BALLIOL COLLEGE
UNIVERSITY OF OXFORD

Whistleblowing policy

At Balliol College we expect all our colleagues, both internal and external, to be professional at all times. We recognise that there may be occasions where this may not happen and we have in place a procedure for staff to disclose any information that suggests wrongdoing at work is taking place.

We expect all team members to talk through any concerns they may have with their line manager at the earliest opportunity to enable any problems to be resolved as soon as they arise.

Legal framework

The Public Interest Disclosure Act 1998, commonly referred to as the 'Whistleblowing Act', amended the Employment Rights Act 1996, to provide protection for employees who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'.

A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal or regulatory obligation
- sexual harassment (unwanted conduct of a sexual nature, as defined in the Equality Act 2010) or
- Concealment of any of the above
- Any other unethical conduct
- An act that may be deemed as radicalised or a threat to national security is being, has been, or is likely to be, committed.

Disclosures must be made in the public interest. This is essential when assessing a disclosure made by an individual.

The Public Interest Disclosure Act has the following rules for making a protected disclosure:

- You must believe it to be substantially true

- You must not act maliciously or make false allegations
- You must not seek any personal gain.

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed; a reasonable belief is sufficient.

Disclosure of information

If, in the course of your employment, you become aware of information which you reasonably believe indicates that unlawful, improper, or unprofessional behaviour may be happening, you MUST use the College's disclosure procedure set out below:

- That a criminal offence has been committed or is being committed or is likely to be committed
- That a person has failed, is failing or is likely to fail to comply with any legal or regulatory obligation to which they are subject
- That a miscarriage of justice has occurred, is occurring, or is likely to occur
- That the health or safety of any individual has been, is being, or is likely to be endangered
- That the environment, has been, is being, or is likely to be damaged
- That sexual harassment, has been, is being, or is likely to occur
- That information tending to show any of the above, has been, is being, or is likely to be deliberately concealed

Disclosure procedure

- Where you reasonably believe one or more of the above circumstances listed above has occurred, you should promptly disclose this to your manager so that any appropriate action can be taken. If it is inappropriate to make such a disclosure to your manager (i.e. because it relates to your manager) you should speak to the College Officer responsible for your department or the Master.
- Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. For further guidance in the use of the disclosure procedure, employees should speak in confidence to the College Officer responsible for their department or the Master.
- Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and confidential manner and will be followed through in a detailed and thorough manner
- Any employee who is involved in victimising employees who make a disclosure, takes any action to deter employees from disclosing information or makes malicious allegations in bad faith will be subject to potential disciplinary action which may result in dismissal

- Failure to report serious matters can also be investigated and potentially lead to disciplinary action which may result in dismissal

- Any management employee who inappropriately deals with a whistleblowing issue (e.g. failing to react appropriately by not taking action in a timely manner or disclosing confidential information) may be deemed to have engaged in gross misconduct which could lead to dismissal

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