

# Whistleblowing Policy

2024-2027



This policy is available for staff to access via the staff [internet](#)

# Whistleblowing Policy

## Contents

<b>1. Summary</b>	3
<b>2 Glossary of terms</b>	3
<b>3 Purpose</b>	3
4.1 Policy statement	4
5.1 Seeking independent advice	4
<b>6 Scope</b>	5
<b>7 The Public Interest Disclosures Act 1998 (PIDA)</b>	5
7.2 Protected/qualifying disclosures	6
7.3. Who can raise a concern?	6
<b>8 Procedure</b>	7
8.4 Identifying if an issue is relevant to this Policy	8
8.5. Anonymity and Confidentiality	8
<b>9 Process</b>	9
9.4 Investigation	9
9.5 Advice for individuals who raise a concern	10
9.6 Protection for the Discloser	11
<b>10 Monitoring &amp; Review</b>	11
<b>11 Key to Relevant Documents</b>	11
<b>12 Version control</b>	12
<b>13 Endmatter</b>	12
<b>14 Annexes</b>	13
Appendix 1: Whistleblowing Procedure	13

## 1. Summary

- 1.1 This policy provides guidance on how staff members and workers may make a disclosure of impropriety or malpractice to the University, which constitutes whistleblowing.
- 1.2 This policy is distinct from the University's grievance and complaints procedures. A whistleblowing concern is where an individual raises information as a witness, whereas a grievance is where the individual is a complainant.
- 1.3 This policy should be read in conjunction with the University's Serious Incident Reporting Policy, which provides guidance for staff and contractors of the University on how to approach and deal with the reporting of a serious incident or relevant matter.

## 2 Glossary of terms

Term	Meaning
PCaW, now known as Protect	Public Concern at Work – an independent organisation which can provide advice before whistleblowing
PIDA	Public Interest Disclosures Act 1998
Gov.uk	Government services and information

## 3 Purpose

- 3.1 This policy is designed to assist staff members, workers (both temporary and volunteers) and employees who intend to make a disclosure of information which would constitute whistleblowing. Its purpose is to
  - enable individuals to raise concerns within the institution without fear of reprisals/victimisation
  - provide a process for concerns to be raised at the earliest opportunity, investigated and, where appropriate, acted upon
  - give a clear message that allegations of malpractice/impropriety and suspicion of fraud and bribery are taken seriously
  - act as a deterrent to potential perpetrators of misconduct

- provide assurance to all interested parties (regulating bodies, funding bodies, students, members of staff, etc.) that the University maintains the highest standards of conduct.

## 4.1 Policy statement

4.1.1 Edge Hill University encourages staff to report suspected or actual wrongful conduct.

4.1.2 The University is committed to the highest standards of quality, honesty openness and accountability. Staff have a duty of care to maintain these principles and we encourage individuals to raise any genuine concerns about wrongdoing without fear of detriment or reprisal.

4.1.3 This policy sets out the process for disclosing such concerns. Any individual employed by the University who is uncertain whether their concerns fall within the scope of this policy can seek advice and assistance from a number of channels before 'blowing the whistle'. These include

- A member of the [HR Advisory Team](#)
- An independent organisation with experience in this area

## 5.1 Seeking independent advice

5.1.1 The University encourages staff to address any concerns using internal procedures in the first instance. Should internal procedures not satisfy the concerns, an individual may consider making a disclosure to a regulator, prescribed person or other external body.

5.1.2 Where a staff member seeks to disclose a relevant matter to an external body it is important that the correct external body for the issue is contacted. There may be specific or additional requirements which must be met in order to qualify for protection under the Public Interest Disclosure Act. A [government publication](#) lists all the prescribed people and bodies to whom a disclosure can be made.

5.1.3 Before making an external disclosure, staff should contact the independent whistleblowing charity Protect (formerly PCaW). This charity offers a free, confidential helpline that can advise on how to safely and effectively raise a concern. To contact Protect

- Call 020 3117 2520
- Email [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)
- Visit <https://protect-advice.org.uk>

## 6 Scope

6.1 This policy is for making an internal disclosure. It applies to all individuals employed by the University and also includes

- those with honorary contracts/joint clinical contracts
- Staff apprentices
- interns and those on work experience
- atypical workers
- agency workers
- self-employed workers engaged under a contract for service

## 7 The Public Interest Disclosures Act 1998 (PIDA)

7.1 This policy is guided by the [Public Interest Disclosures Act 1998 \(PIDA\)](#). This protects staff making disclosures about certain matters of concern, where those disclosures are made in accordance with the provisions of the Act.

