

# Whistleblowing and Public Interest Disclosure Policy and Procedure

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# Whistleblowing and Public Interest Disclosure Policy and Procedure

## 1 Introduction

- 1.1 UWE Bristol is a values-led university, committed to the highest standards of ethics and corporate governance. Our success depends on us all working together to ensure our business is conducted in a responsible way, meeting legislative and regulatory requirements, including those of our funding bodies and the Office for Students. As a member of our university community, or as someone working with us, if you have information about potential wrongdoing, this policy is here to support you to tell us in the knowledge that your concerns will be taken seriously.
- 1.2 This policy supports you to disclose information to us without fear of reprisal, where this is in the public interest. Individuals are expected to use this Policy rather than to publicise their concerns through the media or social media. This policy is an important safeguard to ensure the University's practices are working properly.

## 2 What is Whistleblowing?

- 2.1 Whistleblowing, under the legal framework, provides protection to employees against being dismissed or penalised by their employers as a result of disclosing certain serious concerns. These protections are set out in the Public Interest Disclosure Act 1998.
- 2.2 This policy extends similar protection to members of the Board of Governors and students registered with the University. The University will also protect any contractor or supplier who raises a concern from sanctions or discrimination against their business in relation to the disclosure.
- 2.3 All members of the University and associated third parties are encouraged to raise information or apparent evidence which they believe in good faith provides evidence of malpractice, impropriety or wrongdoing. The wrongdoing you disclose must be in the public interest, meaning the reported activity is one that would affect other people; this would not usually include personal grievances.
- 2.4 A person making a disclosure in good faith, without malice, and in accordance with this Policy, will not be penalised for doing so.
- 2.5 Although it is difficult to provide an exhaustive list, it might include one or more of the following:
  - financial malpractice or impropriety or fraud;
  - failure to comply with a legal obligation or with the rules and regulations of the University;
  - dangers to health and safety or the environment;
  - failure of an individual or individuals to disclose a serious conflict of interest;
  - criminal activity;
  - evidence of academic or professional malpractice, which includes matters such as research misconduct;
  - serious failure to comply with the University's governing Instrument and Articles;
  - evidence of failure to comply with the Modern Slavery Act 2015;
  - improper conduct or unethical behaviour including any offence under the Bribery Act 2010;
  - miscarriage of justice;
  - deliberate covering up or suppression of information relating to any of the above matters.
- 2.6 The policy **is not** designed to be used:
  - for issues for which appropriate procedures already exist, such as staff grievances, bullying and harassment ("report and support"), academic appeals, and complaints and feedback relating to other matters. An indicative list of related procedures and documents is provided as an appendix.

- to reconsider any matters already addressed under other internal procedures; for example: complaints, disciplinary or grievance procedures;
- by individuals to challenge decisions properly taken by the University unless there are grounds of malpractice, impropriety or wrongdoing.

2.7 Individuals in any doubt as to the appropriateness of this procedure to raise a concern should contact the Deputy Clerk to the Board of Governors for advice.

### 3 How to Raise a Whistleblowing Concern

- 3.1 If you discover wrongdoing, you should tell the University promptly. You should consider raising a concern with your line manager, programme leader, or appropriate senior manager, such as the Procurement Director.
- 3.2 This internal Whistleblowing policy is in addition to our existing policies and procedures (see Annex A). A disclosure under the Whistleblowing Policy should initially be made to the designated person. For UWE Bristol, the 'designated person' is the Clerk to the Board of Governors. If a disclosure involves or implicates the Clerk to the Board of Governors, or the Clerk's involvement would not be appropriate for any other significant reason, then the individual may contact the Vice-Chancellor who may, in turn, refer the matter to the Chair of the Audit, Risk and Assurance Committee of the Board of Governors.
- 3.3 The designated person to whom the disclosure has been made, or a senior leader identified by the Chair of the Audit, Risk and Assurance Committee, will consider the information disclosed and decide whether the matter falls within the scope of this policy and, if so, whether there are grounds for proceeding further.
- 3.4 If the matter falls outside this policy but within another, then the individual making the disclosure will be informed and directed to the appropriate process. If you are unsure, please report the information and we will make sure it is handled in the most appropriate way.
- 3.5 If the designated person decides that there are insufficient grounds on which to proceed, the individual making the disclosure will be informed and will have a right to provide further information and resubmit their concerns.
- 3.6 If there are grounds for proceeding, the designated person will decide how the investigation should be undertaken. This will depend on the nature of the matter and may involve:
- an internal investigation conducted by a sufficiently independent senior member of the University or its internal or external auditor;
  - referring the matter to the police;
  - an independent external inquiry.
- 3.7 The investigation will not be conducted by the designated person or any other person who may have to take a significant decision arising from the findings. It will be conducted as sensitively as possible, and normally be complete within eight weeks of the disclosure being made. The investigation will also take into account the need to safeguard individual reputations.
- 3.8 When an allegation concerns a named individual, the person concerned will be informed of the allegation and of the evidence supporting it. They will be invited to respond to the allegation as part of the investigation and/or before any final conclusion is reached. The point at which it is appropriate for the named individual to be informed will depend on the nature of the case.
- 3.9 An individual wishing to make a disclosure orally or to give further details as the matter is

