is in the public interest.

- 2.4. Other individuals, including Members of the College (Fellows, students, alumni) subcontractors, suppliers and volunteers are also encouraged to report concerns about wrongdoing. See 7 - *Concerns raised by individuals who are not employees or workers* below:

3. Raising a whistleblowing concern

- 3.1. In many cases it will be appropriate for the member of staff to raise any concerns informally with their line manager in the first instance, either in person or in writing. It may be possible to agree a way of resolving the concern quickly and effectively.
- 3.2. Where the matter is more serious, or the member of staff feels that their line manager has not addressed the concern, or they prefer not to follow that informal step for any reason, they may choose to follow the steps set out below:
- 3.2.1. If you have a genuine concern relating to any type of wrongdoing that is covered under this policy, you should raise it with your Head of Department.
- 3.2.2. If your concern relates to your Head of Department, or for any reason you do not wish to approach your Head of Department, you should raise your concern with the Bursar (for non-academic staff) or the Senior Tutor (for academic staff), or the HR and Governance Director. If your concern relates to the Bursar, Senior Tutor, Senior Postgraduate, Senior Postgraduate Tutor, Vice-Master or Master you should raise it with the Chair of Audit and Risk Committee, who is Mr David Woods (audit-chair@chu.cam.ac.uk).
- 3.2.3. You should raise your concern orally, or in writing. We recommend that you use our Form to raise a whistleblowing concern. It is important that you set out clearly:
- the details of the suspected wrongdoing;
 - the names of any individuals involved; and
 - and what action (if any) you are seeking.
- 3.2.4. In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your concern. This will be arranged as soon as possible. You may, if you wish, bring a colleague or a trade union representative with you to the meeting. Where it is considered appropriate, a member of the HR department may also be present.
- 3.3. If the person with whom you raise your concern decides that the matter should be dealt with under a different College procedure, they will advise you as to the appropriate steps which should be taken.

4. Responding to a whistleblowing concern

- 4.1. The manager to whom you raise your concern will decide if an investigation is required and, if it is, the most appropriate person to conduct it. The relevant manager will write to you confirming that an investigation is being carried out and the anticipated timescale for

completion. Some matters may need to be referred to the relevant outside body, e.g. the Police, the Health and Safety Executive etc.

- 4.2. The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.
- 4.3. Following the investigation, the relevant manager will inform you in writing, as quickly as possible after completion of the investigation, of the outcome and any next steps or action that will be taken. While we aim to provide you with comprehensive feedback, in some cases this may not be possible, for example where data protection rules apply or there are sensitive issues that need to remain confidential.
- 4.4. If you are not satisfied with how your concern has been dealt with you should refer the matter to the Chair of Audit and Risk Committee, who is Mr David Woods (audit-chair@chu.cam.ac.uk), in writing, setting out the basis on which you consider that your original concern has not been satisfactorily dealt with. They will consider the matter and further investigation may be undertaken if necessary. You will be informed in writing of the outcome and any actions taken.

5. Protection from Detriment

- 5.1. No member of staff who makes a protected disclosure in good faith in accordance with this Policy will be subjected to any detriment as a result.
- 5.2. A member of staff who has made a disclosure and who feels that, as a result, they have subject to any detriment should submit a formal complaint under the relevant grievance procedure.
- 5.3. If it should become clear that the Public Interest Disclosure Procedure has not been invoked in good faith, for example for malicious reasons or to pursue a personal grudge against another employee, this will constitute misconduct and will be dealt with in accordance with the terms of the relevant Disciplinary Procedure.

6. Raising concerns externally

- 6.1. We encourage people to raise whistleblowing concerns internally in the first instance. If you feel that appropriate action has not been taken, you should report the matter to the correct prescribed body or person (see list on [GOV.UK](https://www.gov.uk)).
- 6.2. You should seek advice if you are thinking of raising your concern with the media as you will not have protection under whistleblowing laws unless certain conditions are met.

7. Concerns raised by individuals who are not employees or workers

- 7.1. Other individuals, including Fellows (who are not also employees or workers), students, alumni, subcontractors, suppliers, and volunteers are also encouraged to report concerns about serious malpractice.
- 7.2. Those who wish to raise concerns should contact the Vice-Master (for Fellows who are not also employees or workers), students, (the Senior Tutor), alumni, subcontractors, suppliers and volunteers (the Bursar), either orally or in writing.
- 7.3. The Public Interest Disclosure Act does not provide a legal protection against detriment for those not employed by the organisation about which they are making a disclosure. However, the College undertakes not to subject a Senior Member to any detriment, such as removal of membership or privileges associated with membership, as a result of them raising concerns regarding matters covered by this Policy where such concerns are raised in good faith and they have a reasonable belief that malpractice has occurred or is likely to occur and that their concerns are in the public interest.

8. Confidentiality

- 8.1. All disclosures will be treated confidentially. Every effort will be made not reveal the identity of the individual raising the concern, if that is what they wish. An individual wishing to raise a concern confidentially should make this clear in their report. In such cases, where an individual's identity needs to be disclosed, that individual will be notified beforehand.

9. Anonymous Reporting

- 9.1. The College does not encourage individuals to raise concerns anonymously, as this can make investigations more difficult, especially if further information is needed to establish the issues. Nevertheless, the College will take any anonymous complaint seriously and will investigate any concern that is reported anonymously as they see fit, having regard to the seriousness of the issue raised, the credibility of the report, the prospects of being able to investigate the matter, and fairness to any individual mentioned in the report.