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# Ravensbourne University London

# Whistleblowing (Public Interest Disclosure):

# Policy Statement, Principles and Procedure

**1.** **Policy Overview**

1.1 The policy and procedure covers complaints of serious malpractice or impropriety on the part of Ravensbourne University London (‘the University’), including its employees, students, contractors, subcontractors, suppliers and governors. It incorporates the requirements of the Public Interest Disclosure Act 1998 (the Act) which was introduced to provide employees with legal protection from being dismissed or penalised if they raise serious malpractice or wrongdoing where the public interest is at stake.

1.2 Disclosures made under this policy should relate to wrongdoing which falls into one or more of the following prescribed categories, provided that the person making the disclosure holds a reasonable belief that, in doing so, they are acting in the public interest:

* criminal offences;
* financial impropriety or alleged fraud;
* failure to comply with legal or statutory obligations;
* miscarriages of justice;
* dangers to health or safety;
* dangers to the environment;
* deliberate concealment of any of the above categories.

1.3 The University is committed to its principles of diversity, inclusion, collaboration, internationalism and environmental sustainability. It seeks to conduct its activities in a responsible manner, with due consideration to the proper use of public funds, the requirements of funding bodies and the standards required in public life set out in the [Nolan principles](https://www.gov.uk/government/publications/the-7-principles-of-public-life).

1.4 This policy statement outlines the University’s approach to public interest disclosures, setting out the principles and procedure to be followed by the University.

1.5 The overall aim of this policy statement and associated procedure is to encourage members of the University community to raise concerns that an individual reasonably believes to be in the public interest without fear of detriment and to provide a clear procedure for such disclosures to be investigated and, where appropriate, acted upon.

**2. Scope**

2.1 It is expected that members of the University community will not disclose confidential information about its activities. However, the University recognises that from time to time, employees, workers, governors, students and/or members of the public may have genuine concerns about an actual or potential danger, fraud or other illegal or unethical conduct that they have either experienced or witnessed. In these cases, the University will ensure that they are able to raise these matters without fear of being penalised.

2.2 This policy provides guidance to employees, contractors, subcontractors, agency workers, governors, and anyone else engaged to work with the University who may make disclosures relating to the prescribed categories outlined in section 1.2.

2.3 Where a concern relates to a personal grievance that is not in the public interest (for example, an allegation of bullying or harassment, or an allegation that your contract of employment has been breached), Ravensbourne University employees should raise it under our separate [Grievance Procedure](https://ravensbourne.sharepoint.com/sites/HR/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FHR%2FSiteAssets%2FSitePages%2FPolicy%2FGrievance%2DProcedure%2Epdf&parent=%2Fsites%2FHR%2FSiteAssets%2FSitePages%2FPolicy). If you are a staff member who is unsure about whether your concerns are best dealt with under the whistleblowing policy or grievance procedure, please speak to your [People Partner](https://ravensbourne.sharepoint.com/sites/HR/SitePages/Meet-The-Team---HR.aspx) for further advice.

2.4 The provisions of this policy are not contractually binding on employees. The University retains the authority to alter, amend and/or replace the policy and procedure from time to time should it be appropriate or necessary to do so.

2.5 The University’s Audit Committee is the body responsible for monitoring the communication and effectiveness of this policy and accompanying procedure.

**3.** **Principles**

3.1 The University generally expects individuals to initially consider whether an informal route would be sufficient to deal with any concerns, prior to invoking this policy and procedure.

3.2 Any person making a disclosure must hold a reasonable belief that they are acting in the public interest in doing so.

3.3 Any information relating to potential wrongdoing will be investigated promptly, sensitively, fairly and properly.

3.4 No member of the University community who acts in good faith by raising concerns covered under the terms of this policy will suffer any detriment, including disciplinary action, dismissal threats, victimisation and/or unfavourable treatment.

3.5 Any individual named or implicated in a disclosure will not be involved in investigating or deciding on a resolution to it.

3.6 This policy and associated procedure are distinct from other internal policies and procedures specifically for dealing with complaints by staff connected with their terms of employment - these are dealt with under the University’s [Grievance Procedure](https://ravensbourne.sharepoint.com/sites/HR/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FHR%2FSiteAssets%2FSitePages%2FPolicy%2FGrievance%2DProcedure%2Epdf&parent=%2Fsites%2FHR%2FSiteAssets%2FSitePages%2FPolicy). Some complaints may be more appropriately dealt with under the University’s [Dignity at Work Policy.](https://ravensbourne.sharepoint.com/sites/HR/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FHR%2FSiteAssets%2FSitePages%2FPolicy%2FDignity%2Dat%2DWork%2Dpolicy%2Epdf&parent=%2Fsites%2FHR%2FSiteAssets%2FSitePages%2FPolicy)

3.7 Members of the University community who knowingly make false, frivolous or vexatious allegations may be subject to disciplinary action.

