

**WHISTLEBLOWING
POLICY**



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Responsible officer: Registrar
and Secretary

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1. INTRODUCTION AND POLICY STATEMENT

1.1 Goldsmiths', University of London is committed to acting with honesty and integrity, and it expects all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time. Openness, transparency and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

1.2 The aims of this policy are:

- (a) To encourage staff to raise concerns as soon as possible, in the knowledge that these will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- (b) To provide staff with guidance as to how to raise those concerns.
- (c) To reassure staff that they are able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

1.3 This policy applies to 'workers' which covers all employees, officers of the College such as Council members, consultants, contractors, paid interns, Associate Lecturers and agency workers.

1.4 This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work. It has been implemented following consultation with the relevant trades unions. This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. WHAT IS WHISTLEBLOWING?

2.1 **Whistleblowing**, in the context of the Public Interest Disclosure Act, is defined as the disclosure of information which relates to suspected wrongdoing or dangers at work which are in the public interest (e.g. affect the public). This may include:

- (a) criminal activity;
- (b) failure to comply with any legal [or professional] obligation [or regulatory requirements];

- (c) miscarriages of justice;
- (d) danger to health and safety;
- (e) damage to the environment; and
- (f) the deliberate concealment of any of the above matters.

Some examples of these are:

- a) bribery (under Goldsmith's Anti-corruption and Bribery Policy);
- b) financial fraud or mismanagement (Goldsmith's Fraud Policy);
- c) negligence;
- d) significant breach of internal policies and procedures;
- e) conduct likely to damage the College's reputation;
- f) unauthorised disclosure of confidential information; and
- g) the deliberate concealment of any of the above matters.

2.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns and a reasonable belief to suspected wrongdoing or danger affecting any of our activities (a **whistleblowing concern**) you should report it under this policy.

2.3 A whistle blower may not be unfavourably treated by Goldsmiths or other staff members having made.

2.4 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 Policy and Procedure and Code of Conduct or student Complaint Procedure as appropriate.

3. **RAISING A WHISTLEBLOWING CONCERN**

3.1 It is hoped that in many cases you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Whistleblowing Officer, Director of Legal and Governance Services, whose contact details are included at the end of this policy.

3.2 If you are uncertain whether something is within the scope of this policy, you can seek advice from the Whistleblowing Officer.

3.3 However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you can contact one of the following:

- (a) A Pro Warden; or
- (b) The Registrar and Secretary

Contact details are set out at the end of this policy.

3.4 A meeting with you will be arranged as soon as possible to discuss your concern.

3.5 A written summary of your concern will be taken down and a copy provided to you after the meeting. The aim is to give you an indication of how Goldsmiths proposes to deal with the matter raised

4. CONFIDENTIALITY

4.1 Goldsmiths' hopes that staff 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.

4.2 Staff are encouraged not 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. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer or one of the other contact points listed in paragraph 3 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from ACAS (Advisory, Conciliation and Arbitration Service) and /or Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

5. INVESTIGATION AND OUTCOME

5.1 Once you have raised a concern, an initial assessment will be carried out to determine the scope of any investigation. You will be informed of the outcome of this assessment. You may be required to attend additional meetings in order to provide further information.

- 5.2 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. It may be appropriate to commission an external investigator. The investigator(s) may make recommendations for change to enable the minimisation of risk of future wrongdoing.
- 5.3 You will be kept informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent specific details of the investigation or any disciplinary action taken as a result being given to you. You should treat any information about the investigation as confidential.
- 5.4 If it is concluded that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.
- 5.5 While the outcome you are seeking cannot be guaranteed, every effort will be made to deal with your concern fairly and in an appropriate way. By using this policy, you can help achieve this.
- 5.6 If you are not happy with the way in which your concern has been handled, you can raise it with one of the key contacts in paragraph 3.3. Alternatively, you may contact the chairman of Council or our external auditors. Contact details are set out at the end of this policy.

6. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

- 6.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 6.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. 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 Whistleblowing Officer immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure (<https://goldmine.gold.ac.uk/PoliciesForms/Pages/Grievance-disciplinary-and-capability-policy.aspx>).

- 6.3 Where a whistleblower is threatened, retaliated against, bullied or harassed in any way, such conduct will not be tolerated and is likely to result in disciplinary action being commenced. In some cases the whistleblower could have a right to sue you personally for compensation in an employment tribunal and could give rise to a cause of action against the College.
- 6.4 Goldsmiths will ensure a whistleblower is supported throughout the course of the investigation

7. EXTERNAL DISCLOSURES

- 7.1 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.
- 7.2 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 such as the Office for Students, OIA or Department of Education. It will very rarely if ever be appropriate to alert the media. You are strongly encouraged you to seek legal advice or support 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.
- 7.3 Whistleblowing concerns usually relate to the conduct of College staff, but they may sometimes relate to the actions of a third party, such as a supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, you are strongly encouraged to report such concerns internally first. You should contact your line manager or one of the other individuals set out in paragraph 3 for guidance.

8. RESPONSIBILITY FOR THE EFFECTIVE IMPLEMENTATION OF THIS POLICY

- 8.1 Council has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 8.2 The Registrar and Secretary 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.

- 8.3 The Registrar and Secretary, in conjunction with Council, shall review this policy from a legal and operational perspective each year.
- 8.4 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. 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 Registrar and Secretary.
- 8.5 a disclosure and certain protections and support have been put in place.
- 8.6 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 refer to the Grievance or Discrimination, Bullying and Harassment (<https://goldmine.gold.ac.uk/PoliciesForms/Pages/Grievance-disciplinary-and-capability-policy.aspx> and [https://www.gold.ac.uk/media/documents-by-section/about-us/governance/policies/Discrimination-Bullying-and-Harassment-Policy-\(Staff\)-FINAL.pdf](https://www.gold.ac.uk/media/documents-by-section/about-us/governance/policies/Discrimination-Bullying-and-Harassment-Policy-(Staff)-FINAL.pdf)) policies as appropriate, unless your particular case is in the public interest.
- 8.7 If you are uncertain whether something is within the scope of this policy you should seek advice from your HR representative. Details of your HR representative can be found at: <https://goldmine.gold.ac.uk/MyGoldsmiths/Pages/HR.aspx>

9. CONTACTS

Whistleblowing Officer (Director of Legal and Governance)	Matthew Brooks 020 7717 3313 Matthew.brooks@gold.ac.uk Goldsmiths, University of London Deptford Town Hall New Cross London SE14 6NW UK
Pro-Wardens	Mark D’Inverno dinverno@gold.ac.uk David Oswell d.oswell@gold.ac.uk Elisabeth Hill e.hill@gold.ac.uk
Registrar and Secretary	Helen Watson h.watson@gold.ac.uk
Chair of Council	Dinah Caine d.caine@gold.ac.uk
External Auditors	BDO 020 7486 5888
Public Concern at Work (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk
ACAS	Website: http://www.acas.org.uk/