WHISTLEBLOWING POLICY AND PROCEDURES

1. POLICY STATEMENT

1.1 City St George's, University of London expects all those covered under this Policy to behave with honesty and integrity and in accordance with its Ethics Code. It seeks to conduct its affairs in a responsible manner taking into account legal requirements, the requirements of its funding bodies and the values prescribed by the Committee on Standards in Public Life.

1.2 However, all institutions face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. The University is committed to the highest standards of openness, probity and accountability in order to prevent such situations occurring or to address them when they do occur.

1.3 The University aims to foster a culture of responsiveness to constructive criticism, and therefore a climate in which problems and concerns can to a large extent be addressed informally. However, it recognises that this is not always possible, and that its members and others also have the right to pursue their concerns by formal means.

1.4 The aims of this policy are:

1.4.1 To encourage those covered by the policy to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate.

1.4.2 To provide those covered by the policy with guidance as to how to raise those concerns.

1.4.3 To reassure those covered by the policy that they are able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken (a *disclosure motivated by dishonesty, malice, or a predominant ulterior motive unrelated to the policy objectives, will not be a disclosure made in good faith).*

1.5 This policy does not form part of a student contract or any employee's contract of employment and it may be amended at any time.

2. WHO IS COVERED BY THIS POLICY?

2.1 This policy applies to all staff, students, members of Council and its committees and external parties working on behalf of City St George's.

3. WHAT IS WHISTLEBLOWING?

3.1 Whistleblowing is the term used when a worker passes on information concerning wrongdoing. In this guidance, we call that "making a disclosure" or "blowing the whistle".

The wrongdoing will typically (although not necessarily) be something they have witnessed at City St George's.

3.2 To be protected by whistleblowing law, a worker who makes a disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law.

3.3 The second thing that a worker must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- criminal offences (this may include, for example, types of financial impropriety such as bribery and fraud).
- failure to comply with an obligation set out in law, regulatory requirements or a breach of the Charter and Statute.
- miscarriages of justice.
- endangering of someone's health and safety.
- damage to the environment.
- administrative malpractice (financial or non-financial).
- academic or professional malpractice (including, for instance, violation of intellectual property rights or failure of integrity in research).
- improper conduct or unethical behaviour.
- unauthorised disclosure of confidential information.
- suppression or concealment of any of the above categories.

3.4 Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

3.5 A **whistleblower** is a person who raises a genuine concern in good faith relating to any of the above. If a person covered under this policy has any genuine concerns related to suspected wrongdoing or danger affecting any of the University's activities (a **whistleblowing concern**) he/she should report it under this policy.

3.6 This whistleblowing policy and procedure is designed to allow concerns of a public interest nature (as more particularly defined in paragraph 3.3 above) arising in relation to the University to be raised, investigated and where appropriate, acted upon. Concerns that are not of a public interest nature or which fall into an area covered by another procedure will not be considered under this whistleblowing procedure. Such concerns may therefore be considered under the other procedures of City St George's.

3.7 Other procedures exist to deal with many potential issues including:

3.7.1 grievances by staff connected with their employment;

3.7.2 complaints by students about their programmes of study or research and the services the University provides;

3.7.3 appeals against assessment decisions;

3.7.4 appeals from disciplinary procedures for staff and students;

3.7.5 harassment and bullying; and

3.7.6 research misconduct.

3.8 This whistleblowing procedure may not be used to re-open or review a matter already decided under other procedures.

3.9 If you are uncertain whether something is within the scope of this policy, you should seek advice from the University Secretary, whose contact details are at the end of this policy.

4. RAISING A WHISTLEBLOWING CONCERN

4.1 A person covered by this policy may raise a concern in the first instance with a Head of School, line manager, trade union representative, or a member of the Students' Union. A person may wish to raise a concern in the first instance directly with the University Secretary, as this role is independent of the President and Executive.

4.2 The person notified may be able to agree a way of resolving the concern quickly and effectively or may refer the matter to the person responsible for whistleblowing concerns (set out below) on behalf of the person covered by this policy.

4.3 Where the matter is more serious, or the person covered by this policy feels that the person he/she notified has not addressed his/her concern, or the person covered by this policy prefers not to raise it with them for good reason, he/she should raise then concerns to the Reporting Officer as set out below:

4.3.1 **Concerns should be submitted in writing to the University Secretary, explaining why it is of a public interest nature**, unless the University Secretary is the subject of the concern or is in some way implicated in it (in which case paragraph 4.3.2 applies).

4.3.2 Where a concern relates to the University Secretary, the person covered by this policy may refer the matter to the President.

Contact details are at the end of this policy.

4.4 In all cases where a concern is raised under paragraph 3.3, the person to whom the concern is reported will inform the University Secretary as the "**Reporting Officer**", who will acknowledge its receipt and keep a record of action taken.

4.5 If, on preliminary examination, the concern is judged by the Reporting Officer to be wholly without substance or merit or not of a public interest nature, no further action may be taken. In this case, the Reporting Officer will notify the Chair of the Audit & Risk Committee of the concern raised and of their decision to take no further action and the Chair, if he/she disagrees with the decision, may require that an investigation is undertaken and may determine that another person other than those Officers referred to in 4.3 will act as Reporting Officer in respect of any such investigation.

