

At no time

# Speak Up Policy (Public Interest Disclosure)



UNIVERSITY OF  
WOLVERHAMPTON



# INDEX

1	Policy Summary
2	Introduction
3	Aims of the Policy
4	Scope
5	Personnel Responsible for this Policy
6	Who can raise a concern under this Policy?
7	What should be reported?
8	What is Whistleblowing?
9	Protecting the Whistleblower
10	Harassment or Victimisation
11	Support to you
12	Confidentiality
13	Anonymous Allegations
14	Untrue Allegations
15	Raising a concern
16	How to raise a concern
17	What the University will do
18	If you are not satisfied
19	External Disclosures
20	The Responsible Officer
21	Corporate Recording and Monitoring
22	Amendments
23	Consultation
24	Key Contacts
25	Contact
	Speak Up (Whistleblowing) Flow Chart

## 1. Policy Summary

In our Speak Up Policy 'Whistleblowing' means the reporting by any member of the University community of suspected misconduct, illegal acts or a failure to act. The Whistleblowing policy is a key part of the University's governance arrangements and is designed to advise staff of the process and procedure to follow should they wish to raise a matter of concern.

Employees and students are often the first to realise that there may be something seriously wrong within the University. 'Whistleblowing' is viewed by the University as a positive act that can make a valuable contribution to the University's efficiency and long-term success. It is not disloyal to colleagues or to the University to Speak Up. The University is committed to achieving the highest standards in public life and in all of its practices. To help achieve these standards it encourages freedom of speech.

If you are considering raising a concern, you should read this Policy first. It explains:

- The type of issues that can be raised,
- How the person raising a concern will be protected from victimisation and harassment,
- How to raise a concern, and
- What the University will do.

The Public Interest Disclosure Act 1998 (PIDA) protects most workers from negative treatment or dismissal for raising their concerns. For a disclosure to be protected by the provisions of the Act it must relate to matters that qualify for protection under the Act. Sections 7 and 8 set out what should be reported and what amounts to a qualifying disclosure.

## 2. Introduction

The University of Wolverhampton ("the University") is committed to the highest standards of integrity, probity, and accountability. It seeks to conduct its affairs in a responsible manner, taking into account the proper use of public funds, the requirements of its funding bodies, and the standards required in public life, the 'Seven Principles of Public Life' ([Nolan Principles](#)) The University will act honestly, ethically, transparently, and within the law.

The University is committed to providing a safe environment for students, apprentices, staff and visitors, and adopts a zero-tolerance approach to behaviours which relate to suspected wrongdoing or dangers at work, without exception.

### **3. Aims of the Policy**

The Policy is designed to ensure that you can raise your concerns about wrongdoing or malpractice within the University without fear of victimisation, subsequent discrimination, disadvantage or dismissal.

It is also intended to encourage and enable you to raise serious concerns **within** the University rather than ignoring a problem or 'blowing the whistle' outside.

This Policy aims to:

- Encourage you to feel confident in raising serious concerns at the earliest of opportunity and to question and act upon concerns about practice, in the knowledge that your concerns will be taken seriously and investigated as appropriate, and that confidentiality will be respected,
- Provide you with avenues for you to raise those concerns and receive feedback on any action taken,
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied, and
- Reassure you that you will be protected from possible reprisals or victimisation if you have made any disclosure in good faith, even if you turn out to be mistaken.

### **4. Scope**

This Policy is intended to enable those who become aware of wrongdoing in the University affecting them or some other person or service, to report their concerns at the earliest opportunity so that they can be properly investigated.

For the purposes of this policy, "University" refers to the University of Wolverhampton and any of its subsidiary companies.

This policy does not form part of any employee's contract of employment, and we may amend it at any time.

### **5. Personnel Responsible for the Policy**

The University's Board of Governors has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under it. All staff at the University are responsible for implementing and upholding the principles of this policy, and creating an environment where staff feel empowered to make appropriate referrals. The University Executive Board sees the Speak Up

Policy as a key policy for the University, and oversight of this policy is through the Audit and Risk Committee.

The Chief Operating Officer oversees the Speak Up Policy for the University.

The Chief Operating Officer, in conjunction with the Board of Governors, will review this policy from a legal and operational perspective:

- At least every three years,
- Whenever there is a significant change in related legislation; or
- As a consequence of specific cases.

All staff are responsible for the success of this policy and staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Chief Operating Officer via [Transparency@wlv.ac.uk](mailto:Transparency@wlv.ac.uk).

## **6. Who can raise a concern under this Policy?**

This Policy applies to:

- Employees of the University
- Student workers
- Students
- Apprentices
- Volunteers
- Interns
- Governors
- Employees of contractors working for the University, for example, agency staff and builders
- Sponsors engaged with the University in the UK or overseas
- Visiting Lecturers.

