

Whistleblowing Policy and Procedure

1. Introduction

- 1.1 The University of Kent is committed to conducting its affairs with honesty, integrity, openness and accountability, with the highest possible standards as set out by the Committee on Standards in Public Life and in accordance with the Nolan Principles. The University expects our members, staff, students and community as a whole to maintain such standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. Often members of staff or students are the first to become aware of such activity. It can be difficult for members of staff to express concerns about the action of other members of staff, particularly those more senior than themselves, and so the University encourages those who have genuine or serious concerns to raise them. 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 Public Interest Disclosure Act 1998 gives legal protection to staff and makes it unlawful for an employer to be dismissed or subject a worker to detriment for having made a protected disclosure. These disclosures are commonly known as 'whistleblowing'. In addition, the Employment Rights Act 2025 provides protected disclosure to sexual harassment. Such a disclosure must be made in the public interest.
- 1.3 In addition, the University is committed to the principles of academic freedom embodied in its own charter, statutes and articles of government, and enshrined in the Education Reform Act 1988. In respect of issues pertaining to the alleged infringement of academic freedom the University's Code of Practice on Academic Freedom and Freedom of Expression sets out the process to be followed to determine if an alleged infringement has occurred. In the event that a determination of infringement has occurred, the process set out in the procedure below will be followed.

2. About this Policy

- 2.1 The purpose of this policy is:
 - (a) To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns 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 should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 2.2 This policy does not form part of any contract of employment or other contract to provide services.

3. Who does this Policy apply to?

- 3.1 This Policy applies to all employees, officers, consultants, contractors, casual workers, agency workers, volunteers and interns. The Policy also applies to students of the University, visitors and members of Council. Legal protection for disclosure under the Act does not extend to students and other non-workers, but the University will provide a comparable level of protection under its internal procedures to prevent any disadvantage to anyone raising genuine and serious concerns.

4. Who is responsible for this Policy?

- 4.1 The University Council has overall responsibility for the effective operation of this Policy with no amendments to be made to the Policy without Council approval. Significant whistleblowing incidents will be reported to the Audit Committee and Council and the Policy reviewed after a formal investigation in compliance with statutory requirements or at intervals of three years.
- 4.2 The University Secretary has day-to-day operational responsibility for this Policy and any questions about this Policy should be referred to them in the first instance. The University Secretary and Director of Human Resources & Organisational Development should ensure that appropriate training is provided to all managers and staff who may deal with concerns or investigations under this Policy.
- 4.3 All staff are responsible for the success of this Policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

5. What is Whistleblowing?

- 5.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The Public Interest Disclosure Act 1998 states a 'qualifying disclosure' is any disclosure of information which, in the reasonable belief of the individual making the disclosure, shows one or more of the following:
- (a) that a criminal offence has been committed, is being committed or is likely to be committed;
 - (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
 - (c) that a miscarriage of justice has occurred, is occurring or is likely to occur;
 - (d) that the health or safety of any individual has been, is being or is likely to be endangered;
 - (e) that the environment has been, is being or is likely to be damaged; or
 - (f) that information tending to show any matter falling within any one of a) to e) above has been, is being or is likely to be deliberately concealed.

- 5.2 A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the University's activities (a whistleblowing concern) you report it under this Policy. The Employment Rights Act 2025 provides protected disclosure to cases of sexual harassment when they are made in the public interest, and such can be raised under this Policy.
- 5.3 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 appropriate University grievance or complaint procedures, please see paragraph 13 below for more details.
- 5.4 If a complaint relates to your own personal circumstances but you also have wider concerns regarding one of the areas set out in paragraph 5.1 above, you should discuss with the University Secretary which route is the most appropriate.
- 5.5 If you are uncertain whether something is within the scope of this Policy you should seek advice from the University Secretary.

6. Raising a Whistleblowing Concern

- 6.1 The University hopes that in many cases you will be able to raise any concerns with your line manager, Head of School or Director of Professional Services. 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 University Secretary or the Director of Human Resources and Organisational Development.
- 6.2 However, where the matter is more serious, or you feel that your line manager/Head of School/Director of Professional Service or the HR Directorate has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:
- (a) University Secretary
 - (b) The Vice Chancellor
 - (c) Chief Financial Officer (if of a financial nature)
 - (d) Chair of Council, or
 - (e) If for any reason the individuals in a) to d) are deemed not appropriate, the allegation should be made to the Chair of the Audit Committee.
- 6.3 Whoever of the above receives the whistleblowing concern will be the Commissioning Manager. A meeting will be arranged with the Commissioning Manager and yourself as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this Policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

- 6.4 A written summary of your concern will be taken at the meeting and you will be provided with a copy after the meeting. You will also be provided with an indication of how it is proposed the matter will be dealt with and the likely timescale.

7. Confidentiality

- 7.1 The University hopes that staff will feel able to voice whistleblowing concerns openly under this Policy. However, if you want to raise your concern confidentially, the University will make every effort to not disclose your identity. If it is necessary for anyone investigating your concern to know your identity, this will be discussed with you.
- 7.2 Individuals making disclosures are always encouraged to give their names and contact details wherever possible. Anonymous disclosures are not encouraged, although every effort will be made to investigate anonymous disclosures. A 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 University Secretary or one of the other contact points in paragraph 6.2 above, and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from [Protect](#), the independent whistleblowing charity, who offer a confidential helpline.

