

Document Administration

Document Title:	Whistleblowing Policy: Public Interest Disclosure
Document Category:	Policy
Version Number:	5
Status:	APPROVED
Reason for development:	Employment Rights Act updates and amendments
Scope:	University Wide
Author / developer:	Head of HR HR Learning & Organisational Development Partner
Owner	Head of HR
Assessment: (where relevant)	<input checked="" type="checkbox"/> Equality Assessment <input type="checkbox"/> Legal <input type="checkbox"/> Information Governance <input type="checkbox"/> Academic Governance
Consultation: (where relevant)	<input type="checkbox"/> Staff Trade Unions via HR department <input type="checkbox"/> Students via Lincoln Bishop University Students' Union <input type="checkbox"/> Any relevant external statutory bodies
Authorised by (Board):	University Council
Date Authorised:	31 March 2026
Effective from:	31 March 2026
Review due:	March 2029 – unless law/regulations require a review earlier
Document location:	University Website
Document control:	All printed versions of this document are classified as uncontrolled. A controlled version is available from the University website.
Alternative Format	If you require this document in an alternative format, please contact HRhelp@bishopg.ac.uk

Whistleblowing Policy: Public Interest Disclosure

1. Introduction

The University acknowledges its duty to conduct its affairs in accordance with high standards of integrity, propriety, accountability, and openness, taking full account of the recommendations of HE regulatory bodies.

This policy is intended to promote throughout the University a culture of openness and a shared sense of integrity, by inviting all employees and students to act responsibly to uphold the reputation of the University and maintain public confidence.

The University encourages members of staff and students to raise genuine and serious concerns about malpractice in the workplace at the earliest practicable stage. This policy sets out a process whereby employees and students who have concerns about malpractice may raise those concerns at a high level in the University, outside of normal line management, and without fear of detriment.

The policy also seeks to balance the need to provide safeguards for members of staff and students who raise genuine concerns about malpractice against the need to protect other members of staff, students, and the University against uninformed or vexatious allegations.

2. Scope

- 2.1. This policy applies to all employees and workers employed by us. Other individuals, including our contractors, subcontractors, suppliers, agency staff and volunteers are also encouraged to follow the procedure set out in this policy.
- 2.2. The policy is designed to deal with concerns raised in relation to the specific issues which are in the public interest and are detailed in 4.2, and which fall outside the scope of other University policies and procedures. The policy is not intended to apply to personal grievances concerning an individual's terms and conditions of employment, or other aspects of the working relationship, complaints of bullying or harassment, or disciplinary matters. Sexual Harassment concerns may be raised under this policy as protected disclosures.
- 2.3. Any collective dispute or grievance by employees should be raised through the Joint Negotiation & Consultative Committee.
- 2.4. Individual concerns raised by students in relation to any aspect of the University's provision should be raised through the Processing Complaints (by Students) Policy & Procedure.
- 2.5. Nothing in this procedure prevents an individual from exercising their statutory rights under the Public Interest Disclosure Act 1998. Individuals are however advised to seek professional or trade union advice before deciding to disclose matters to a

third party/prescribed person outside the University without attempting to use this procedure in the first instance. Current advice on relevant prescribed persons and bodies is available on the Government website ([Whistleblowing: list of prescribed people and bodies - GOV.UK](#))

3. Legal Framework

- 3.1. The Public Interest Disclosure Act 1998 protects a worker from victimisation and dismissal following disclosure by that worker of a matter threatening the public interest, if the case satisfies the detailed conditions set out in the Act. To be protected, the worker must make a 'qualifying disclosure' and ensure that it is made in one of the ways described in the Act.
- 3.2. Similarly, the University applies the same principle to its students where they may raise a 'qualifying disclosure' under the University procedure however statutory whistleblowing protections do not apply to students.
- 3.3. Disclosures that do not meet the statutory requirements for a protected disclosure may not attract protection under whistleblowing legislation.