This policy also applies to any other person associated with the University who performs services for and on behalf of the University anywhere in the world.

To help communicate our expectations of others, this policy may be disseminated to those with whom we work.

## 7. What should be reported?

Any serious concerns that you have about service provision or the conduct of members of the University or others acting on behalf of the University that:

- Make you feel uncomfortable in terms of known standards,
- Are not in keeping with the University's Constitution or policies,
- Fall below established standards of practice, or
- Are improper behaviour.

This might relate to:

- Criminal activity,
- Failure to comply with any legal or professional obligation or regulatory requirements,
- Miscarriages of justice,
- Danger to health and safety,
- Damage to the environment,
- Bribery under our Anti-corruption and Bribery Policy,
- Financial fraud or mismanagement,
- Breach of our internal policies and procedures ([WLV Policies - University of Wolverhampton](#)),
- Conduct likely to damage our reputation or financial wellbeing,
- Unauthorised disclosure of confidential information,
- Negligence,
- Serious failure to comply with the University's Instrument, Articles and Byelaws; or
- The deliberate concealment of any of the above matters,
- Other unethical conduct.

This list is not exhaustive.

## 8. What is Whistleblowing?

A **whistle-blower** is a person who raises a genuine concern relating to any of the above.

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 you should use the Grievance or Dignity at Work and Study Policy (DAWAS) or Student Complaint Procedure as appropriate ([Policies and Procedures - University of Wolverhampton \(wlv.ac.uk\)](#); [Current Student Complaints - University of Wolverhampton \(wlv.ac.uk\)](#)).

If you are uncertain whether something is within the scope of this policy you should seek advice from the Chief Operating Officer, whose contact details are at the end of this document.

## **9. Protecting the Whistleblower**

### **Your legal rights**

This Policy has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest.

The Act makes it unlawful for the University to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

Rarely, a case might arise where it is the employee that has participated in an action causing concern(s). In such cases it is in the employee's interests to come into the open as soon as possible. The University cannot promise not to act against such an employee, but the fact that they came forward may be taken into account.

## **10. Harassment or Victimisation**

The University is committed to good practice and high standards and to being supportive of you.

The University recognises that the decision to report a concern can be a difficult one to make. If you honestly and reasonably believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer, your colleagues and those for whom you are supporting in their educational journey.

The University will not tolerate any harassment or victimisation of a whistleblower (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith and will treat any harassment or victimisation as a serious disciplinary offence which will be dealt with under the disciplinary Policy and procedure.

If you believe that you have suffered any such treatment, you should inform the Chief Operating Officer immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure ([Human Resources - University of Wolverhampton \(wlv.ac.uk\)](http://Human_Resources_-_University_of_Wolverhampton_(wlv.ac.uk))).

## **11. Support to you**

Throughout this process:

- You will be given full support from the Senior Leadership of the University,
- Your concerns will be taken seriously, and
- The University will do all it can to help you throughout the investigation.

The University will provide appropriate advice and support throughout the process.

## **12. Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. We hope that you will feel able to voice your concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to protect your identity. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

If you are concerned about possible reprisals if your identity is revealed, you should speak to the Chief Operating Officer and where appropriate measures can then be taken to preserve confidentiality.

## **13. Anonymous Allegations**

This Policy encourages you to put your name to your allegation wherever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or to give you feedback. This Policy is not ideally suited to concerns raised anonymously.

Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of the University. In exercising this discretion, the factors to be taken into account would include:



- The seriousness of the issue raised,
- The credibility of the concern, and
- The likelihood of confirming the allegations from other sources.

#### **14. Untrue Allegations**

If you make an allegation in good faith and reasonably believe it to be true, but it is not confirmed by the investigation, the University will recognise your concern and you have nothing to worry about. If, however, you make an allegation frivolously, maliciously or for personal gain, appropriate action, that could include disciplinary action, may be taken.

#### **15. Raising a concern**

##### **Who should you raise your concern with?**

This will depend on the seriousness and sensitivity of the issues involved and who is suspected of wrongdoing. You should normally raise concerns with:

- Your line manager,
- Your Dean or Professional Services Director,
- The Chief Operating Officer via [transparency@wlv.ac.uk](mailto:transparency@wlv.ac.uk).

If you receive a referral as a line manager or Dean or Professional Services Director, you should seek advice from the Chief Operating Officer as to next steps.

Upon receipt of a referral the Chief Operating Officer will notify the Vice Chancellor (or the Chair of the Board if the matter is about the Vice Chancellor) and the Chair of the Audit and Risk Committee.

