

Public Interest Disclosure

(Commonly referred to as Whistleblowing Policy)

Responsibility of	Secretary to Council
Re-approval Date	June 2024
Review Date	September 2027
Approved by	Audit & Risk Committee

1. Introduction

- 1.1. The RVC believes that if, by whatever means, information which is believed to show malpractice /impropriety by students, RVC employees, and individuals associated with the RVC is discovered, then this information should be disclosed without the person making the disclosure fearing reprisal or victimization for their action. This Policy & Procedures details how a disclosure can be made and describes the safeguards in place to protect the discloser from reprisal or victimization.
- 1.2. The RVC (and its subsidiaries) is committed to conduct its affairs in accordance with the highest standards of openness, probity and accountability. As a Public Body, the RVC has a duty to conduct its affairs in a responsible transparent manner, considering the requirements of the Committee for Standards in Public Life, of laws, of funding bodies and, with due regard to the RVC's values of academic freedom, of its Charter and Statutes.
- 1.3. Should employees of the RVC and/or employees/workers of the RVC's suppliers, partners, agents, collaborators, and/or RVC students make such disclosures, they are protected against being dismissed or penalized under the *Public Interest Disclosure Act 1998* (hereafter "the Act") as amended by §17 - §20 of the Enterprise & Regulatory Reform Act 2013 [*ERRA 2013*]. As a Higher Education Institution (HEI), the RVC believes that in order to support its values, equal protection should be afforded to other stakeholders in the RVC, who become aware of malpractice and need to disclose it without fear of victimisation (as defined by the Equality Act 2010) or retribution, including misapplication of the RVC's disciplinary procedures. Such stakeholders would include:
 - Students currently enrolled on RVC courses or studying for RVC awards at partner institutions;
 - Members of the RVC Council or co-opted members of its Committees;
 - People working for companies / organisations that have a contractual relationship with the RVC;
 - People working for companies/organisations that have a contractual relationship with the RVC and/or RVC's trade suppliers, research partners, collaborators and/or any other suppliers that are contracted to and form part of the RVC's supply chain.

2. Scope of the Policy

- 2.1. The purpose of this policy is to provide a means by which RVC employees, students, and individuals associated with the RVC can raise a concern if they suspect or witness any risk, malpractice and/or wrongdoing by a member of the RVC employees or any party associated with the RVC.

- 2.2. This policy covers the following areas:
 - Financial or non-financial malpractice or impropriety;
 - Failure to comply with a legal obligation or with Statutes and Regulations of the RVC;
 - Miscarriage of Justice;
 - Fraud, bribery or other criminal offence;
 - Damage to the environment;
 - Academic or professional malpractice;
 - Improper conduct or unethical behaviour;
 - Threat to an individual's health & safety;
 - Failure to comply with existing duty of care;
 - Failure to comply with the fundamental human rights of an individual as a result of modern slavery and human trafficking violations within the RVC's supply chain;
 - Attempt to suppress or conceal information relating to any of the above.

- 2.3. This is not intended to be a comprehensive list and any matters raised under this policy will be considered seriously.

- 2.4. The RVC relies on other policies and procedures to investigate and deal with matters relating to:
 - Dignity at Work, Disciplinary, and Grievances;
 - Safeguarding Children and Adults at Risk;
 - Prevent Duty;
 - Safeguarding in Research;
 - Academic Misconduct;
 - Academic Complaints & Appeals.

- 2.5. Before raising a concern under the areas listed in 2.4 it is recommended that you first review and consider the appropriate policy. Any concerns raised in

relation to the areas listed in 2.4 via the Public Interest Disclosure policy will be triaged to the appropriate department and lead.

3. General Principles of the Policy

- All qualifying disclosures will be investigated in a fair and proper manner and as sensitively and speedily as possible;
- The RVC will not tolerate the victimization of or retribution against anyone making a genuine disclosure even if they are ultimately shown to be mistaken*;
- A person making a disclosure will be made aware of who is handling the matter and will be advised of progress at appropriate stages;
- The right to natural justice (including the right of response to allegations) of those accused of malpractice / impropriety will also be recognized and observed in the application of this Policy;
- No protection (e.g. from disciplinary action) can be offered to anyone who fails to act in accordance with the provisions of this Policy

*The Employment Rights Act 1996 as amended by ERRA 2013, makes the RVC vicariously liable if a worker is subjected to detriment by a co-worker for making a protected disclosure.