### Key Principles:

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. All members of the University should be watchful for illegal or unethical conduct and are encouraged to report anything of that nature that they become aware of
- All concerns raised by an individual will be treated fairly and properly
- Where there are grounds for proceeding, any matter raised under this policy will be investigated thoroughly, promptly and confidentially
- Individuals making a qualified disclosure<sup>1</sup> in line with this policy will not be penalised for doing so
- All complaints of victimisation of an individual for raising a qualifying disclosure will be treated seriously and may provide grounds for disciplinary or other appropriate action
- If misconduct is discovered as a result of any investigation under this procedure the University's disciplinary procedure will apply, in addition to any appropriate external measures
- Maliciously making a false allegation is a disciplinary offence.

---

<sup>1</sup> See 'Protected/qualifying disclosures' for the definition of a qualifying disclosure

- This policy cannot be used by individuals to challenge financial and business decisions properly taken by the University or seek reconsideration of any matter already addressed under other internal procedures. This includes complaints, disciplinary and grievance procedures.

## 7.2 Protected/qualifying disclosures

7.2.1 Under the provision of the PIDA, certain types of disclosure qualify for protection. A qualifying disclosure must demonstrate that it was made in the reasonable belief that it is in the public interest and that one or more of the following scenarios apply

- a crime has been, is being or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health and safety of any individual has been, is being or is likely to be endangered
- the environment has been, is being or is likely to be damaged
- there is information which tends to show that any of the above points have been, are being or are likely to be deliberately covered up.

## 7.3. Who can raise a concern?

7.3.11 Any employee or worker who has a reasonable belief of a public interest issue, which falls within one of the categories set out above may raise a concern.

7.3.12 This concern must be raised without malice, and the individual must reasonably believe that the information disclosed, and any allegations contained in it, are subsequently true. The disclosure must not be made for the purposes of personal gain and, in all circumstances, it must be reasonable to make the disclosure.

7.3.13 All workers making a qualifying disclosure in line with legislative requirements are protected from detriment, bullying or harassment under the PIDA. Employees also have the right not to be dismissed if the reason for dismissal is the protected disclosure.

7.3.14 *Please note:* PIDA and its protections do not apply to students or lay members of the University bodies. However, the University will provide equivalent worker protections to such individuals making a qualifying disclosure using these internal procedures.

## 8 Procedure

- 8.1 After seeking advice, any disclosure under this procedure should, wherever possible, be made in writing to the [Director of Human Resources](#) as soon as is practicable. If for any reason it is not possible or appropriate to report to the [Director of Human Resources](#), reports should be made to a Pro Vice-Chancellor, or the Head of Internal Audit.
- 8.2 The person making the disclosure should identify which of the above categories applies. The individual should include the following information in their disclosure:
- a) The nature of the incident or circumstance (so far as it is possible to describe this. For example fraud, breach of the University's governing documents, the loss of accreditation)
  - b) The impact or potential impact the incident or circumstance has had, or could have, on the University
  - c) The date of the incident or circumstance, or whether the incident or circumstance is suspected
  - d) The names of any individuals involved or suspected of being involved in the incident or circumstance
  - e) Whether the reporting individual has reported the incident or circumstance to another individual, authority or regulatory body before making a report in accordance with this policy. For example, to a staff member, the police or to a professional or regulatory body
  - f) Details of any ongoing inquiries into the incident or circumstance and any actions taken to date
  - g) Whether any existing applicable University policies have been consulted (e.g. the Serious Incident Reporting Policy or the Health, Safety and Environmental Policy)
- 8.3 The person who receives the report will decide whether the incident or circumstance should be dealt with under this policy. If they consider that another University policy or procedure (e.g. the Serious Incident Reporting Policy) is more appropriate, they will clarify the next steps with the person submitting the report

## 8.4 Identifying if an issue is relevant to this Policy

- 8.4.1 When someone blows the whistle, they are raising a concern about danger or illegality that affects others (e.g. customers, members of the public, or their employer). The person blowing the whistle is usually not directly, personally affected by the danger or illegality. Consequently, the whistleblower rarely has a personal interest in the outcome of any investigation into their concern - they are simply trying to alert others.
- 8.4.2 For this reason, whistleblowing is very different from a grievance. When someone raises a grievance, they are saying that they have personally been poorly treated. An example of this poor treatment could involve a breach of their individual employment rights and the complainant is seeking redress or justice for themselves. The person raising the grievance therefore has a vested interest in the outcome of the complaint and, for this reason, is expected to be able to prove their case.
- 8.4.4 Under whistleblowing, the person raising the issue is not responsible for proving the case.

## 8.5. Anonymity and Confidentiality

- 8.5.1 Individuals who are concerned about being identified as a whistleblower may make their disclosure anonymously. If the employee wishes to remain anonymous, this ought to be explicitly stated at the outset of the notification. The University treats anonymous disclosures just as seriously as those made openly. However, if the disclosure is made anonymously the University may not be able to investigate the concerns as effectively.
- 8.5.2 The University encourages anyone raising such a concern to do so in writing even if the initial contact is by telephone or some other medium. The University would prefer that any disclosure is made anonymously by telephone rather than not at all.
- 8.5.3 The University cannot guarantee confidentiality as it may be required by law, or law enforcement agencies, to disclose the identity of the individual raising concerns. However, the University does take whistleblower confidentiality seriously and will protect the identity of any disclosers as far as possible. Individuals should be aware that they may be identified by others due to the nature or circumstances of the concern being raised.