4. Purpose

- 4.1. The University is committed to conducting its affairs in a responsible and transparent way, meeting the expectations of the Nolan Principles on standards in public life (<https://www.gov.uk/government/publications/the-7-principles-of-public-life>).
- 4.2. This Policy provides a process through which all members of Lincoln Bishop community can disclose information which they believe may show one or more of the following:
 - that a criminal offence has been committed, is being committed or is likely to be committed. Where fraud or money laundering activity is suspected then reference should be made to the University's Anti-Fraud and Anti-Money Laundering Policy. An individual may choose to disclose their concerns through these procedures or under the Whistleblowing Policy.
 - that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
 - that a miscarriage of justice has occurred, is occurring or is likely to occur.
 - that the health or safety of any individual has been, is being or is likely to be endangered.
 - that the environment has been, is being or is likely to be damaged; or
 - that to sexual harassment has occurred, is occurring or is likely to occur in accordance with the Employment Rights Act 2025.
 - an attempt to cover up any of the above.

The inclusion of sexual harassment as a qualifying disclosure takes effect from 6 April 2026

- 4.3. It is not necessary for you to prove the wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, you must reasonably believe that wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest.
- 4.4. To promote a culture of shared responsibility and openness, this Whistleblowing Policy has been written to include the University's wider community. The terms of the Public Interest Disclosure Act specifically address those employed in the UK.
- 4.5. This Policy offers protection to individuals reporting such matters in the public interest. The University will take all reasonable steps to protect such individuals from any form of harassment or discrimination relating to a disclosure.
- 4.6. It should be emphasised that this Policy is intended to assist individuals who reasonably believe that they have discovered malpractice or serious wrongdoing provided that they make the disclosure in the public interest in accordance with this Policy and associated procedure. It is not designed to be used to question financial or business decisions taken by the University.

5. Procedure

- 5.1. It is important that individuals disclose information at the earliest opportunity. For the avoidance of doubt, it should be clearly stated by the individual that the disclosure is being made under the Policy. It is not necessary to provide or wait for 'proof' of the suspected malpractice. The disclosure should contain as much detail as possible including, where applicable, the names of individuals and significant dates, locations, or events.
- 5.2. The procedure for making a disclosure is as follows:
 - the disclosure can be made orally, in writing, or by e-mail to the Designated Person, who will normally be the University Secretary, as Secretary to Council, the University's governing body. The University Secretary will immediately inform the Vice-Chancellor and the Chair of Council.
 - if the disclosure is about the University Secretary, it should be made directly to the Vice-Chancellor, who will inform the Chair of Council.
 - if the disclosure is about the Vice-Chancellor, it should be made directly to the Chair of Council.
 - if for any other reason the person making the disclosure feels it is not appropriate to raise the matter with the University Secretary or the President and Vice-Chancellor, it may be raised directly with the Chair of Council.
 - where disclosure relates to the actions of the Chair of University Council then the disclosure should be made to the Head of HR.

Process for investigation of disclosures

- 5.3. If the disclosure provides a prima facie indication of malpractice, the Designated Person will decide on the form of investigation to be undertaken. This will be either to:
- investigate the matter internally.
 - refer the matter to the External Auditors.
 - refer the matter directly for external investigation by an appropriate body such as the police, the Health and Safety Executive, the Environment Agency, or the Serious Fraud Office.
 - Where the matter is to be the subject of an internal investigation, the Designated Person will not conduct it but will appoint an Investigating Officer to do so on the University's behalf.
- 5.4. The Investigating Officer will be appointed from inside (or if necessary, from outside) the University, and the appointment will be with reference to the appropriate knowledge, experience and skills required based on the nature of the disclosure. The Investigating Officer will play no part in any decisions which are to be taken in response to the findings and will not be involved with nor responsibility for any other procedures which may be invoked as an outcome of the investigation.
- 5.5. The decision of the Designated Person and, where applicable, the identity of the person appointed to conduct the investigation, will be notified to the individual making the disclosure (unless made anonymously), with the reasons, within ten working days of the Designated Person first receiving the disclosure.
- 5.6. The Investigating Officer will determine the scope of the investigation, supported, if necessary, by an appropriate member of Human Resources. Investigations will be conducted as sensitively and speedily as possible and with no presumption of guilt, whilst having proper regard to the nature and complexity of the disclosure and the need for thoroughness. A written record will be kept of the investigation.
- 5.7. The Investigating Officer may interview and/or seek a written statement from the whistle blower and any other individuals considered to be relevant to the investigation. A workplace colleague or trade union representative may accompany any individual being interviewed, should they so wish.
- 5.8. The individual(s) against whom the disclosure is made will be notified of the investigation after it has commenced and once it is in the initial stage. They will be informed verbally, which will be followed up in writing, of the evidence supporting the disclosure and will be invited to comment before the investigation is concluded or any further action is taken. The person(s) against whom the disclosure is made will be notified of any next steps in writing, by or on behalf of the Designated Person.

