# Public Interest Disclosure Policy

1. Introduction

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is subject;

- (iii) That a miscarriage of justice has occurred, is occurring, or is likely to occur;
- (iv) That the health and safety of any individual has been, is being, or is likely to be jeopardised;
- (v) That the environment has been, is being, or is likely to be damaged; and/or
- (vi) That information intending to show any matter falling within the above categories has been, is being, or is likely to be deliberately concealed.
- **3.2** A whistleblower is a person who raises a genuine concern relating to any of the above in paragraph 3.1. If a member of staff (or other worker) has any genuine concerns related to suspected wrongdoing or danger affecting any of the University's activities as set out at paragraph 3.1 above, they should report it under this policy.
- **3.3** It must also be in the public interest for the disclosure to be a protected disclosure (e.g. seeking through disclosures to advance personal grievances, or actions which could be seen as harassing, bullying or discriminating against a person or persons are not permitted and would not be seen as in the public interest). This policy should not be used for complaints relating to members of staff's own personal

## 5. Aims of the University Policy

- 5.1 This policy aims to:
- (i) Encourage staff (or other workers) to feel confident in raising concerns and to question and act upon concerns about practice;
- (ii) Provide avenues for staff (or other workers) to raise those concerns and receive feedback on any action taken; and
- (iii) Reassure staff (or other workers)

- **6.4** The Clerk to the Governors will immediately inform the Vice Chancellor and Chair of the Board of Governors unless either is the subject of the disclosure in which case the other only should be informed; or if both are subjects of the disclosure the Chair of the Audit committee should be informed
- **6.5** Although a member of staff (or other worker) making a disclosure will not be expected to prove the truth of any allegation, sufficient information and prima facie evidence should be contained in the disclosure to demonstrate that reasonable grounds for the allegation exist. Unsupported or bare allegations are difficult to investigate and the University is likely to place significantly less credibility on them, and even more so if they are made anonymously.
- **6.6** In all cases involving financial malpractice or impropriety, the Clerk to the Governors will consider the application of the Fraud Response Plan and act in close consultation with the Vice Chancellor who is the Executive Officer responsible for the University's public funding (or if the Vice Chancellor is the subject of the relevant disclosure then the Chair of the Board of Governors, or if both are involved then the Chair of Audit).
- **6.7** In any case in which the Clerk to the Governors is the subject of a disclosure or wishes to make one, disclosure should be made to the Vice Chancellor. If the latter is also involved disclosure should be made to the Chair of Governors. If both are involved the disclosure should be made to the Chair of the Audit Committee. In such circumstances, the person to whom the disclosure is made shall pursue this procedure acting in the role of Clerk to the Governors as specified.

#### 7. Process

**7.1** The University hopes that staff (or other workers) will feel able to voice whistleblowing concerns openly under this policy. All concerns will initially be treated confidentially and every effort will be made not to reveal the identity of the discloser who will not be required without his/her written consent to participate in any enquiry or investigation unless there are grounds to believe that s/he may have been involved in misconduct or malpractice. However, it must be understood that the success of internal investigations, disciplinary proceedings and criminal prosecutions may be dependent on the willingness of disclosers to participate. In general, the Clerk to the Governors (or other investigating officer under this policy) will not reveal the identity of the discloser without his/her permission unless:

- (i) call for the matter to be investigated internally;
- (ii) refer the matter to the police; and/or
- (iii) call for an independent enquiry.

In some cases, a matter disclosed might be dealt with by agreed action and/or preliminary enquiries without the need to instigate an investigation. In determining the above, the Clerk to the Governors (or other investigating officer under this policy) may take such advice or consult with senior colleagues and/or external legal advisors and make such preliminary enquiries as may be necessary.

7.4 If a disclosure is to be refer9 0 Td[)3.2 (c)-8 (es)-0 Tc 0 Tw ( )Tj-0.002 Tc 0.1h(c)-,9 (gat)-[)3.2 (c)-8 (es)-0U1.7 (w)3.2

**8.6** The University will aim to keep the person making the disclosure informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the University from giving the person making the disclosure specific details of the investigation, an outcome or any disciplinary action taken as a result. The person making the disclosure should treat any information about the investigation as confidential.

### 9. Subsequent action

Upon completion of an investigation (however conducted), a written report will be submitted by the Clerk to the Governors (or other investigating officer under this policy) to the Vice Chancellor (or if the Vice Chancellor is the subject of the disclosure then to the Chair of Governors or if both are involved to the Chair of Audit) who will determine what action, if any, should be taken in the circumstances. This t(i)3.1 (nt Td( )Tj2ak)-in the circumstances is the condition of the Chair of Audit) who will determine what action, if any, should be taken in the circumstances.

petty, frivolous or vexatious concerns or to address issues which could more effectively be addressed by informal discussion or through formal procedures already in existence or as a means of seeking to instigate an investigation without furnishing appropriate evidence to support those concerns raised. To the extent that the policy exists for their protection, members of staff (or other workers) are requested to use it in a responsible manner for appropriate concerns.

- **12.2** The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases members of staff (or other workers) should not find it necessary to alert anyone externally.
- **12.3** The law recognises that in some circumstances it may be appropriate for a member of staff (or other worker) to report their concerns to an external body such as a regulator. It will rarely ever be appropriate to alert the media. The University strongly encourages the member of staff (or other worker) to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, 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.
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Consultation history (individuals/group consulted and dates)	
Document History (e.g. rationale for and dates of previous amendments)	Replaces previous policy (January 2019)

### 14. Contacts

Registrar & Clerk to the Governors	Dr Sue Duncan s.duncan@bolton.ac.uk
Chair of the Audit Committee	Dr Harni Bharaj Vice Chancellor's Office University of Bolton
Protect (Independent whistleblowing charity)	Helpline: 0203 117 2520 Email: info@protect- advice.org.uk Website: https://protect- advice.org.uk/contact- protect-advice-line/