



Lincoln College Whistleblowing Policy

1. Introduction

- 1.1. The College is committed to conducting itself with honesty and integrity, and expects its members to maintain standards that align with this. The College recognises that effective and honest communication is essential if misconduct is to be effectively dealt with and the College's success ensured.

2. Purpose

- 2.1. The following policy is intended to:
- a) Encourage employees to report suspected instances of misconduct (as outlined in 4.1.2) to College authorities, and to provide guidance on how to do so.
 - b) Provide a clear framework for the investigation of the suspected misconduct listed in 4.1.2.
 - c) Reassure employees that reports made in good faith will be dealt with seriously and confidentially, and without reprisal, even if they turn out to be mistaken.

3. Scope

- 3.1. This policy applies to all individuals employed by, or who have a formal association with, the College, including all classes of fellows, all academic and non-academic staff, casual employees, self-employed tutors, and contracted workers, and refers to all such people as "employees".

4. Application

- 4.1. Whistleblowing is the term used when an employee passes on information concerning wrongdoing. This is also known as "making a disclosure" or "blowing the whistle". To be protected by whistleblowing legislation, an employee who makes a disclosure must reasonably believe two things:

- 4.1.1. That they are acting in the public interest. This means that personal grievances and complaints are not covered by this policy and the whistleblowing law. For personal grievances please refer to the [Grievance Procedure](#).
- 4.1.2. That the disclosure tends to show past, present, or likely future wrongdoing falling into one or more of the following categories:
- a) A criminal offence, for example, fraud.
 - b) A threat to someone's health and safety.

- c) Risk of, or actual damage to, the environment.
- d) A miscarriage of justice.
- e) The College breaking the law, for example, by not having the right insurance.
- f) Someone covering up wrongdoing.

4.2. This Policy shall not be used for the following:

- a) To question financial or business decisions taken by the College.
- b) To reconsider any matters which have already been addressed under the College's procedures (for example, under the dispute resolution, grievance, or disciplinary procedures). Such matters should be dealt with under the relevant appeals procedures.
- c) To investigate an individual or collective personnel dispute for which there are established pathways for complaint and resolution.
- d) To consider concerns raised by students. Students should use the [Student Complaints Policy](#) to bring any matters of concern to the attention of the College.

4.3. If an individual is uncertain whether something is within the scope of this policy, they may seek confidential advice from the Bursar, Senior Tutor, Domestic Operations Manager, Head of HR, or Clerk to the Trustees.

4.4. Deliberately false or malicious reports, disclosures made for personal gain, or those made without reasonable grounds may constitute a disciplinary offence under the College's disciplinary procedures. The College will assess allegations of bad faith on a case-by-case basis, taking into account intent, available evidence, and the impact of the disclosure.

4.5. Where an individual wishes to raise a concern confidentially under this Policy, the College will endeavour to keep their identity confidential. However, confidentiality cannot be guaranteed in cases where disclosure is required by law. If it is necessary for the reporting party's identity to be shared, this will be explained to them in advance wherever possible. Identifying information will not be shared with any employee for whom a potential conflict of interest has been identified.

4.6. Disclosures may be made anonymously; however, it may not be possible to fully investigate concerns in such cases due to the lack of direct contact and the inability to request further information.

5. Summary of Procedure

5.1. Making a Protected Disclosure

5.1.1. In order to make a disclosure under the Whistleblowing Policy, the reporting party should send an email to the Clerk to the Trustees (or the Head of HR, in their absence) with the email subject "Protected Disclosure". The disclosure should:

- a) Include a detailed account of the situation, including the dates and times of any specific incidents, and the name of the individuals or bodies involved, where applicable.
- b) Clearly state the reason why the situation causes concern.
- c) Be submitted as soon as possible in order to ensure that a fair investigation can take place and that any risks to the College or its members are minimised.

5.1.2. The Clerk to the Trustees shall consult with suitably qualified persons as appropriate, taking into account confidentiality and possible conflicts of interest.

5.1.3. The Clerk to the Trustees shall write to the reporting party within ten working days of receiving the disclosure to confirm:

- a) Receipt of the disclosure.
- b) Whether the disclosure falls within the remit of the Whistleblowing Policy. Where a disclosure cannot be progressed under the Whistleblowing Policy, a written explanation will be provided, along with further advice.
- c) The name of an investigating officer who has been appointed to conduct an impartial investigation. The investigating officer will usually be a Fellow or another suitably qualified person without prior involvement in the case. If a conflict of interest is discovered, an alternative investigator will be appointed.
- d) In some cases, it may be necessary to appoint an external investigator. The Clerk to the Trustees will usually liaise with an appropriate College Officer before an appointment is made. Where this is not possible due to potential conflicts of interest or due to other concerns, the Clerk to the Trustees may approach the ARG Committee to provide oversight to the process in terms of risk and cost management.

