

WHISTLEBLOWING POLICY

November 2021

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The latest version of this document is always to be found at:

<http://policies.docstore.port.ac.uk/policy-067.pdf>

Whistleblowing Policy

Introduction

- 1 We are committed to conducting our business in a manner that is open, honest and accountable. Our University Strategy makes clear that we:
 - Act with integrity for the greater good
 - Insist on upholding the highest academic and professional standards
 - Are trustworthy and do what we say we will do
- 2 It is a responsibility of all of us to uphold these values. The purpose of this policy is to allow staff to raise concerns if they believe that others are not upholding these values.
- 3 We want to encourage and help you to raise your concerns if you believe that wrongdoing or malpractice is taking place within the University and we want to reassure you that it is safe and acceptable for you to raise your concerns.
- 4 Raising a concern about wrongdoing or malpractice within the workplace is often called “whistleblowing” or a “public interest disclosure”.
- 5 This policy applies equally to governors and to everyone who works for the University; whether full-time or part-time, or as a contractor or agency worker, or as a volunteer.

What does this Policy cover?

- 6 This policy is intended to enable you to raise concerns that you think will impact upon the University community or its stakeholders. There are other University policies that you should use if you have a personal grievance or personal complaint or if you are a student or member of the public. These can be found at: <http://www.port.ac.uk/accesstoinformation/policies/>

7 It is not possible to give an exhaustive list of all the activities that might constitute wrongdoing or malpractice but they do include:

- Criminal offences
- Non-compliance with statutory or regulatory obligations
- Non-compliance or departure from University policies and regulations
- Malpractice, impropriety or fraud
- Improper conduct or unethical behaviour
- Academic or professional malpractice
- Risks to health and safety
- Environmental damage
- Concealment or suppression of malpractice or wrongdoing

8 We encourage you to raise concerns if you believe or suspect that these, or similar, activities are happening at the University.

Our Assurances to You

Protection

9 If you raise a concern that you believe to be true then we will protect you from punishment or reprisal, even if your concern subsequently proves to have been mistaken. Any member of staff who discriminates against someone who has raised a genuine concern under this policy or subjects them to bullying, harassment or other detrimental treatment or disfavour will be liable for disciplinary action.

Confidentiality

10 We hope that, given our assurances to you in this policy, you will feel able to raise any concerns with us. We will keep your identity confidential unless you consent otherwise or we are required to disclose it by law. If we cannot keep your identity confidential because this would hinder an investigation or because your identity might be deduced by others then we will talk with you about this and the approach that we should take.

11 We may have a duty to tell other organisations about the concern that has been raised. We will inform you if we have this duty.

Raising Your Concern

12 You should raise your concern with the Executive Director of Corporate Governance or, if they are not available or this is not appropriate, with the University Solicitor. This can be done either orally or in writing.

- 13 You do not need to have conclusive evidence of wrongdoing or malpractice before you raise a concern. However, we will need you to tell us why you have a concern and to give us as much information as possible.
- 14 If you meet with the Executive Director of Corporate Governance or University Solicitor to discuss your concerns then you are able to bring a work colleague or a recognised trade union representative to the meeting if you wish. However, this individual must agree to respect the confidentiality of the meeting.

Raising Anonymous Concerns

- 15 You can raise your concern anonymously but if you do not tell us who you are then we will not be able to ask you if we need further information or ensure that you receive the protection described in this policy. This may make it harder for us to investigate your concerns and we will not be able to tell you about any action that we take. We therefore encourage you not to raise concerns anonymously.
- 16 If you decide to raise your concerns anonymously then please provide as much information as you can about the malpractice or wrongdoing that you believe is happening and the people who you believe to be involved.
- 17 The Executive Director of Corporate Governance or University Solicitor will decide whether a concern that has been raised anonymously should be investigated. Their decision will take into account: the seriousness of the issues raised; the credibility of the allegation; the evidence received; and the likelihood of confirming the allegation.

Handling Your Concern

- 18 The Executive Director of Corporate Governance or the University Solicitor will acknowledge receipt of your concern within two working days.
- 19 The Executive Director of Corporate Governance or University Solicitor will consider the concern you have raised and the information that you have provided and they will decide on the action that should be taken.
- 20 If the Executive Director of Corporate Governance or University Solicitor decides that action should be taken then they may decide that:
 - another University policy or process is more appropriate and should be used to address the matters raised;
 - an independent person or expert from within or outside the University should conduct an investigation; or

- the matter should be reported to the police.

- 21 The Executive Director of Corporate Governance or the University Solicitor will inform you of the likely timescale for any investigation and will agree with you how and when they will communicate with you to keep you informed of progress.
- 22 Investigations will be conducted fairly, sensitively and as quickly as possible, and the findings will be reported in writing to the Executive Director of Corporate Governance. A copy of the report will be provided to the Chair of the Board of Governors' Audit and Quality Committee.
- 23 Whenever possible, the Executive Director of Corporate Governance or University Solicitor will tell you about the outcome of any investigation and will inform you in writing of the conclusions drawn. However, we will not be able to tell you if this would break our duty of confidentiality to another person.
- 24 If the Executive Director of Corporate Governance or University Solicitor decides that no action should be taken then they will inform you in writing of their decision and their reasons for reaching this decision.

Outcomes

- 25 We cannot guarantee that we will respond to all matters in the way you might wish but we shall strive to handle things fairly and properly. If you are dissatisfied with the way that your concern has been addressed then you can ask for the matter to be reviewed by the Chair of the Board of Governors' Audit and Quality Committee. The decision of the Board of Governors' Chair of the Audit and Quality Committee represents the last stage of our internal consideration of your concern.