## 9 Process

- 9.1 The person receiving the disclosure will acknowledge receipt of the disclosure to the individual (where their identity is known) within three working days. If appropriate, they will offer to meet in confidence with the person making the disclosure.
- 9.2 At this meeting, the recipient will obtain as much information as possible about the belief of malpractice or other public interest concern. The person making the disclosure may be accompanied by a trade union representative or Edge Hill colleague.
- 9.3 If the recipient is satisfied that the issue raised is relevant to the whistleblowing procedure, an appropriate investigation will be conducted. The investigation may be conducted by any of the following means:
- An appointed investigation manager – i.e. a senior manager independent to the issue or area in which the individual concerned works
  - A referral to the police or other appropriate public authority
  - The commissioning of an independent enquiry e.g. by the University's auditors

### 9.4 Investigation

- 9.4.1 All individuals who are in a position as detail above to deal with concerns relating to whistle-blowing concerns have received the appropriate training and are trained to give further advice where necessary.
- 9.4.2 Some concerns may be resolved by agreed action without the need for investigation. Where an investigation manager is appointed in relation to a protected disclosure, they will follow this process.
- The investigation will normally take precedence over any other processes connected with the disclosure, which will usually be placed on hold pending the conclusion of the whistleblowing enquiry
  - It will be conducted as sensitively and speedily as possible
  - The investigation manager will report their findings and appropriate recommendations to the person to whom the disclosure was made, normally within 28 days of the final meeting
  - The person or persons against whom a disclosure is made will be notified at the earliest opportunity and provided with any supporting evidence. The

individual will be allowed to respond to the allegation

- Depending on circumstances, the person making the disclosure may be informed if further action is to be taken. However, where referral to an external authority is required, it may not be possible to inform the individual who has made the disclosure
- A written record will be kept at each stage of the process
- The University will maintain confidentiality that is consistent with a fair investigation. The person being investigated has the right to be made aware of the nature of the disclosure
- Any reprisals against or victimisation of the person reporting the disclosure will be treated as a serious disciplinary matter and which may lead to dismissal.

## 9.5 Advice for individuals who raise a concern

9.5.1 We acknowledge the difficult choice an individual may have in identifying and raising such serious issues. To assist the decision-making process we provide the following advice.

- Stay calm
- Remember that you are a witness, not a complainant
- Remember that you may be mistaken or that there may be an innocent or good explanation
- Do not become a private detective
- Raising issues involving illegal, unsafe or unethical practices promptly will help to avoid any misinterpretation of motive
- Focus on the issues and proceed in a tactful manner to avoid any unnecessary personal antagonism which might distract from the substance of the concern
- Be accurate when making observations and keep a record to document relevant events. Do not interpret, but let the facts speak for themselves
- Maintain confidentiality throughout the process

- Remember you can obtain advice and guidance from a member of the [HR Advisory Team](#), a trade union representative, [Protect](#) or GOV.UK/Whistleblowing

## 9.6 Protection for the Discloser

- 9.6.1 Staff who raise legitimate issues appropriately and without malice are protected under the Public Interest Disclosure Act (PIDA), regardless of whether or not the concern raised is upheld.
- 9.6.2 Where there is a *prima facie* case that an employee or worker has suffered adverse treatment, harassment or victimisation as a result of their disclosure, a further investigation may take place. Disciplinary action may be taken against the perpetrator in line with the relevant procedure
- 9.6.3 Please note, a member of staff who victimises or causes a detriment to an individual who has made a disclosure can be named personally in a legal complaint. They may also be personally required to pay compensation to a successful claimant.

## 10 Monitoring & Review

- 10.1 Any report of Whistleblowing should be reported and investigated in accordance with this policy.
- 10.2 This policy will be reviewed triennially and on the implementation of any changes in legislation. It may also be reviewed following any reported breach of this policy.

## 11 Key to Relevant Documents

- 11.1 This policy refers to the following documents, which staff members may find useful.
- [HR Policy and Procedure Code of Practice](#)
  - [Staff Grievance Policy](#)
  - [University Bullying and Harassment Policy](#)
  - [Staff Disciplinary Policy & Procedure](#)
  - [Serious Incident Reporting Policy](#)
  - [Counter Fraud and Corruption Policy and Response Plan](#)

12      Version control

Version	Date	Change Author	Summary of Changes
V1.01	2021		
V1.02	October 2024	HR Partner – Policy Lead	Changes made to the reporting procedures.

13      Endmatter

Title	Whistleblowing Policy
Policy Owner	Director of Human Resources
Approved by	Audit and Risk Committee
Date of Approval	2024
Date for Review	2027

## Annexes

### Appendix 1: Whistleblowing Procedure

