

## WHISTLEBLOWING POLICY

### CONTENTS

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1.	About this policy .....	2
2.	Responsibility for the policy .....	2
3.	What is whistleblowing? .....	3
4.	Raising a whistleblowing concern.....	4
5.	Confidentiality.....	5
6.	Investigation and outcome .....	5
7.	If you are not satisfied .....	6
8.	External disclosures .....	7
9.	Protection and Support for Whistleblowers .....	7
10.	Contacts .....	8

### APPENDIX

Whistleblowing Flow Chart

## 1. ABOUT THIS POLICY

- 1.1 The University of Bristol (**we/our/us**) is committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.
- 1.2 This policy covers our staff (including employees, officers such as members of the Board of Trustees (**BoT**), consultants, contractors, paid interns, casual workers and agency workers) and students.
- 1.3 The aims of this policy are:
- (a) To encourage staff and students to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
  - (b) To provide staff and students with guidance as to how to raise those concerns.
  - (c) To reassure staff and students that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.4 This policy has been implemented following consultation with our recognised trade unions. This policy is non-contractual and it may be amended by the University at any time.

## 2. RESPONSIBILITY FOR THE POLICY

- 2.1 The BoT has overall responsibility for this policy, and for reviewing its effectiveness.
- 2.2 The Whistleblowing Officer (**WBO**) has day to day operational responsibility for this policy.
- 2.3 Our WBO is Lucinda Parr, Registrar and Secretary. Contact details can be found at the end of this policy. If the WBO is unavailable or absent from the University the Deputy Vice-Chancellor and Provost (DVC) may act as WBO. If for any reason the DVC is also absent either they or the Chair of the Audit and Risk Committee may appoint a senior member of the University to act as WBO.
- 2.4 The WBO, in conjunction with the BoT shall review this policy from time to time.
- 2.5 The WBO will report annually to the BoT (via the Audit and Risk Committee) on the operation of the policy and (subject to section 5 below) whether any disclosures have been made.

2.6 All staff and students are responsible for the success of this policy and are encouraged to use this policy to raise any Whistleblowing Concerns. Staff and students are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the WBO at [University-Secretary@bristol.ac.uk](mailto:University-Secretary@bristol.ac.uk).

2.7 Managers and other staff who may deal with Whistleblowing Concerns or investigations may take advice from the Secretary's Office who may, on behalf of the WBO issue guidance from time to time and may provide training.

### 3. WHAT IS WHISTLEBLOWING?

3.1 For the purposes of this policy a **Whistleblower** is a person who discloses information which in their genuine and reasonable belief is in the public interest and which tends to show one or more of the following:

- (a) criminal activity;
- (b) failure to comply with any legal obligation;
- (c) miscarriage of justice;
- (d) danger to health and safety;
- (e) damage to the environment; and
- (f) the deliberate concealment of any of the above.

referred to as **Whistleblowing Concerns** in this Policy

3.2 Examples of issues which might be Whistleblowing Concerns include :

- (a) bribery (under our Anti-corruption and Bribery Policy);
- (b) financial fraud or mismanagement or impropriety;
- (c) negligence;
- (d) significant breach of a legal or regulatory obligation
- (e) unauthorised disclosure of confidential information;
- (f) unauthorised use of data;
- (g) academic or professional malpractice (including research misconduct);
- (h) breach of any legal obligations imposed by research grants or funders;
- (i) the deliberate concealment of any of the above matters.

3.3 This whistleblowing policy should not be used for complaints relating to your own personal circumstances, such as the way you believe that have been treated at work or, if you are a student, a complaint about any aspect of student life or an academic appeal. In those cases you should use the [Staff Grievance Procedure](#), [Student Complaints Procedure](#) or [Examination Regulations](#) as appropriate. This policy may

not be used to re-open or review a matter already decided in such procedures or to question or reconsider any financial or business decisions.

- 3.4 If you are uncertain whether something is within the scope of this policy you should seek advice from the WBO or from the Secretary's Office. Contact details are at the end of this policy.

#### **4. RAISING A WHISTLEBLOWING CONCERN**

- 4.1 In many cases you will be able to raise any Whistleblowing Concern with your line manager or if you are a student with your Senior Tutor, Supervisor or Head of School (together referred to as **Supervisor**). You may tell them in person or put the matter in writing if you prefer. We would hope that they would be able to find a way to resolve your concern quickly and effectively. In some cases your line manager or Supervisor may feel that your concern should be referred to the WBO; if so, they will discuss this with you before making the referral.

