

Birkbeck University of London

Whistleblowing (Public Interest Disclosure) Policy

1. Introduction

- 1.1 Birkbeck is committed to the highest standards of openness, transparency, probity and accountability. We seek to conduct our affairs in a responsible manner, taking into account our responsibilities as a public body, the requirements of the funding bodies, government legislation and the principles established by the Committee on Standards in Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership, set out at the end of this document.
- 1.2 The Vice-Chancellor and Governors are committed to running the Birkbeck in the best way possible and to do so we need your help. We have introduced this policy to reassure you that it is safe and acceptable to speak up and enable you to raise any concern you may have at an early stage and in the right way.
- 1.3 The purpose of this policy is to provide a means within Birkbeck to raise a concern in the right place if you suspect or witness any risk, malpractice or wrongdoing within the organisation. Birkbeck encourages all staff, agency workers, and volunteers to raise matters of concern responsibly through the procedures outlined in this policy.

2. Application of the Whistleblowing Policy

- 2.1 This policy is intended to allow employees to raise at a high level concerns or to disclose information which the employee believes to show malpractice or impropriety. It is not designed to question financial or business decisions taken by Birkbeck, or to revisit matters that have already been addressed under harassment or grievance complaints or disciplinary procedures.
- 2.2 Examples of the types of concern that may be raised under this policy include:
 - Financial malpractice or impropriety;
 - Fraud, bribery or other criminal offence;
 - Danger to the health and safety of any individual at Birkbeck;
 - Environmental damage;
 - Academic or serious professional malpractice;
 - Improper conduct or unethical behaviour;
 - Attempts to conceal any of the above
- 2.3 If you wish to make a complaint about your employment or how you have been treated, please use the [Dignity at Work and Study policy](#) or the [College grievance procedure](#).

Our assurances to you

- 2.4 We hope you will raise your concern openly with us. However, we recognise that there may be circumstances when you would prefer to speak to someone confidentially first. If this is the case, please say so at the outset. If you ask us not to disclose your identity we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example when your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.
- 2.5 Please remember that if you do not tell us who you are (and therefore you are raising a concern anonymously) it will be much more difficult to look into the matter. We will not be able to protect your position or to give you feedback. Accordingly you should not assume we can provide the assurances we offer in the same way if you report a concern anonymously.
- 2.6 We expect all staff, agency workers and volunteers to respect the right of their colleagues to raise concerns under this policy without detriment or retribution. Victimisation of individuals who raise concerns is unacceptable and Birkbeck will consider this as a disciplinary matter. Of course, we do not extend this assurance to someone who maliciously raises a matter they know to be untrue.

3. How to raise a concern within the College

- 3.1 If you identify a concern about wrongdoing that may include; criminality; danger to health or environmental risk; malpractice or improper conduct; please raise it with the College as soon as possible. You do not need to have firm evidence before raising a concern. However we do ask that you explain as fully as you can the information or circumstances that give rise to your concern. You may be accompanied at meetings by a work colleague or trade union representative if you wish.

Step one

- 3.2 If you have a concern about malpractice, we hope you will feel able to raise it first with your manager. This may be done verbally or in writing.

Step two

- 3.3 If you feel unable to raise the concern with your manager, for whatever reason, please raise the matter with the [College Secretary](#).

The College Secretary has been given special responsibility for dealing with whistleblowing concerns. If you want to raise the matter confidentially, please say so at the outset so that appropriate arrangements can be made.

Step three

- 3.4 If the channels in Step 1 and Step 2 have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please [contact the Chair of the Audit Committee](#).
- 3.5 Upon receiving your information, we will acknowledge receipt within **two working days**. We will then decide whether an investigation should be undertaken and if so what form it should take.
- 3.6 We may decide that there are no grounds for taking the matter further and that an investigation is not necessary. You will be advised of this and the basis for the decision. This does not mean that the matter is being disregarded or not treated seriously. We may conclude that there are already procedures and arrangements in place that are appropriate for addressing the concern that has been raised.

4. Investigation

- 4.1 If we decide an investigation should take place, we will:
- Establish whether the matter should be referred to an external body, for example the police; a research funding council; Health and Safety Executive; or another statutory body.
 - Identify the appropriate person(s), who should be senior officers of Birkbeck, to carry out the investigation;
 - Ensure that the senior officer(s) undertaking the investigation has not been involved in this matter previously, and will not be involved should any subsequent procedure be necessary;
 - Agree the terms of reference, the timescale and the format of the report of the investigation.
- 4.2 The investigation will be conducted as effectively and promptly as possible.

5. Outcomes

- 5.1 Having completed the investigation, we will inform you what action, if any, is to be taken in writing or by email and giving reasons. Please note, however, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.
- 5.2 Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and effectively. By using this policy you will help us to achieve this.
- 5.3 If at any stage you experience reprisal, harassment or victimisation for raising a concern please contact the Director of Human Resources or the College Secretary.

5.4 We will keep records of all disclosures, investigation reports and subsequent actions taken and will retain such records (subject to data protection standards) for a period of three years, as a formal record and for reference purposes.

6. Independent advice

6.1 If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact the independent charity Protect on 020 3117 2520 protect-advice.org.uk. Their team can talk you through your options and help you raise a concern about malpractice at work.

6.2 You can also contact your trade union representative for advice.

7. External contacts

7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying matters of concern. In most cases you should not find it necessary to report concerns outside of the College. While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that, in some circumstances it may be appropriate to report concerns to an external or regulatory body, e.g. a research funding council, the Health and Safety Executive. It will very rarely, if ever, be appropriate to alert the media.

7.2 If you feel unable to make a disclosure within the College; Protect or your trade union will be able to advise you.

8. Reporting of outcomes

8.1 We will make a report of all disclosures made and the outcomes of any investigations to the Audit Committee, as a means of allowing the Committee to monitor the effectiveness of this procedure.

Approved March 2015

Updated March 2023

Audit Committee

Appendix

Principles established by the Committee on Standards in Public Life (Nolan Principles)

[View the principles on gov.uk.](#)

- **Selflessness:** acting solely in terms of the public interest
- **Integrity:** avoiding obligations and inappropriate influence; declaring and resolving conflicts of interest
- **Objectivity:** taking decisions impartially and based on merit
- **Accountability:** public accountability for decision making and engagement with the scrutiny necessary to ensure this
- **Openness:** acting and taking decisions in an open and transparent manner; not withholding information unless there are clear and lawful reasons
- **Honesty:** being truthful
- **Leadership:** exhibiting and promoting these principles in personal behaviour and challenging poor behaviour

Birkbeck College Audit Committee

The [Audit Committee](#) acts to ensure financial and organisational probity and control. It oversees external and internal audit processes and is responsible for considering the soundness of arrangements in relation to the annual financial statements, in the presence of the external auditor. The Audit Committee reports to the Governors on the College's risk management, control and governance arrangements and its arrangements for ensuring economy, efficiency and effectiveness.