



UNIVERSITY COLLEGE
OF ESTATE MANAGEMENT

Whistleblowing

Policy

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Whistleblowing Policy

Approval History

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Document History

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00.01	21/08/2018	Policy gap identified in terms of student whistle blowing	Helen Edwards
00.02	25/09/2018	Removal of reference to UCEM staff in the policy and incorporating comments from Quality Assurance Officer.	Helen Edwards
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1. Introduction

UCEM is committed to the highest standards of business conduct and seeks to conduct itself in a responsible manner taking into account the requirements of the Public Interest Disclosure Act 1998 and its funding bodies. UCEM is committed to the principles of academic freedom and the highest possible standards of openness, quality and accountability.

UCEM welcomes constructive criticism and promotes an environment in which problems can, to a large extent, be addressed informally. However, it recognises that this is not always possible, and that sometimes more formal means are needed.

UCEM encourages any member of the UCEM community who has serious concerns about any aspects of its work to come forward and voice these concerns. This policy sets out the process by which students and student employers can raise genuine and legitimate concerns internally without fear of victimisation, detrimental treatment or retaliation; and therefore being placed in a moral dilemma with the route of public disclosure as the sole means of action. Legitimate concerns should be raised if they are in the interests of UCEM, staff, students or the public.

2. Policy scope

This policy is intended to allow students and others associated with UCEM by business contract to raise concerns and disclose information about perceived malpractice. This policy is not intended for UCEM staff wishing to whistleblow as there is a separate staff policy available on UCEM's intranet.

The term 'malpractice' includes, but is not limited to:

- Financial malpractice, impropriety or fraud
- Breaches of financial controls, false accounting/reporting, financial and other reporting regularities
- Facilitating tax evasion
- Failure to comply with legal and regulatory requirements – for example, health and safety for students, employees or the public, anti-discrimination legislation, trading standards or environmental protection laws
- Unethical conduct
- Bribery
- Any other criminal activity
- Academic or professional malpractice
- The exercise of academic freedom being obstructed or frustrated
- Bullying, harassment, discrimination or victimisation of others
- Colleagues who are involved in the taking, buying, selling of drugs or other forms of substance abuse
- Failure of (an) individual(s) to disclose a serious conflict of interest
- A miscarriage of justice

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- Deliberate covering up or suppression of information relating to any of the above matters
- Behaviour which might damage UCEM's reputation

This policy is not to be used to question financial or business decisions taken by UCEM. Nor is it for matters which should be raised under the Student Complaints or Appeals Procedures or to reopen matters which have already been considered under them.

3. Safeguards

This policy is designed to offer protection to those that disclose concerns in line with this policy and provided that the disclosure is made in good faith and in the reasonable belief that there might be evidence of malpractice. It might be discovered subsequently that it was a wrong or mistaken belief but that it was a reasonable belief to hold in the circumstances at the time of disclosure.

3.1 Confidentiality

UCEM will make every effort to keep the whistleblower confidential to those dealing with the case only, so long as this does not hinder or frustrate any investigation or UCEM's ability to meet its legal requirements. There may however be occasions when UCEM will not be able to control if a breach occurs and information is disclosed.

If the identity of the person making the allegation must be disclosed further, this person will be notified. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

3.2 Anonymous allegations

Those making an allegation are encouraged to put their name to any disclosures. Concerns expressed anonymously carry less weight, but may be considered at UCEM's discretion. Factors to be considered when exercising discretion include:

- The seriousness of the issues raised;
- The credibility of the concern;
- Any supporting evidence received; and
- The likelihood of confirming the allegation from alternative credible sources.

UCEM is unable to provide feedback to the person making the disclosure in the case of anonymous allegations.

3.3 Untrue allegations

Anyone making an allegation in good faith will not be subject to further action if, after investigation, the allegation is unproven.

Those making malicious or vexatious allegations are likely to be faced with disciplinary and/or legal action.

4. Procedures for speaking up

4.1 Initial step: disclosure

In the first instance disclosure should be made to the University College Secretary by emailing DeputyPrincipal@ucem.ac.uk.

Alternatively, the matter can be raised with the Chair of the Audit Committee who is an independent trustee and outside of the management structure of UCEM. The matter should be raised with the Chair of the Audit Committee in writing to Chair of Audit Committee, C/O University College Secretary, Horizons, 60 Queen's Road, Reading, RG1 4BS. The letter should be marked '*Private and Confidential: please forward*' and the correspondence will be forwarded unopened to the Chair of the Audit Committee.

4.2 Next steps

The person receiving the disclosure will consider the information provided and should determine whether there is a prima facie case to answer and whether an investigation is required, or whether it is possible to resolve at a local level.

An investigation may involve:

- Initiation of formal UCEM procedures (e.g. Student Complaints Procedure, Disciplinary Policy (staff/students))
- Investigation by internal auditors
- Reference to an outside agency (e.g. police in case of alleged criminal activities)

Investigations will be conducted as speedily as possible having regard to the nature and complexity of the disclosure.

4.3 Feedback

If the person receiving the disclosure decides that there is not a prima facie case to answer, the person making the disclosure will be notified.

Where the person receiving the disclosure decides there is a prima facie case to answer then:

- the person making the disclosure will be informed, in outline, of any action taken or future action to be taken (unless the disclosure has been made anonymously).
- any person(s) against whom the disclosure is made will be informed of it and the evidence supporting and will be allowed to respond before the investigation is concluded. However, this will not apply if it is likely to compromise the outcome of the investigation.

4.4 Records and reporting of outcomes

All concerns raised and action taken in response will be recorded by the University College Secretary or the Chair of the Audit Committee as appropriate and will be retained for a minimum seven years.

The outcome of any case handled at a local level should be reported to the University College Secretary for monitoring.

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A brief written report of all disclosures, not identifying individuals, and any actions taken will be made to the UCEM Audit Committee on an annual basis.

4.5 Appeals

If the outcome of a disclosure results in the initiation of formal UCEM procedures (e.g. Student Complaints Procedure, Disciplinary Policy (staff/students)) any appeals against the outcome of these procedures should be made in line with the relevant appeal details for these procedures.

All other appeals against the outcome of a disclosure should be put in writing within 20 working days to the Chair of the Board of Trustees, C/O University College Secretary, Horizons, 60 Queen's Road, Reading, RG1 4BS. Please mark the correspondence '*Private and Confidential: please forward*' and the correspondence will be forwarded unopened to the Chair of the Board of Trustees. The decision of the Chair of the Board of Trustees is final.

5. Monitoring and review

This policy will be subject to annual monitoring and review by the Board of Trustees.

6. Related policies

[Code of Practice chapter on Student Complaints and Appeals](#)

[Student Complaints Procedure](#)

[Employer Complaints Procedure](#)

[Complaints Policy and Procedure for Employers of Apprentices](#)

[Code of Practice Safeguarding and Prevent](#)

[Safeguarding Procedure](#)

[Prevent Procedure](#)

[Student Disciplinary Policy](#)

Signed by: 

Jane Fawkes

Chair of the Quality Standards and Enhancement Committee

Date: 28/11/18