Raising Concerns Externally

- 26 Whilst the primary purpose of this policy is to provide protection for those who raise concerns and we hope that you will feel comfortable raising any issue with us first, you are free to raise your concerns with external bodies, such as a regulator.
- 27 The Office for Students (OfS) is the University's regulator and operates a notification scheme. This enables students, staff or members of the public to raise concerns if they believe that a university is not meeting its conditions of registration with the OfS. Details of the conditions of registration can be found at:
<https://www.officeforstudents.org.uk/advice-and-guidance/regulation/conditions-of-registration/initial-and-general-ongoing-conditions-of-registration/>
- 28 The OfS will only consider matters that are relevant to its regulatory remit and advises that, where possible, you should first seek to raise and resolve your concern using the University's processes. A guide to submitting a notification to the OfS can be found at:

<https://www.officeforstudents.org.uk/publications/office-for-students-notifications/>

- 29 The government also has a list of external bodies that have a remit to receive concerns on certain matters. This can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf.

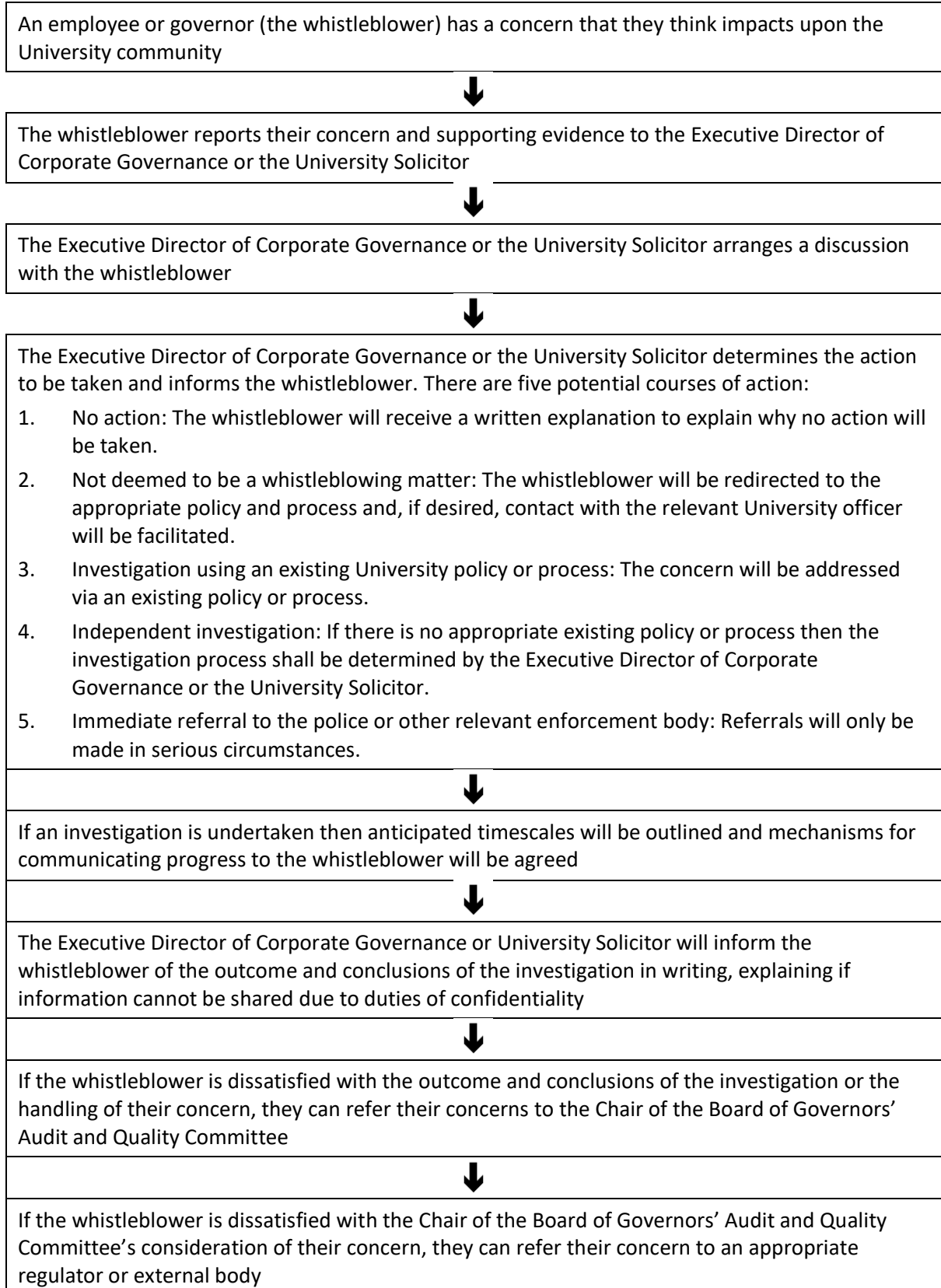
Protecting the University Community

- 30 If you have previously raised a genuine concern under this policy and you feel that this has caused you to experience reprisal, harassment or victimisation then please contact the Executive Director of Corporate Governance.
- 31 This policy protects those who raise concerns that they believe to be true. It does not protect those who maliciously raise matters that they know to be untrue. Disciplinary action may be taken where deliberate misuse of this policy is proven.

Independent Advice

- 32 If you are unsure whether to raise a concern or you want confidential advice at any stage, you may contact the independent charity Protect on 020 3117 2520 or by email at Info@protect-advice.org.uk. They can provide advice on your options and can help you raise a concern. For advice line enquiries they encourage use of a contact form which can be found on their website at: <https://protect-advice.org.uk/advice-line>
- 33 If you are a member of a trade union then they may also be able to provide you with advice and help you to raise your concern.

The Whistleblowing Process



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