

*Approved by Trustee Board: May 2024*

*Review Period: 3 Years*

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*Heriot-Watt Student Union*

***WHISTLEBLOWING POLICY***

### 1. Overview

1.1 This policy is applicable to all Heriot-Watt Student Union (HWUnion) employees, casual and agency workers, officers, trustees, suppliers, contractors and service providers. The policy outlines what you should do if you suspect something at work is putting you or others in danger or is illegal or unethical.

1.2 If you are an employee, this policy does not form part of your employment contract and we may update it at any time.

### 2. What is whistleblowing?

2.1 We aim to maintain high standards of integrity in everything we do. However, all organisations can occasionally be affected by conduct that is dangerous, against the law, or that breaches ethical or professional codes. If you have concerns of a serious nature about any such behaviour where it is in the public interest, we encourage you to report it immediately — this is called ‘whistleblowing’. We will treat your concerns with due consideration, they will be thoroughly investigated, and you can be confident there will be no reprisals.

2.2 The types of concerns of public interest you may feel you need to raise with us under the whistleblowing policy might include:

* any activity you suspect is criminal (facilitating tax evasion, or bribery, for example);
* any activity you suspect puts health and safety at risk;
* any activity you suspect may damage the environment;
* any activity you suspect is a serious breach of our policies;
* any failure to comply with legal or regulatory obligations;
* any failure to meet professional requirements; and/or
* any attempt to conceal one or more of these activities.

2.3 Personal grievances and complaints are covered under separate HWUnion policies. If you are uncertain about whether something you have become aware of should be raised under this whistleblowing policy, you can choose to discuss this initially with your line manager, or with the HWUnion Chief Executive Officer or another member of the Senior Management Team.

### 3. How to raise a whistleblowing concern

3.1 If you feel that you need to take action in accordance with this whistleblowing policy, it may be appropriate to start by raising your concerns with your line manager, either face-to-face or in writing.

3.2 If you would prefer not to involve your line manager, you should contact the HWUnion Chief Executive Officer. Issues relating to the Chief Executive Officer should be raised with the Chair of the HWUnion Board of Trustees. You will be asked to put your concerns in writing to ensure that they are fully understood.

3.3 Your letter should state that you are raising your concerns under the whistleblowing policy and explain what those concerns are, including all key facts, dates, and names of any individuals involved.

3.4 You will be invited to a meeting to discuss your concerns. You are entitled to be accompanied at this and any subsequent meetings by a colleague or trade union representative, not a solicitor or lawyer. If you bring a companion, it is essential that you both agree to keep your disclosures confidential before and after the meeting, and during any investigation that may follow.

3.5 After the initial meeting, we will investigate your concerns and we may ask you to attend further meetings. To investigate properly, we may need to involve specialists with particular knowledge or experience of the issues you have raised.

3.6 We will keep you informed in general terms about how our investigation is progressing and how long is it likely to take. In exceptional circumstances we may not be able to give you full details of the investigation, the outcomes, or any subsequent action; this might happen, for example, where we need to protect confidentiality and comply with legal obligations. We understand this may be frustrating and we will do our best to reassure you that things are in hand and to explain why we are taking actions in this way.

3.7 Your concerns will be addressed fairly, but we cannot guarantee the outcome of our investigations will be the one you want. If you are not satisfied with how we have conducted the investigation or the outcome, you can raise the matter with the Chair of the HWUnion Board of Trustees for further consideration. This is the final stage of the process for internal consideration of a matter raised under this policy.

3.8 Most whistleblowing concerns are raised with good intentions, but occasionally someone makes a false allegation out of malice or because they believe they have something to gain. Any member of the HWUnion community found doing so will face action in accordance with our Disciplinary Policy and is at risk of being dismissed for gross misconduct.

### 4. Confidentiality and anonymity

4.1 There is a significant difference between wanting to keep your concerns confidential and making a disclosure anonymously. We actively discourage anonymous whistleblowing. Concerns raised anonymously are extremely difficult, if not impossible, to investigate fully. We cannot properly establish whether allegations are credible without being able to ask you for more details or for clarification, and this makes it difficult to reach an informed decision.

4.2 If you do not feel comfortable in your name being known when reporting a whistleblowing concern, let the individual investigating know and we will do all we can to protect and restrict your identity. We may feel it is necessary to disclose your identity to people involved in the investigation, but we will always discuss this with you before we proceed with the investigation and releasing your name.

4.3 You are protected from reprisals under this policy (see paragraph 5 below). However, if you are still worried about repercussions, talk to us. We will explore how far we can go in keeping your concerns and your identity confidential.

### 5. How we protect whistleblowers

5.1 If you raise a genuine concern under this policy, we will support you fully even if we find through our investigations that you are mistaken or that there has been no breach of policy, legal obligation or other activity (as set out in paragraph 2.2 above).

5.2 If you feel you have been treated unfairly as a result of raising a whistleblowing concern, you must let the HWUnion Chief Executive Officer know immediately. Issues relating to the Chief Executive Officer should be raised with the Chair of the HWUnion Board of Trustees. It may be appropriate to bring the HWUnion Grievance Policy into play if the matter remains unresolved.

5.3 All whistleblowers are given the same protection; it is important that you do not threaten or otherwise badly treat others who have raised concerns under this policy. If you do, you may face disciplinary action yourself which could include dismissal for gross misconduct. The whistleblower may also be entitled to bring legal action against you.

5.4 You can get further advice on whistleblowing, protecting confidentiality, and being protected from reprisals at: www.protect-advice.org.uk. ‘Protect’ is an independent charity that also offers an advice line (Tel: 020 3117 2520).

### 6. Taking your concerns outside HWUnion

6.1 This whistleblowing policy outlines the process for acting in the public interest to raise, investigate and resolve serious wrongdoing within HWUnion. It is rarely necessary or desirable for any individual or organisation external to the organisation to become involved when a whistleblowing allegation is made.

6.2 However, in some exceptional circumstances where internal processes have been exhausted and no acceptable resolution has been found, that a whistleblower may feel they need to go to an external body, a regulator, for example. The independent charity ‘Protect’ (see Paragraph 5.4 above) can provide further advice on the appropriate regulator for the type of issue you feel you need to raise.

6.3 This policy covers the actions of third parties (see Paragraph 1.1 above) , as well as our staff. Should you have serious whistleblowing concerns about a third party, you are encouraged to raise them with HWUnion before approaching anyone else.

6.4 Alerting the media to a concern, particularly before or during an internal investigation, is almost never justified or appropriate in any situation. We strongly discourage you from doing so, and will treat any contact with the press as a serious disciplinary issue justifying dismissal unless exceptional circumstances exist. We would normally expect you to have taken all reasonable steps to deal with the matter internally in the first instance and exhausted such processes, and then to have consulted an external regulator or taken legal advice before such action could be justified.

### 7. Reporting

7.1 Issues raised and actions taken under this whistleblowing policy relate to serious concerns which need to be considered and addressed in the public interest. As such, an anonymised and confidential report will be provided to the HWUnion Board of Trustees at the time of occurrence.

### Review Tracking

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