If you believe the Chief Operating Officer may be implicated, then you should raise your concern with the Vice Chancellor directly.

If you are unsure who to contact, the independent charity Protect ([www.protectadvice.org.uk](http://www.protectadvice.org.uk)) can advise you and they offer a free and confidential helpline on 020 3117 2520.

If, for reasons of disability, you are unable to set out your concerns in writing, then you should contact the Chief Operating Officer by telephone or any other suitable method, contact details can be located in section 24 of this policy.

## **16. How to raise a concern**

You may raise your concern by telephone, in person or in writing. The earlier you express your concern, the easier it is to take action. You will need to provide the following information:

- The nature of your concern and why you believe it to be true,
- The background and history of the concern (giving relevant dates).

Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you have a genuine concern relating to suspected wrongdoing or malpractice within the University and there are reasonable grounds for your concern.

You may invite your work colleague with you to be present for support during any meetings or interviews in connection with the concerns you have raised.

You should make it clear that you are raising your concern under this policy.

Your concern will be placed on a register, which is reviewed regularly (further details can be located below in section 21 of this policy) by our Audit and Risk Committee, and available for inspection. The Chief Operating Officer is responsible for maintaining the register, which contains information relating to the nature of the complaint and outcome, ensuring data protection obligations are complied with.

## **17. What the University will do**

The University will respond to your concerns as quickly as possible. Do not forget that testing your concern(s) is not the same as either accepting or rejecting them.

The overriding principle for the University will be the public interest. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate, and if so, what form it should take.

The investigation may need to be carried out under terms of strict confidentiality i.e., by not informing the subject of the complaint until (or if) it becomes necessary to do

so. In certain cases, however suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

Where appropriate, the matter raised may:

- Be investigated by a member of the University, Internal Audit, external investigator or through the disciplinary/Dignity at Work and Study Policy,
- Be referred to the police,
- Be referred to the external auditor.

Within fourteen working days of a concern being raised, the Chief Operating Officer will write to you:

- Acknowledging that the concern has been received,
- Indicating how the University proposes to deal with the matter,
- Supplying you with information on staff support mechanisms, and
- Telling you whether further investigations will take place and if not, why not.

The amount of contact between you and the Chief Operating Officer will depend on the nature of the matters raised, the potential difficulties involved and the clarity of your information. It is likely that you will be interviewed to ensure that your disclosure is fully understood.

Any meeting can be arranged away from your place of work, if you wish, and a union representative or work colleague may accompany you in support.

Any person who is the subject of a disclosure will normally be told of the allegation(s) and the identity of anyone who will receive personal data about them because of the investigation, unless there is a substantial risk that this will prejudice the investigation. Your identity will not be disclosed unless this is unavoidable, and we will discuss this with you before anything happens.

The University will do what it can to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give

evidence in criminal or disciplinary proceedings, the University will arrange for you to receive appropriate advice and support.

You need to be assured that your disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation.

You must treat any information about the investigation as confidential.

**18. If you are not satisfied**

While we cannot guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate, impartial and proportionate way. By using this policy, you can help us to achieve this.

You cannot seek a review of any decision made by the Chief Operating Officer, but if you are not happy with the way in which your concern has been handled, you can raise it with the Chair of the Board of Governors. Contact details are set out at the end of this policy. The Chair of the Board of Governors will provide you with a written response, and this decision will be final.

**19. External disclosures**

The aim of this policy is to provide you with an avenue within the University to raise concerns. The University hopes you will be satisfied with any action taken. If you are not and you feel it is right to take the matter outside the University 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.

We strongly encourage you 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.

Whistleblowing concerns usually relate to the conduct of our staff, 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, we encourage you to report such concerns internally first. You should contact your line manager or the Chief Operating Officer for guidance.



**20. The Responsible Officer**

The Chief Operating Officer has overall responsibility for the maintenance and operation of this Policy.

**21. Corporate Recording and Monitoring**

The Chief Operating Officer will maintain a corporate register containing all concerns that are brought to their attention.

The Chief Operating Officer will review the corporate register and produce an annual report for the University Executive Board and Audit and Risk Committee. The report will include a summary of the concerns raised, to which department they related, and any lessons learned. The report will not include any employee names.

The aim of this is to ensure that:

- The University and/or relevant faculty or professional services directorate learns from mistakes and does not repeat them, and
- Consistency of approach across faculties and professional services directorates.

The corporate register together with the annual reports will be available for inspection by internal and external audit, after removing any confidential details.

**22. Amendments**

This policy has been approved by the University's Executive Board. The University may change this policy at any time, and where appropriate.

