



## WHISTLEBLOWING POLICY FOR STUDENTS

### 1. ABOUT THIS POLICY

- 1.1 Arden University is committed to conducting its business with honesty and integrity, and we expect all our students and staff 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 and to address them when they do occur.
- 1.2 The aims of this policy are:
- (a) to encourage you to report suspected wrongdoing as soon as possible, in the knowledge that your concern(s) will be taken seriously and investigated as appropriate, and that your confidentiality will be respected;
  - (b) to provide you with guidance as to how to raise those concerns; and
  - (c) to reassure you that you should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

### 2. WHAT IS WHISTLEBLOWING?

- 2.1 The Public Interest Disclosure Act 1998 (the "Act") was implemented to create a framework for whistleblowing across the private, public and voluntary sectors. The Act provides individuals with protection from victimisation where they make a qualifying disclosure about malpractice or wrongdoing in accordance with the Act's provisions.
- 2.2 A qualifying disclosure is one which, in the reasonable belief of the person making the disclosure, is in the public interest. This may include:
- (a) criminal activity e.g. fraud or bribery;
  - (b) failure to comply with any legal or professional obligation or regulatory requirements e.g. health and safety obligations of the University;
  - (c) general malpractice e.g. immoral or unethical behaviour;
  - (d) breach of our internal policies and procedures;

- (e) unauthorised disclosure of confidential information;
- (f) negligence; and
- (g) the deliberate concealment of any of the above matters.

- 2.3 A **whistleblower** is a person who makes a qualifying disclosure relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a **whistleblowing concern**) you should report it under this policy.
- 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 the University. In such cases you should use the Bullying, Harassment and Sexual Misconduct Policy or Complaints Procedure as appropriate.
- 2.5 If you are uncertain whether your concern is within the scope of this policy you should seek advice from the Whistleblowing Officer, whose contact details are at the end of this document.

### 3. RAISING A WHISTLEBLOWING CONCERN

- 3.1 We encourage students to raise any concerns with a Student Support Champion in the first instance. 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, the matter may be referred to the Whistleblowing Officer.
- 3.2 Where the matter is more serious, or you feel that your Student Support Advisor has not addressed your concern, or if you prefer not to raise it with them for any reason, you should contact one of the following:
- (a) the Whistleblowing Officer; or
  - (b) the General Legal Counsel.

Contact details are set out at the end of this policy. In the event that the Whistleblowing Officer is out of office and unable to respond to your concern, the General Legal Counsel or nominated representative will address your concern.

- 3.3 We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a companion to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

- 3.4 We will take down a written summary of your concern and provide you with a copy after the meeting. Where it is practicable to do so, we will also aim to give you an indication of how we propose to deal with the matter.

#### **4. CONFIDENTIALITY**

- 4.1 We hope that you will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.
- 4.2 We do not encourage you to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information 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.

#### **5. INVESTIGATION AND OUTCOME**

- 5.1 Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. You may be required to attend additional meetings in order to provide further information. Where possible, we will provide you with feedback regarding the concern raised.
- 5.2 In some cases, we may appoint an investigator or team of investigators including colleagues with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.
- 5.3 We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 5.4 If we conclude that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action in accordance with our Disciplinary Procedure.

## 6. IF YOU ARE NOT SATISFIED

- 6.1 While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 6.2 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 in paragraph 3. Contact details are set out at the end of this policy.

## 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. We strongly encourage you to seek advice from the Whistleblowing Office about whistleblowing and the extent of the protection available for whistleblowers before reporting a concern to anyone externally.

## 8. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

- 8.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support those who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 8.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes expulsion, 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 Complaints Procedure.
- 8.3 You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue you personally for compensation in an employment tribunal.

## 9. RELATED POLICIES

This policy should be read in conjunction with the following policies:

- **Ethics, Fraud, Anti-Bribery and Gift Policy;**
- **Anti-Harassment & Bullying Policy;** and

- **Student Complaints Procedure.**

## 10. CONTACTS

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| <b>Whistleblowing Officer</b> | Fiona Rudge<br>Email: <a href="mailto:whistleblowing@arden.ac.uk">whistleblowing@arden.ac.uk</a> |
| <b>General Legal Counsel</b>  | Vanessa Wix<br>Email: <a href="mailto:legal@arden.ac.uk">legal@arden.ac.uk</a>                   |

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| <b>Responsible Department:</b> | Legal  |
| <b>Policy Contact:</b>         | <a href="mailto:legal@arden.ac.uk">legal@arden.ac.uk</a> |
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