4.6 The person who raised the concern ("**whistleblower**") will be informed of a final decision to take no further action.

5. INVESTIGATION AND OUTCOME

5.1 Where the Reporting Officer or Chair of the Audit & Risk Committee decides that an investigation should be undertaken, an initial assessment will be carried out by the Reporting Officer to determine the scope of any investigation. The Reporting Officer will appoint another person to undertake the investigation. Investigations may include:

5.1.1 an internal investigation (by the Internal Auditors, an independent member of Council or some other person) set up according to *ad hoc* procedures;

5.1.2 an external investigation (by a person who is not a member of the University);

5.1.3 referral to an external body (e.g. the OfS or the Police), before or after an internal investigation has taken place.

5.2 If an investigation is undertaken, the person or persons identified as the subject of the concern will be informed of each allegation made against him/her and any evidence supporting it and will be allowed to comment before the investigation is concluded unless there is an overriding reason for non-disclosure (for example, where disclosure could, in the opinion of the Reporting Officer, be likely to compromise the outcome of a criminal or regulatory investigation).

5.3 Upon the conclusion of an investigation, the Reporting Officer will make a decision as to whether any further action is required and will report the results of the investigation and any action taken to the Chair of the Audit & Risk Committee. The Chair will review the decision and if he/she believes that further investigation or action is required, he/she will decide what should be done and who should do it.

5.4 The Reporting Officer will aim to keep the whistleblower informed of the progress of the investigation, its likely timescale and any final action taken. However, sometimes the need for confidentiality may prevent the Reporting Officer giving the whistleblower specific details of the investigation or any disciplinary action taken as a result. The whistleblower should treat any information about the investigation as confidential.

5.5 The results of the investigation and any action taken must be reported to the next meeting of the Audit & Risk Committee by the Reporting Officer.

6. CONFIDENTIALITY

6.1 Those covered by this policy should feel able to voice whistleblowing concerns openly under this policy. However, if an individual wants to raise a concern confidentially, the University will make every effort to keep his/her identity secret. This may not be possible if it is incompatible with a fair investigation (e.g. the need of the person(s) against whom the allegation is made to know the identity of his/her accuser) or if there is another overriding reason for disclosure. If it is necessary for anyone investigating the concern and/or the subject of the concern to know the identity of the whistleblower, the University will discuss this with the whistleblower.

6.2 Whistleblowers are encouraged not to make disclosures anonymously. Proper investigation may be more difficult or impossible if further information cannot be obtained. It is also more difficult to establish whether any allegations are credible and have been made in good faith. The University will consider the seriousness of the issues raised, the likely credibility of the concern and any supporting evidence received in deciding whether to investigate and, if so, the type of investigation to be undertaken. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the relevant contact listed in paragraph 3 and appropriate measures can then be taken to preserve confidentiality.

6.3 If in any doubt, students can seek advice from the Students' Union and others can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

7. EXTERNAL DISCLOSURES

7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing at the University which is of a public interest nature. In most cases there should be no need to alert anyone externally and certainly not before the internal process has been completed.

7.2 The law recognises that in some circumstances it may be appropriate for those covered by this policy to report concerns to an external body such as a regulator. The University strongly encourages those covered by this policy 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.

7.3 The Office for Students (OfS) will usually only investigate a disclosure if the person covered by this policy has first have taken their concerns through the University's own whistleblowing procedure.

7.4 Whistleblowing concerns usually relate to the conduct of City St George's students and/or staff, but they may sometimes relate to the actions of a third party, such as a supplier or service provider. The law allows members of staff to raise a concern in good faith with a third party, where he/she reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, the University encourages members of staff to report such concerns internally first. Members of staff should seek guidance from the relevant contact listed in paragraph 4.3.

8. PROTECTION FOR WHISTLEBLOWERS

8.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The University aims to encourage openness and will support those covered by the policy who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

8.2 Those covered under the policy will not suffer any detrimental treatment as a result of raising a concern without malice, in good faith, reasonably believing it to be true (even if it is not confirmed by the investigation). Detrimental treatment includes suspension/removal from studies, dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If the whistleblower believes that he/she has suffered any such treatment, he/she should inform the relevant contact (listed in paragraph 4.3) immediately. If the matter is not remedied the whistleblower should raise it formally using the relevant Grievance Procedure.

8.3 Students and members of staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

9. RESPONSIBILITY FOR THE SUCCESS OF THIS POLICY

9.1 Audit & Risk Committee has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

10. CONTACTS

10.1 Contact addresses and numbers for the individuals mentioned in the procedure are:

		Address	Ext	Email
(a)	University Secretary	City St George's, University of London Northampton Square London EC1V 0HB United Kingdom	0207 040 8070	Stephen.dudderidge@citystgeorges.ac.uk
(b)	President	City St George's, University of London Northampton Square London EC1V 0HB United Kingdom	0207 040 8002	President@citystgeorges.ac.uk
(c)	Students' Union	City St George's, University of London Northampton Square London EC1V 0HB United Kingdom	0207 040 5600	supresident@citystgeorges.ac.uk

Further Information

The charity Protect is the UK's whistleblowing charity and provides free confidential advice to workers who have concerns about wrongdoing in the workplace. The charity can be contacted by telephone on 020 3117 2520.