- 5.9. Where the initial stage of the investigation of the disclosure provides reasonable grounds for suspecting staff of involvement in any of the activities listed in paragraph 8, the Investigating Officer will advise the University on how to prevent any further loss, danger, damage, or harm. This may require the suspension, on full pay, of the individual(s) against whom the allegations have been made, in line with the University Disciplinary processes. It may be necessary to plan the timing of suspension to prevent the suspects from destroying or removing evidence that may be needed to support disciplinary or criminal action. Before any suspension is made it should be discussed and agreed with Human Resources.

Findings and Feedback

- 5.10. At the conclusion of the investigation the Investigating Officer will provide a report to the Designated Person, who will then determine the next steps, which may be to:
- initiate other appropriate University procedures, such as the Disciplinary processes; or
 - refer the matter to an external third party, such as the police; or
 - take no further action.
- 5.11. The Designated Person will, considering any need for confidentiality, inform the whistle blower of the outcome of the investigation and what action, if any, has been taken or is to be taken. If no action has been or will be taken the individual who made the disclosure will, subject to issues of confidentiality, be informed in writing of the reasons for the outcome. The individual(s) against whom allegations were made will also be informed in writing that no action has been or will be taken.
- 5.12. The individual who made the disclosure will be notified of the outcome of the investigation.
- 5.13. Any breach of conduct by an employee will be subject to the normal disciplinary procedures. Where relevant, other policies and procedures will be invoked (for example, in relation to fraud and financial misconduct).
- 5.14. An individual may also use external routes if they do not have confidence to raise matters internally within the University, such as the external auditor or regulatory and funding bodies. However, given the conditions for protection under the legislation, employees are strongly advised to seek advice from their trade union, professional association, or confidential advisory organisation, such as Public Concern at Work, before pursuing this route.
- 5.15. Regardless of whether a disclosure is founded the University will seek to ensure that any individual making such a disclosure is not subject to any future detriment including bullying or harassment by staff or students of the University. If an employee feels they are being subjected to detrimental treatment as a consequence of their disclosure, they should raise their concerns through the staff Grievance Procedure. Where a student feels subject to detriment, they should refer to the

Student Complaints Procedure. Where following investigation it is found that the individual has suffered a detriment, steps will be taken to redress this, and disciplinary action may be taken against those responsible.

- 5.16. If an investigation concludes that a disclosure has been made maliciously, the whistle-blower will be subject to disciplinary action through relevant University procedures. A disclosure made in good faith but not upheld will not result in disciplinary action.

Right of Review

- 5.17. If the person who raised a concern about public disclosure believes that the University's handling of the disclosure was flawed on the ground(s) that:
- a. the procedures have not been followed properly; and/or
 - b. there is evidence of prejudice or bias in the handling of the case; and/or
 - c. there is further evidence of alleged malpractice that was not available at the time of the original disclosure

there will be a right of review on the above grounds only to the Chair of Council. The request for review must be made within ten working days of the individual being sent details of the outcome of the investigation.

- 5.18. The Chair of Council will determine if the request for review meets the ground(s) as set out above. If any ground for review is not made out, the Chair of Council will inform the complainant in writing of this decision, with the reasons, within ten working days of making the decision. This decision shall be final and shall be reported to the Vice-Chancellor, the Audit Committee and University Council.
- 5.19. If there is ground(s) for a review, the Chair of Council will appoint a lay member of Council who has had no previous involvement in the case to undertake the Review. A report of the outcome, with any recommendations, shall be sent to the complainant, the Vice Chancellor, the Audit Committee and University Council. Council shall decide what further action, if any, shall be taken in response to such recommendations. Its decision in this respect shall be final.