investigated may be accompanied by their union representative or by a colleague or friend. Similarly, in any hearing under this policy, the individual making the disclosure and the person against whom an allegation has been made are both entitled to be accompanied by their union representative or by a colleague or friend.

- 3.10 The findings of any investigation will be reported to the designated person or other identified person who will reach a decision on any further action to be taken.
- 3.11 Following an initial investigation, other internal procedures may be identified as relevant and may be invoked, such as the disciplinary, grievance or report and support procedures (see 3.4). In some cases it may be appropriate to refer a matter outside the University for further investigation.
- 3.12 The designated person will normally inform the individual making the disclosure of the conclusion reached and what action, if any, is to be taken and why. However, there may be circumstances where the outcome must remain confidential. In these circumstances the designated person will keep the individual making the disclosure informed of progress and that a conclusion has been reached.
- 3.13 If the individual making the disclosure is dissatisfied about how this was progressed, and its resultant outcome, then they may appeal but only on procedural grounds, to the Chair of the Audit, Risk and Assurance Committee, who may order a procedural review and establish its terms of reference. If the initial disclosure was referred to the Chair of the Audit, Risk and Assurance Committee, an appeal may be made to the Chair of the Board of Governors.

## **4 Reporting**

- 4.1 A report summarising all disclosures and inquiries and any subsequent actions taken will be made by the designated person or other person to the Vice-Chancellor and to the Audit, Risk and Assurance Committee and such reports will be retained for a minimum of three years.
- 4.2 The Audit, Risk and Assurance Committee will refer the report on appropriately if necessary, to ensure that any remedial or preventative action is taken and that appropriate communications, training and awareness-raising measures – where applicable – are implemented by the University.
- 4.3 Reporting on the findings of any investigation will depend on the nature of the disclosure, it is not appropriate to be prescriptive as to the correct level of reporting in every case.

## **5 Safeguards**

The University is keen to ensure that the position of both the individual raising concerns and anyone about whom allegations might be made are safeguarded. It will do this through the following measures.

### **5.1 Protection**

The policy offers protection against dismissal or other penalty by the University in relation to the matter disclosed, to those individuals who disclose relevant concerns, provided that the disclosure is made:

- in good faith; and
- in the reasonable belief that what is disclosed may help identify malpractice; and
- is made to the appropriate person.

### **5.2 Confidentiality**

The University will aim to treat all disclosures and information regarding any action taken

under this procedure in a confidential and sensitive manner, in particular:

**i. Individual making a disclosure**

The identity of the individual making an allegation will remain confidential, unless otherwise agreed with that individual, as long as it does not hinder or frustrate the investigation and is compatible with procedural fairness. However, the investigation process may at some stage need to reveal the source of the information, and the individual making the disclosure may at that stage need to provide an attributable statement as part of the evidence to be presented.

**ii. Named individual(s)**

During the course of any investigation the University will, as far as is reasonably possible without prejudicing that investigation, endeavour to maintain confidentiality regarding the names of any person/people named in an allegation.

### 5.3 Anonymous Disclosures

Individuals are encouraged to put their name to any disclosures or allegations they make since part of the purpose of this policy is to promote openness and discourage fear of reprisal. Concerns expressed anonymously will not normally be addressed, due to the challenges in investigating in such circumstances. However, at its discretion the University may decide to do so after taking into account such matters as:

- the seriousness of the issues raised; and
- the credibility of any allegations; and
- the likelihood of being able to investigate the matter and substantiate the allegation through attributable sources; and
- fairness to any individual mentioned in the disclosure.

### 5.4 Unsubstantiated Allegations

No action will be taken against an individual who makes an allegation in good faith even if it is not confirmed by subsequent investigation.

### 5.5 Malicious Allegations

Individuals making disclosures which are found by subsequent investigation to be false or malicious and/or vexatious, or made persistently, or for personal gain may be subject to disciplinary or other appropriate action. A disclosure may be deemed malicious or vexatious at any stage of the procedure.

### 5.6 Victimisation

We want all members of our university community to be able to speak up in a safe environment about conduct or other issues that they believe demonstrate wrongdoing.