**23. Consultation**

This policy has been implemented following consultation with:

- University Executive Board
- Human Resources
- UCU
- Unison
- Staff Networks

**24. Key Contacts**

<b>Chief Operating Officer</b>	Samantha Waters
--------------------------------	-----------------

	01902 321889 <a href="mailto:Samantha.waters@wlv.ac.uk">Samantha.waters@wlv.ac.uk</a>
<b>Vice Chancellor</b>	John Raftery <a href="mailto:John.Raftery@wlv.ac.uk">John.Raftery@wlv.ac.uk</a>
<b>Chair of the Board of Governors</b>	Angela Spence <a href="mailto:A.Spence2@wlv.ac.uk">A.Spence2@wlv.ac.uk</a>
<b>Chair of the Audit and Risk Committee</b>	Chris Handy <a href="mailto:Chris.Handy@wlv.ac.uk">Chris.Handy@wlv.ac.uk</a>
<b>Protect</b> (Independent whistleblowing charity)	Website: <a href="http://www.protectadvice.org.uk">www.protectadvice.org.uk</a> <a href="http://www.protectadvice.org.uk">Contact our Advice Line - Protect - Speak up stop harm (protect-advice.org.uk)</a> 020 3117 2520
<b>Prescribed person and Bodies</b>	Specified bodies or people, external to the University, to whom individuals may disclose alleged wrongdoing or malpractice; information can be located here: <a href="http://www.gov.uk">Whistleblowing: list of prescribed people and bodies - GOV.UK (www.gov.uk)</a> .

## 25. Contact

For general policy queries, please contact the University Corporate Compliance Team via email: [compliance@wlv.ac.uk](mailto:compliance@wlv.ac.uk).

<b>VERSION</b>	V1	<b>AUTHOR/OWNER</b>	Samantha Waters
<b>Approved Date</b>	July 2023	<b>Approved By</b>	University Executive Board Board of Governors
<b>Review Date</b>	July 2026		

### Where to raise your whistleblowing concern

The seriousness and sensitivity of the issues involved, will determine who you raise your concerns with initially, but you should normally raise your concerns with:

- Your line manager,
- Your Dean or Professional Services Director,
- The Chief Operating Officer via [transparency@wlv.ac.uk](mailto:transparency@wlv.ac.uk).

If you are unsure who to contact, the independent charity Protect ([www.protectadvice.org.uk](http://www.protectadvice.org.uk)) can advise you and they offer a free and confidential helpline on 020 3117 2520.

## Speak Up (Whistleblowing) Flow Chart

### Raising your whistleblowing concern

Raise your concern by telephone, in person or in writing.

If, for reasons of disability, you are unable to set out your concerns in writing, then you should contact the Chief Operating Officer by telephone or any other suitable method; 01902 321889, [Samantha.waters@wlv.ac.uk](mailto:Samantha.waters@wlv.ac.uk).

You will need to provide the following information:

- The nature of your concern and why you believe it to be true,
- The background and history of the concern (giving relevant dates).

### The University will:

- Reassure you that you will be protected from possible reprisals or victimisation.
- Respond to your concerns as quickly as possible.
- Decide whether an investigation is appropriate, and if so, what form it should take.
- The Chief Operating Officer will write to you advising you of the next steps within 14 working days.
- Your concern will be placed on a register, which is reviewed by the Audit and Risk Committee.
- If the University decides that the nature of the concern raised does not warrant further investigation, you will be advised, and the procedure will end.
- You cannot seek a review of any decision made by the Chief Operating Officer.
- If you are unhappy with the handling of your concern, it can be raised with the Chair of the Board of Governors. The Chair will provide you with a written response, and this decision will be final. (Angela Spence [A.Spence2@wlv.ac.uk](mailto:A.Spence2@wlv.ac.uk)).

## Next Steps

Where appropriate, the matter raised may:

- Be investigated by a member of the University, Internal Audit, external investigator or through the disciplinary/Dignity at Work and Study Policy,
- Be referred to the police,
- Be referred to the external auditor.

It is likely that you will be interviewed to ensure that your disclosure is fully understood. Any meeting can be arranged away from your place of work, if you wish, and a union representative or work colleague may accompany you for support. Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation. **You must treat any information about the investigation as confidential.**

There may be a need for a further investigation to take place under another internal policy/procedure. The procedure followed will be carried out in line with the relevant University policy and procedures. Complaints relating to your own personal circumstances, such as the way you have been treated at work, are not covered by the whistleblowing policy and should be reported under the Grievance or Dignity at Work and Study Policy (DAWAS) or Student Complaint Procedure as appropriate ([Policies and Procedures - University of Wolverhampton \(wlv.ac.uk\)](#), [Current Student Complaints - University of Wolverhampton \(wlv.ac.uk\)](#)).