- 4.2 However, where the matter is more serious, or you feel that your line manager or Supervisor has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- (a) the WBO
- (b) the DVC
- (c) Professor James Thompson (the **Nominated Trade union Representative**) even if you are not a member of a Trade Union

Their contact details are set out at the end of this policy.

- 4.3 As soon as possible after receiving your Whistleblowing Concern you will be invited to an initial meeting with the WBO, the DVC or the Nominated Representative (as appropriate). After any initial meeting the DVC and the Nominated Representative will report to the WBO.

- 4.4 We recognise that you may wish to be accompanied to any meeting under this policy by someone who can support you (such as a trade union representative or Supervisor). If you wish to bring a companion, you should confirm who you would like to accompany you and we will consider whether their attendance is appropriate. We would not normally allow legal representatives to accompany you. Subject to any applicable law, you and your companion are expected to maintain the confidentiality of the Whistleblowing Concern and any subsequent investigation, recommendation or action.

- 4.5 After their initial meeting with you ( or report from the DVC or the Nominated Representative), the WBO will ( subject to any meetings with you that the WBO considers necessary) carry out an initial assessment to determine:

(a) whether the Whistleblowing Concern falls within this policy or whether it should be considered under a different internal policy; and

(b) if this policy applies, the scope of any investigation.

4.6 You will be given a written summary of your Whistleblowing Concern and an indication of how we propose to deal with the matter.

## **5. CONFIDENTIALITY AND ANONYMITY**

5.1 We hope that you will feel able to raise Whistleblowing Concerns openly under this policy and we would hope that you do not feel the need to raise your concern on an anonymous basis. However, you may, if you wish, raise your concern in confidence.

5.2 We do not encourage you to make disclosures anonymously proper investigation can be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.

5.3 Whistleblowing Concerns which are expressed anonymously will be considered at our discretion according to the:

- the seriousness of the issues raised; and/or
- the likelihood of confirming the allegation from alternative credible sources.

5.4 We recognise that you may wish to keep your identity confidential when raising a Whistleblowing Concern.

5.5 In the event that we consider it necessary to reveal your identity as part of investigating and dealing with your concerns (whether under this whistleblowing process or another internal process) we will discuss this with you and let you know before we do so. We will endeavour to ensure that you suffer no detriment for raising Whistleblowing Concerns in accordance with this Policy..

5.6 If we decide that you have made malicious or vexatious allegations or raised concerns in bad faith or with a view to personal gain and particularly where you persist in making them, disciplinary action may be taken against you.

5.7 If you are concerned about possible reprisals if your identity is revealed you should raise this with the WBO or the person with whom you raise your concern.

## **6. INVESTIGATION AND OUTCOME**

6.1 As explained above, the form of the investigation will depend on the nature of the matter raised and the WBO will determine initially whether the matter should be investigated and if so:

(a) whether that investigation should take place under an existing internal procedure e.g. if the allegations relate to potential fraud then the investigation will

take place under the [Counter Fraud Policy](#); or

(b) whether it is necessary to set up an investigation separate from existing processes.

- 6.2 The WBO will also consider at this initial stage (and on an ongoing basis) whether any external body needs to be notified (such as the police, the Office for Students or a funder)

#### **(i) Another Internal procedure**

- 6.3 If the WBO considers that a concern should be dealt with under another internal procedure, they will notify you of that decision. That internal procedure will take place in the normal way and in accordance with any relevant Ordinances, Regulations and policies. Your involvement (including applicable confidentiality issues) will depend on the relevant procedure. The outcome of any investigation under an internal procedure will be reported to the WBO so that they may decide whether any further action should be taken to minimise future wrongdoing. Depending on the applicable procedure you may or may not be informed of the outcome of the internal procedure (including any actions taken by us under it).

#### **(ii) Whistleblowing Investigation**

- 6.4 Investigations will not normally be undertaken by the WBO. The WBO will appoint an investigator or team of investigators which might include staff with relevant experience or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing. However, it is for the WBO to decide what action we should take as a result of any whistleblowing investigation.
- 6.5 The WBO will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any action taken as a result.