4. Safeguards

4.1 This policy is designed to offer protection to all students, RVC employees, and individuals associated with the RVC who make disclosure provided that:

- the disclosure is made in good faith;
- the reasonable belief of the individual making the disclosure is to show malpractice or impropriety.

4.2 We expect all students, RVC employees, individuals associated with the RVC to respect the right of RVC stakeholders who raise a concern under this policy without detriment or retribution. Victimization of individuals who raise concerns is unacceptable and the RVC will consider this as a disciplinary matter, where applicable.

5. Making a Disclosure & Escalation Process

5.1 When raising a concern please provide as much detail as possible, as this will aid our investigation and allow us to act swiftly, if required. However, we recognise that there may be circumstance where you may wish to make a disclosure anonymously.

5.2 Please note that concerns raised anonymously limits the RVC's ability to safeguard you and to provide you with feedback.

5.3 If you do disclose your identity, we will ensure that your identity remains confidential and we will not disclose your identity without your prior consent, unless required by law.

5.4 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 RVC as soon as possible.

Method 1

5.1.1. We hope you feel comfortable and confident to be able to raise a concern with your main RVC contact. This person may be your line manager, tutor, head of department, or principal investigator.

Method 2

5.1.2 If you do not feel comfortable nor confident in raising a concern with your main RVC contact or you are not sure who to contact, please contact the Head of Governance & Risk at Governance@rvc.ac.uk. The Head of Governance & Risk will be able to identify your main RVC contact and triage to the appropriate department and lead.

Method 3

5.1.3. If you have followed Method 1 and Method 2 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 and Risk Committee at ChairARC@rvc.ac.uk

Method 4

5.1.4 If you have followed Method 1,2-3 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 Council at ChairCouncil@rvc.ac.uk

6. Investigations

6.1 If the concern you have raised falls within the areas outlined in section 2.2, the College Secretary will consider the details of your disclosure and:

- Establish whether the matter should be referred to an external body or local authority;
- Identify the appropriate person(s) within the RVC to carry out the investigation;
- Agree the terms of reference, the timescale and the format of the report of the investigation.

6.2 Concerns raised outside of the areas outline in section 2.2 which are under the remit of other existing policy and procedures will be triaged to the appropriate department and lead.

7. External Disclosures

7.1 Disclosers should normally seek advice before reporting a concern to anyone external to the RVC. The independent whistleblowing charity *PROTECT* operates a confidential helpline and has details of prescribed regulators for reporting certain types of concern. Their website is www.protect-advice.org.uk .

7.2 Other than in exceptional circumstances, all disclosures should be raised internally in the first instance. If having exhausted the procedures under this Policy, the Discloser is still not satisfied with the RVC's response and reasonably believes that the Disclosure is substantially true, s/he is a liberty to take the matter further by raising it with certain independent external bodies / individuals:

- External Auditors • OfS • Legal Adviser • Professional Bodies / Regulators
- Other bodies prescribed by the Secretary of State (under §43F of Employment Rights Act 1996 as amended by §1 of the Public Interest Disclosure Act 1998)

8. Outcomes

8.1 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.

8.2 If at any stage you experience reprisal, harassment or victimisation for raising a concern please contact the College Secretary.

8.3 We will keep records of all disclosures, investigation reports and subsequent actions taken and will retain such records for as long as deemed necessary (subject to data protection standards and legislative requirements).

9. Annual Monitoring

9.1 An annual report of all disclosures made and the outcomes of any investigations is submitted to the Audit and Risk Committee, as a means of allowing the Committee to monitor the effectiveness of this procedure.

9.2 The content and operation of this Policy shall be reviewed after each disclosure event or in the event of no disclosures, every three years or sooner if required by legislative change.