



York St John University

Whistleblowing Policy

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1. POLICY STATEMENT

- 1.1 York St John University is committed to conducting its business with honesty and integrity, and all staff and students are expected to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.2 The aims of this policy are:
- 1.2.1 To encourage staff and students to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
 - 1.2.2 To provide staff and students with guidance as to how to raise those concerns.
 - 1.2.3 To reassure staff and students that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. WHO IS COVERED BY THIS POLICY?

This policy applies to all individuals working at all levels of the organisation, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term workers, casual and agency staff [and volunteers] (collectively referred to as "staff" in this policy) and all registered students of York St John University.

3. WHAT IS WHISTLEBLOWING?

- 3.1 "Whistleblowing" is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
- 3.1.1 criminal activity;
 - 3.1.2 miscarriages of justice;
 - 3.1.3 danger to health and safety;
 - 3.1.4 damage to the environment;

- 3.1.5 failure to comply with any legal or professional obligation or regulatory requirements;
 - 3.1.6 bribery;
 - 3.1.7 financial fraud or mismanagement;
 - 3.1.8 negligence;
 - 3.1.9 breach of our internal policies and procedures including our Code of Conduct;
 - 3.1.10 conduct likely to damage our reputation;
 - 3.1.11 unauthorised disclosure of confidential information;
 - 3.1.12 the deliberate concealment of any of the above matters.
- 3.2 A “whistleblower” is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of York St John University’s activities (a “whistleblowing concern”) you should report it under this policy.
- 3.3 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 staff Grievance Procedure or the Student Complaints Procedure as appropriate.
- 3.4 If you are uncertain whether something is within the scope of this policy you should seek advice from the University Secretary & Registrar, who is the university’s designated officer; and whose contact details are at the end of this policy.

4. RAISING A WHISTLEBLOWING CONCERN

- 4.1 To raise a whistleblowing concern you should contact the University Secretary & Registrar by one of the means listed at the end of this policy document.
- 4.2 If the concern you wish to make is about the University Secretary & Registrar, then you should contact the Vice Chancellor by one of the means listed at the end of this policy document.
- 4.3 A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

4.4 A written summary of your concern will be taken and a copy provided to you after the meeting. You will receive an indication of how it is proposed the matter will be dealt with.

5. CONFIDENTIALITY

5.1 It is hoped that staff and students will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, every effort will be made to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, this will be discussed with you.

5.2 Staff and students are not encouraged to make disclosures anonymously. Proper investigation may be more difficult or impossible if further information cannot be obtained from you. It is also more difficult to establish whether any allegations are credible and have been made in good faith. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the University Secretary & Registrar or one of the other contact points listed at the end of this document and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy document.

6. EXTERNAL DISCLOSURES

6.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

6.2 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. Staff and students are strongly encouraged to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, 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 document.

6.3 Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a student, supplier or service provider. The law allows you to raise a concern in good faith with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, you are encouraged to report such concerns internally first. You should contact the Vice Chancellor or one of the other individuals listed at the end of this policy document for guidance.

7. INVESTIGATION AND OUTCOME

- 7.1 Once you have raised a concern, an initial assessment to determine the scope of any investigation will be carried out. You will be informed of the outcome of the assessment. You may be required to attend additional meetings in order to provide further information.
- 7.2 In some cases an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter may be appointed. The investigator(s) may make recommendations for change to enable the risk of future wrongdoing to be minimised.
- 7.3 You will be kept informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent disclosure of specific details of the investigation or any disciplinary action taken as a result to you. You should treat any information about the investigation as confidential.
- 7.4 If it is concluded that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action.

8. IF YOU ARE NOT SATISFIED

- 8.1 Whilst York St John University cannot always guarantee the outcome you are seeking, your concern will be dealt with fairly and in an appropriate way. By using this policy you can help us to achieve this.
- 8.2 If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts outlined at the end of this document. Alternatively, you may contact our external auditors. Contact details are set out at the end of this policy document.

9. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

- 9.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The policy aims to encourage openness and support will be given to staff and students who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.
- 9.2 The whistleblower must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the University Secretary & Registrar immediately. If the matter is not remedied you should raise it formally using the Staff Grievance Procedure or the Student Complaints Procedure as appropriate.

9.3 Staff and students must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

10. RESPONSIBILITY FOR THE SUCCESS OF THIS POLICY

10.1 The Board of Governors has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

10.2 The University Secretary & Registrar has day-to-day operational responsibility for this policy and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

10.3 The University Secretary & Registrar, in conjunction with the Board of Governors, should review this policy from a legal and operational perspective at least once a year.

10.4 All staff and students are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff and students 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 Pro Vice Chancellor: Governance and Student Life.

11. CONTACTS

University Secretary & Registrar	Kathryn Kendon 01904 876027 us@yorks.ac.uk
Vice Chancellor	Professor Karen Bryan 01904 876600 vc@yorks.ac.uk
Chair of the Board of Governors	Julia Unwin DBE Private & Confidential c/o York St John University Lord Mayor's Walk York YO31 7EX

Chair of the Audit Committee	Jennifer Adams Private & Confidential c/o York St John University Lord Mayor's Walk York YO31 7EX
External auditors	BDO Private & Confidential c/o York St John University Lord Mayor's Walk York YO31 7EX
Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 Contact form: https://protect- advice.org.uk/contact- protect- advice-line/ Website: www.protectadvice.org.uk/