### **7. IF YOU ARE NOT SATISFIED**

- 7.1 While we cannot guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 7.2 If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts in paragraph 4. Alternatively, you may contact the chair of Audit and Risk Committee. Contact details are set out at the end of this policy.

## **8. EXTERNAL DISCLOSURES**

- 8.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 8.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body like the Office for Students. It will rarely be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

## **9. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS**

- 9.1 It is understandable that Whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff and students who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 9.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment ( such as bullying and harassment) connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the WBO immediately.
- 9.3 We will not tolerate such conduct which is likely to result in disciplinary action being commenced.
- 9.4 In addition, individuals may be personally liable if they subject a person to any kind of detriment because they raised Whistleblowing Concerns.
- 9.5 Certain members of staff may also be protected by the Public Interest Disclosure Act 1988 (**PIDA**). We believe that this policy incorporates the provisions of PIDA, but to the extent that it does not, the provisions of PIDA will apply.
- 9.6 A confidential support and counselling hotline is available to Whistleblowers who raise concerns under this policy. Their contact details are set out at the end of this policy.

## 10. CONTACTS

<b>Whistleblowing Officer</b>	<b>Lucinda Parr</b> , Registrar and University Secretary Email: <a href="mailto:lucinda.parr@bristol.ac.uk">lucinda.parr@bristol.ac.uk</a> Tel: (0117) 42 83178 internal 83178
<b>Deputy Vice-Chancellor and Provost</b>	<b>Professor Judith Squires</b> , DVC and Provost Email: <a href="mailto:provost@bristol.ac.uk">provost@bristol.ac.uk</a> Tel: (0117) 42 83197 internal 83197
<b>The Nominated Representative</b>	<b>Professor James Thompson</b> , Professor of Modern British History Email: <a href="mailto:James.Thompson@bristol.ac.uk">James.Thompson@bristol.ac.uk</a>
<b>Chair of Audit and Risk Committee</b>	<b>Andrew Poolman</b> (until 31 December 2022) <b>Ololade Adesanya</b> (from 1 January 2023) Email: <a href="mailto:governance@bristol.ac.uk">governance@bristol.ac.uk</a>
<b>Support Services</b>	Staff Mental Health and Wellbeing <a href="https://www.bristol.ac.uk/hr/wellbeing/">https://www.bristol.ac.uk/hr/wellbeing/</a>  Student Mental Health and Wellbeing <a href="http://www.bristol.ac.uk/students/support/wellbeing/request-support/services/">http://www.bristol.ac.uk/students/support/wellbeing/request-support/services/</a>
<b>Public Concern at Work (Independent whistleblowing charity)</b>	Helpline: (020) 7404 6609 Email: <a href="mailto:whistle@pcaw.co.uk">whistle@pcaw.co.uk</a> Website: <a href="http://www.pcaw.co.uk">www.pcaw.co.uk</a>
<b>The Secretary's Office</b>	<a href="mailto:University-Secretary@bristol.ac.uk">University-Secretary@bristol.ac.uk</a>



# APPENDIX

## Whistleblowing

### Raising your Whistleblowing Concern:

- You are encouraged to raise your Whistleblowing Concern in the first instance with:  
Staff: your line manager  
Students: Senior Tutor, Supervisor or Head of School
- If you feel unable to raise your Whistleblowing Concern as set out above (or it has not been resolved by those to whom you reported the Whistleblowing Concern), then you may raise your Whistleblowing Concern with the Whistleblowing Officer (WBO) - The Registrar and Secretary ( Mrs Lucinda Parr); the Deputy Vice-Chancellor (Professor Judith Squires) or the Nominated union representative nominated to receive concerns (Professor James Thompson)
- The WBO will determine whether the Whistleblowing Concern should be investigated under the Whistleblowing policy or dealt with under another internal process
- Further information is contained in the University's Whistleblowing policy and, in all cases, if you are unsure what to do, you can contact the Secretary's Office [Secretarys-office@bristol.ac.uk](mailto:Secretarys-office@bristol.ac.uk)
- The WBO will also consider whether any external body needs to be notified (such as the police, the Office for Students or a funder) and will keep the Audit and Risk Committee informed as necessary