8. Investigation and Outcome

- 8.1 Once you have raised a concern, the Commissioning Manager will arrange for an **initial assessment** to be undertaken to determine the scope of any investigation that might be carried out. The initial assessment may be undertaken by the Commissioning Manager or more usually by a person or persons (the Assessment Investigator) appointed by the Commissioning Manager. You will be informed of the outcome of this initial assessment and you may be required to attend additional meetings in order to provide further information.
- 8.2 Following the initial assessment recommendations and/or summary of the scope of the concern and investigation will be produced by or for the Commissioning Manager. The recommendations might (without limitation) include one or more of the following:
- (a) A formal investigation is undertaken, either by a single person, by a group or by a panel set up for the purpose
 - (b) An internal investigation is undertaken by the University, or by the Audit Committee or some other Committee of Council and/or external or internal auditors appointed by the University;
 - (c) That the matter be reported to the Office for Students, the Office of the Independent Adjudicator, the Department of Business and Trade, the National Audit Office or some other public authority;
 - (d) That the matter is reported to the Police

- (e) That the concern raised does not appear to meet the criteria for a qualifying disclosure as detailed in paragraph 5.1 above, and that the matter may be better dealt with under a more applicable University policy or procedure. You may be encouraged to use those alternative procedures or in circumstances where you feel that is not appropriate the scope of the investigation may be limited to the matters in 5.1 above.
- 8.3 In the event where the criteria of a qualifying disclosure are met and a formal investigation is undertaken, the University's procedures for [Conducting Formal Investigations](#) will apply. An investigator, or team of investigators, including staff with relevant experience of investigations or specialist knowledge of the subject matter, will undertake an investigation and report to the Commissioning Manager. The investigator (or investigators) may make recommendations for change to enable the University to minimise the risk of future wrongdoing. The Commissioning Manager will determine any actions or outcomes arising from the recommendations of the investigation.
- 8.4 You will be kept informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent giving specific details of the investigation, an outcome or any disciplinary action taken as a result. Any information about the investigation should be treated as confidential.
- 8.5 The Investigation may recommend that no further action should be taken by the University for one or more of the following reasons:
- (a) That the individual raising the whistleblowing concern had not demonstrated a reasonable case that wrongdoing within the meaning of this procedure had occurred, is occurring or likely to occur;
 - (b) That the matter concerned was already the subject of legal proceedings and/or an appropriate external referral;
 - (c) That the issue was already, or had already, been the subject of proceedings under one of the University's other procedures relating to staff or students;
 - (d) There was no evidence that wrongdoing had occurred or was likely to occur.
- 8.6 If it is concluded that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action.

9 If you are not satisfied

- 9.1 While the outcome you may be seeking cannot be guaranteed, the University will try to deal with your complaint fairly and in an appropriate way. By using this Policy you can help us achieve this.
- 9.2 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 6.2. Alternatively, you may contact the Chair of the Audit Committee.

10 External Disclosures

- 10.1 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.
- 10.2 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. It will very rarely if ever be appropriate to alert the media. It is strongly encouraged that you seek advice before reporting a concern to any external body. The independent whistleblowing charity [Protect](#) operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.
- 10.3 Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a contractor or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, you are encouraged to report such concerns internally first, in line with this Policy. You should contact your line manager or the HR Directorate or one of the other individuals in paragraph 6.2 for guidance.

11 Protection and support for whistleblowers

- 11.1 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.
- 11.2 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 your line manager, the HR Directorate or the University Secretary immediately. If the matter is not remedied you should raise it formally using our Grievance procedure in [Ordinance 40](#).
- 11.3 No one should threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action

12 Key Contacts

University Secretary	CouncilSec@kent.ac.uk
Vice Chancellor	vicechancellor@kent.ac.uk
Chief Financial Officer	J.Higham@kent.ac.uk
Director of HR & Organisational Development	M.Atkinson@kent.ac.uk

Chair of Council	Contact details available via CouncilSec@kent.ac.uk
Chair of Audit Committee	Contact details available via CouncilSec@kent.ac.uk
Protect	Protect - Speak up stop harm - Whistleblowing Homepage

13 Related documents

Dignity at Work Policy (staff) [Dignity at Work](#)

Ordinance 40: Grievance Resolution [OrdinancesJuly2025-Final.pdf](#)

University Complaints Procedure for Students [Student Complaints Procedure - Appeals, Conduct and Complaints office - University of Kent](#)

Public Interest Disclosure Act 1998 [Public Interest Disclosure Act 1998](#)

Employment Rights Act 2025 [Employment Rights Act 2025](#)

Conducting Formal Investigations [Conducting Formal Investigations](#)

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Document Control

Version	Author/feedback	Change	Date	Next Review
1	AD Governance	Re-write of Policy following review to simplify and for legal compliance	May 2025	2028
2	Deputy University Secretary	Addition of reference to Employment Rights Act 2025 which gives protected disclosure to sexual harassment	May 2026	2028