



## Whistleblowing Policy and Procedure

### Document Control

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This policy will be reviewed periodically to ensure compliance with changes in employment law. In the event that this policy or procedure is not compliant, the relevant legislation shall prevail.

**Changes to this policy will be subject to consultation and negotiation with the University's recognised Trade Unions before implementation**

## **1. Introduction and Scope**

- 1.1 Brunel University of London is committed to conducting its business with honesty and integrity, and the University expects all staff to maintain high standards in accordance with its values and the University's policies and procedures. However, all organisations face the risk of things going wrong from time to time, or of lawless or unethical conduct occurring unknowingly. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do.
- 1.2 This policy covers all employees, Members of Council, consultants, contractors, volunteers, interns, casual workers and agency workers.
- 1.3 The aims of this policy are:
  - (a) to encourage individuals to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated appropriately;
  - (b) to provide individuals with guidance as to how to raise those concerns;
  - (c) to reassure individuals 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 does not form part of any employee's contract of employment and the University may amend it at any time in consultation and negotiation with the recognised trade unions.

## **2. Responsibilities**

- 2.1 Universities, like all public bodies, have a duty to conduct their affairs in a responsible and open manner and to comply with the requirements of funding bodies, the principles of their Charter and Statutes and the parameters outlined in the reports of the Committee on Standards in Public Life.
- 2.2 The Vice-Chancellor and President has overall responsibility for this policy and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 2.3 The Whistleblowing Officer (University Secretary and General Counsel) has day-to-day operational responsibility for this policy and must ensure that all managers and other individuals who might deal with concerns or investigations under this policy receive appropriate training.
- 2.4 The Whistleblowing Officer, in conjunction with the HR and Equity Committee and the Audit and Risk Committee will review this policy from a legal and operational perspective at least once every three years.

## **3. What is Whistleblowing?**

- 3.1 **Whistleblowing** is the disclosure of information that relates to suspected wrongdoing or risks at work that has a public interest aspect to it. This could include:
  - (a) criminal activity;
  - (b) failure to comply with any legal or professional obligation or regulatory requirements;

- (c) miscarriages of justice;
  - (d) danger to health and safety;
  - (e) damage to the environment;
  - (f) bribery under the University's Anti-Bribery Policy, fraud or corruption;
  - (g) facilitation of tax evasion;
  - (h) breaches of the University's Financial Regulations or unauthorised use of public or charitable funds; and
  - (i) the concealment of any of the above matters.
- 3.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the University's activities (a **whistleblowing concern**) you should report it under this policy and in accordance with the procedure outlined below.
- 3.3 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, employees should use the Grievance Procedure or the Dignity at Work policy as appropriate.
- 3.4 If you are uncertain whether something is within the scope of this policy, please seek advice from the Whistleblowing Officer.
- 4. Raising a Whistleblowing Concern**
- 4.1 Individuals might be the first to know when something goes wrong. Issues of collective concern can be raised through the Staff Consultative Committee meetings between University managers and the recognised trade unions.
- 4.2 The University hopes that in many cases employees will be able to raise any concerns with their line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Whistleblowing Officer.
- 4.3 Where the matter is more serious, or you consider that your line manager has not addressed your concern, or you would prefer not to raise it with them for any reason, you should contact one of the following:
- (a) The Whistleblowing Officer; or
  - (b) A member of the Executive Board
- 4.4 A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a work place colleague or trade union representative to any meetings under this policy and procedure. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 4.5 A written summary of your concern will be made and you will be provided with a copy after the meeting. The Whistleblowing Officer will also aim to give you an indication of how it is proposed to deal with the matter.

## **5. Confidentiality**

- 5.1 The University hopes that individuals will feel able to voice whistleblowing concerns openly under this policy. The University does not encourage individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if the University's cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer or one of the other contact points listed in paragraph 4 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from the Trade Unions a HR Business Partner or Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.
- 5.2 If you want to raise your concern confidentially, the University will make every reasonable effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity or if your anonymity will restrict the investigation or subsequent proceedings, the University will discuss this with you.

## **6. Investigation and Outcome**

- 6.1 Once you have raised a concern, an initial assessment will be carried out to determine the scope of any investigation. A determination may be made not to investigate the concern further in which case, the process will end at that point. You will be informed you of the outcome of the assessment. You may be required to attend additional meetings in order to provide further information.
- 6.2 In some cases the University may appoint an investigator or team of investigators including individuals with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the University to minimise the risk of future wrongdoing.
- 6.3 The Whistleblowing Officer and/or the person investigating will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent them from giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 6.4 If it is concluded that a whistleblower has made false allegations frivolously maliciously or for personal gain, the whistleblower could be subject to disciplinary action.

## **7. External Disclosures**

- 7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the University. In most cases you should not find it necessary to alert anyone externally.
- 7.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. The University strongly encourages you to seek advice

before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. It also has a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

- 7.3 Whistleblowing concerns usually relate to the conduct of the University's employees, but they may sometimes relate to the actions of a third party. In some circumstances the law will protect you if you raise the matter with the third party directly. However, the University would encourage you to report such concerns internally first. You should contact your line manager or the Whistleblowing Officer or one of the other key contacts in paragraph 4, for guidance. The form at Appendix A may also be used to make a disclosure.

## **8. Protection and Support for Whistleblowers**

- 8.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The University aims to encourage openness and will support Individuals who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 8.2 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 connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If the matter is not remedied you should raise it formally using the University's Grievance Procedure.
- 8.3 Individuals must not threaten or retaliate against whistleblowers in any way. If a member of Individuals is involved in such conduct he/she may be subject to disciplinary action.
- 8.4 A confidential support and counselling Employee Assistance Programme is available to whistleblowers who raise concerns under this policy. Further information on the Employee Assistance Programme is available at <https://staff.brunel.ac.uk/directorates/hr/your-wellbeing/care-first>
- 8.5 Protect are an independent whistleblowing charity and provide individuals with support and guidance. Their contact details are as follows:

Helpline: 0203 1172520  
Website: <https://protect-advice.org.uk/>

Advice and support is also available from the HR Business Partnering team. In addition, individuals may wish to seek support from their trade union if they are a member. Contact details for the recognised trade unions at the University can be found here <https://staff.brunel.ac.uk/directorates/hr/about-hr/trade-unions>

## Annex 1 Raising a Whistleblowing Concern

1. To be submitted to the Whistleblowing Officer.
2. Please read the whistleblowing policy and procedure before completing this form. If you require assistance completing this form, please contact your manager, HR, trade union representative or work place colleague or friend.

Full Name ..... Job Title ..... Email

..... Team.....

Please provide description(s) of your concerns including precise information such as dates of events, names of those involved, meetings or correspondence, which have taken place, reference to relevant documents or policies [please continue on a separate page if necessary]:


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Signature: .....

Date of Submission:.....

Date of Receipt.....