**4.**  **PROCEDURE**

4.1 Any relevant disclosure (as set out in section 1.2) should initially be made in writing and submitted to whistleblowing@rave.ac.uk

4.2 The disclosure will be reviewed by the University Secretary and Registrar, Director of Finance, Director of People & Culture or their nominee, who will conduct an initial review to determine how to proceed, including any investigation as required.

4.3 If the disclosure is about any of the post holders named in 4.2, then the disclosure should be sent directly to the Vice Chancellor, the chair of the board of governors or the chair of the audit committee. If the disclosure is about the Vice Chancellor, the disclosure should be made to the University Secretary and Registrar, who will raise the matter with the chair of the board of governors.

4.4 If for any other reason the person making the disclosure feels it is not appropriate to raise the matter with the University Secretary and Registrar or the Vice-Chancellor, it may be raised directly with the chair of the board of governors or the chair of audit committee.

4.5 Members of the University community making a disclosure are expected to identify themselves, as disclosures raised anonymously can be significantly more difficult to address. However, the University may investigate anonymous disclosures depending on the seriousness of the issue, the credibility of the concern, any prejudice to those named in an anonymous disclosure and the likelihood of being able to investigate the matter and confirm the allegation from alternative sources.

**Investigation**

4.6 Should the post holders named in 4.2 determine that an investigation is required, they will determine the most appropriate person to conduct it. The University will write to you confirming that an investigation is being conducted and the timescale for completion. The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.

4.7 The University may determine that the matter should instead be referred to the police.

4.8 The scope of any internal investigation will be determined by the relevant executive post holders in conjunction with the investigating officer. This process may be supported by who may be supported by the People & Culture team or by an external investigator appointed by the University. Those parties participating in the investigation will be reminded of the need to maintain strict confidentiality at all stages of the procedure.

4.9 The investigating officer will not be involved in other procedures which may be invoked as an outcome of any investigation under this policy and procedure.

4.10 Where an allegation is made against a named individual, they will normally be informed of the allegation and any supporting evidence, and they will be given a right to respond to any allegations. Where such disclosure would compromise the ability of the University, the police or other independent investigator to conduct a proper investigation, the individual(s) against whom the disclosure is made may not be told prior to an initial investigation.

4.11 The Investigating Officer may interview and/or seek a written statement from the individual who made the disclosure and any other individuals who they consider to be relevant to the investigation including anyone named in the disclosure. Any individual being interviewed under this policy and procedure may be accompanied to an investigatory interview by a colleague or trade union representative, who will also be bound by a duty of confidentiality.

4.12 Where an individual declines to be interviewed, the investigating officer may decide to close the investigation if they believe there are insufficient grounds on which to continue.

4.13 Investigations will be conducted as sensitively, efficiently and quickly as possible, whilst having regard to the nature and complexity of the disclosure and any additional accessibility needs of the parties involved.

4.14 When the Investigating Officer has concluded the investigation, they will determine what action, if any, should be taken in the circumstances on the advice of the University Secretary & Registrar, Director of Finance and People & Culture team.

4.15 Following the investigation, the University will inform the person who made the disclosure 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 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.

**Further action**

4.16 A central record of disclosures made under this policy will be maintained by the University Secretary & Registrar. The name of the individual who made the disclosure will not be recorded.

**External disclosures**

4.17 The University recommends that concerns are raised internally in the first instance. This policy and procedure and the protection they provide are intended to support individuals to do so. However, there may be occasions where individuals feel they need to report matters outside of the University.

4.18 To retain whistleblowing legal rights, these disclosures must be made to a prescribed person. A complete list of prescribed persons can be found on the [gov.uk website](https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2). Concerns about health and safety can also be raised with the Health and Safety Executive.

4.19 Relevant concerns may also be raised with the University’s regulator, the Office for Students (OfS). The OfS runs a notification scheme which enables students, staff or members of the public to raise concerns if they believe that a registered higher education provider 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-ofregistration/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.

4.20 If disclosures are made publicly to the media, in most cases the individual will lose their whistleblowing legal rights. Further information is available from the guidance provided at [gov.uk](https://www.gov.uk/whistleblowing).

**5. INDEPENDENT ADVICE**

5.1 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@protectadvice.org.uk. They can provide advice on your options and can help you raise a concern.

**6. POLICY REVIEW**

6.1 The University retains the authority to alter, amend and/or replace the policy and procedure from time to time should it be appropriate or necessary to do so.

University Secretary & Registrar / People & Culture

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