5.2. Investigating a Protected Disclosure

5.2.1. Once a disclosure has been made, normal practice will be for the investigating officer to meet with the reporting party as soon as possible, and within 10 working days, to gather all the information and facts needed to understand the situation.

5.2.2. The reporting party may invite their trade union representative or a colleague to be present during any meetings or interviews in connection with the disclosure they have raised.

5.2.3. An appropriate note taker may also be present at the meeting to take minutes.

5.2.4. At the meeting, the following areas may be discussed, as appropriate:

- a) The grounds for the belief of malpractice.
- b) What action needs to be taken.
- c) Suggestions as to how the College may deal with the matter.
- d) What form of investigation may take place.
- e) What feedback the reporting party can expect.
- f) Timescales for providing updates to the reporting party.
- g) Supplying the reporting party with information on employee support mechanisms, in addition to any concerns the reporting party may have about confidentiality.

5.2.5. The reporting party will receive a written follow up to the meeting, acknowledging receipt of the disclosure, enclosing the minutes of the meeting, and (where appropriate, considering confidentiality) detailing any decisions or actions to be taken and any relevant timeframes.

5.2.6. In some cases, a suitable conclusion may be reached through an initial conversation with the investigating officer.

5.2.7. There may be a need to:

- a) Instigate a formal internal investigation.
- b) Instigate an independent inquiry by an external person appointed by the College.
- c) Report the matter to the Charity Commission, Office for Students, or other regulator.
- d) Refer the matter to the police.

5.2.8. Concerns over allegations which fall within the scope of specific procedures (for example, safeguarding) will normally be referred for consideration under those procedures.

5.2.9. The College will endeavour to complete investigations as quickly as reasonably practicable. This will usually be within 30 working days, however, complex cases or cases impacted by employee availability may take longer. Where appropriate, the complainant will be informed of the delay and reasons for it.

5.2.10. If, at any point during the investigation, the investigating officer has reason to believe that a crime has been committed, the matter may be referred to the police. Any internal investigation will be paused for the duration of the police investigation; the complainant will be notified of this, where permitted.

5.2.11. If the investigation finds that there is reasonable cause to suspect employee misconduct, the matter may be referred to the relevant disciplinary procedure.

5.2.12. Upon conclusion of the investigation, the reporting party may be informed of the outcome and any action taken; however, for reasons of confidentiality or further processes, this may not always be possible. The reporting party will be informed if an investigation finds that there is no case to answer.

6. External Disclosures

6.1. This Policy is intended to provide an internal mechanism for reporting, investigating, and addressing any wrongdoing. In the majority of cases, an individual should not find it necessary to make any external disclosures.

6.2. However, it may occasionally be appropriate for an individual to report their concerns to an external body, such as the police, or a regulator, such as the Charity Commission, Office for Students, or the Office of Qualifications and Examinations Regulation. The Department for Business and Trade maintains an online [list of prescribed people and bodies](#) to whom external disclosures can be made and when it is appropriate to do so.

6.3. Individuals should seek advice before making any external disclosures to ensure that their legal rights are protected. Guidance can be sought from [ACAS](#) or the independent whistleblowing charity [Protect](#), which operates a confidential helpline.

- 6.4. If an individual reasonably believes that the suspected misconduct is primarily related to the actions of individuals or entities outside the College, or falls under the legal responsibility of another party, the disclosure should be directed to the relevant external person or organisation.
- 6.5. It will rarely, if ever, be appropriate to make an external disclosure to the media. This may compromise an investigation and may mean that whistleblowing protections are lost for the person making the disclosure.

7. Protection for Disclosing Parties

- 7.1. Under the Public Interest Disclosure Act 1998, employees are legally protected from dismissal or other detrimental treatment such as, but not limited to, demotion, harassment, bullying, victimisation or blacklisting as a result of making a qualifying disclosure in good faith.
- 7.2. Reprisals of any kind may be addressed under the College's disciplinary procedures. Whistleblowers are able to report detrimental treatment separately to their original disclosure.

8. Review and Communication

- 8.1. The Clerk to the Trustees shall deliver an annual report of disclosures made under the Whistleblowing Policy to the Governing Body of the College at the final College Meeting of Trinity term. Details of individual disclosures shall be anonymised.
- 8.2. The Clerk to the Trustees shall review this Policy annually and propose any necessary revisions via Planning/Finance Committee to the Governing Body.