Victimisation of a member of the university community who has made a disclosure under this Policy will not be tolerated. We take a zero-tolerance approach to any retaliation against any individual (internal or external) who raises a complaint pursuant to this policy. No one in the university community must threaten or retaliate against people who speak up, or try to identify them or anyone involved in a speak up investigation, in any way.

Examples of detrimental treatment or retaliation connected with raising a concern include:

- dismissal or suspension;
- providing a negative performance assessment or employment reference;
- demotion or withholding a promotion;
- transfer of duties, reduction in salary, change in working hours;
- withholding training;
- taking disciplinary action;
- coercion, intimidation, harassment or ostracism;
- discrimination, threats, disadvantageous or other unfair or unfavourable treatment;
- early termination of contract;
- raising a counter-grievance in bad faith.

Anyone who raises a concern and believes that they have suffered any detrimental treatment, retaliation or victimisation should report this to People Services. Disciplinary action will be taken against anyone who is found to have retaliated in any way against someone who has raised a concern, up to and including summary dismissal.

Where there are reported cases of detrimental treatment, retaliation or victimisation following a report under this policy and procedure, this will be monitored and reported to the Audit, Risk and Assurance Committee.

We are committed to fully supporting anyone who raises a genuine concern under this policy, even if they are mistaken or the complaint is unfounded.

## 6 Independent Advice

6.1 The University is keen to ensure that the position of both the individual raising concerns and anyone about whom allegations might be made are safeguarded.

6.2 If an individual is not clear whether to use this procedure, or if they want independent advice at any stage, they are advised to contact the following, as appropriate:

- a Students' Union advisor;
- an appropriate employee representative;
- the local Citizens Advice;
- 'Protect' (formerly 'Public Concern at Work') (Webform: <https://protectadvice.org.uk/contact-protect-advice-line/> )

Advice can also be sought from the Deputy Clerk to the Board of Governors.

6.3 This policy is designed to clarify for individuals the route through which concerns can be raised and to assure them that such matters will be taken seriously and acted upon within the University. The University takes the view that in the vast majority of cases an internal investigation and decision is likely to be the most appropriate course of action.

6.4 If an individual raises matters of concern in the public domain, without first using this policy, they may be in breach of the policy. That is potentially a disciplinary offence, especially if it causes, or might have caused, unnecessary reputational damage to a member of the University or to the institution.

## 7 Ownership and Oversight

Document name:	Whistleblowing and Public Interest Disclosure Policy and Procedure
Version number:	V1 – substantial revision 2019. V2 – minor updates in line with review schedule 2022. V3 – updated in line with review schedule and to strengthen encouragement to disclose in line with requirements of the Economic Crime and Corporate Transparency Act 2023.
Equality Analysis:	N/A
First approved by:	Version tracking in place since 2019
This version approved by:	Board of Governors, 8 July 2025
Effective from:	9 July 2025
Next review date:	January – June 2028 (or before this time to reflect legislative or regulatory changes as required).
Senior Policy Owner:	Jodie Anstee, Chief of Staff and Clerk to the Board of Governors.
Policy Author:	Jodie Anstee, Chief of Staff and Clerk to the Board of Governors.
Overseeing committee:	N/A
Compliance measures:	Concerns about the policy or its implementation to be raised with the Chief of Staff and Clerk to the Board of Governors.
Related policies, procedures and codes of practice:	See Annex A.
Related legislative and/or regulatory requirements	Public Interest Disclosure Act 1998. Bribery Act 2010. Modern Slavery Act 2015. Economic Crime and Corporate Transparency Act 2023.

## Annex A: Related Policies, Procedures and Documents

University guidance relevant to Disclosure include those listed below. This list is indicative and is not exclusive of other University policy, procedures or codes of practice.

1. Academic Appeals.
2. Bullying and Harassment of or by Students.
3. Student Conduct Policy.
4. Professional Suitability Policy and Procedure.
5. Consumer Rights.
6. Report and Support.
7. Research Misconduct.
8. Anti-Bribery Policy.
9. Grievance Procedure - Staff.
10. Conduct Procedure - Staff.
11. Safeguarding Policy.
12. Dignity and Respect Policy.
13. Health and Safety Policy Statement.
14. Equality and Diversity Policies and Procedures.
15. IT Acceptable Use Policy.

These guidance are available on the University's webpages:

Policies – Structures and Governance - <https://www.uwe.ac.uk/about/structure-and-governance/policies>

Research governance and policies - <https://www.uwe.ac.uk/research/policies-and-standards>

Hate incident reporting - <https://www.uwe.ac.uk/about/values-vision-strategy/equality-diversity-and-inclusivity/hate-incident-reporting>

People and Organisation Development Policies and Procedures - <https://www.uwe.ac.uk/about/structure-and-governance/policies/people-organisation-development-policies-and-procedures>