



WHISTLEBLOWING – ‘FREEDOM TO SPEAK UP’

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Policy statement

UK Research and Innovation will not condone any form of malpractice in the workplace and is committed to creating a safe, fair and honest working environment.

UKRI Whistleblowing - 'Freedom to Speak Up' Policy encourages and enables employees to speak out when they encounter or suspect malpractice. No one who has a reasonable belief that they are raising a genuine concern about malpractice will be at risk of losing their job or suffering any form of retribution or detriment as a result of doing this.

This Policy applies to all employees of UKRI. It also protects those workers who are on secondment, pursuing a doctoral degree, on a temporary contract or employed through an agency, an independent consultant, and contractors or suppliers of services to UKRI.

People in management positions throughout UKRI are expected to recognise their responsibilities in relation to whistleblowing and to adopt and implement the Policy and adhere to the corresponding Procedures.

The Whistleblowing – 'Freedom to Speak Up' Policy is agreed with the Trade Union Side and complies with legislation.

For the purposes of this policy "worker" includes all the above roles including those based outside the UK.

Management Guidance

This document provides additional guidance for line managers, employees, HR and the Risk and Assurance Directorate in the handling of whistleblowing at UKRI. The aim of this Policy is to encourage employees and others who have serious concerns within the workplace to come forward and voice those concerns.

Employees are often the first to realise that there may be something seriously wrong within the workplace. 'Whistleblowing' and the freedom to speak up is viewed by UKRI as a positive act that can make a valuable contribution to UKRI's efficiency and long-term success. It is not disloyal for employees to speak up; UKRI is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To help achieve these standards it encourages freedom to speak up.

This document aligns with Public Interest Disclosure Act requirements. The Act protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing.

1. Purpose

- 1.1 UKRI encourages a culture of openness and transparency across the organisation so that workers can raise any concerns. The Policy is designed to ensure that workers can speak up with their concerns about wrongdoing or malpractice without fear of victimisation, subsequent discrimination, disadvantage, or dismissal. The policy is also intended:
 - 1.1.1 to encourage and enable workers to raise serious concerns within the workplace rather than ignoring a problem or 'blowing the whistle' externally;
 - 1.1.2 to support colleagues in doing the right thing and to encourage workers to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about perceived malpractice;
 - 1.1.3 provide avenues for workers to raise those concerns and receive feedback on any action taken;
 - 1.1.4 ensure that workers receive a response to their concerns and that workers are aware of how to pursue them if they are not satisfied;
 - 1.1.5 reassure workers that they will be protected from possible reprisals or victimisation if workers have made any disclosure in good faith;
 - 1.1.6 all concerns will be taken seriously and investigated appropriately under this Policy; and
 - 1.1.7 any worker identified as deterring or victimising a whistleblower may face disciplinary action themselves.
- 1.2 The Whistleblowing - 'Freedom to Speak up' Policy replaces previous Whistleblowing policies and procedures. If a worker's concern relates to their own treatment as a worker, they should raise it under the existing Grievance Procedure found in the Grievance Policy or the Harassment and Bullying Policy.
- 1.3 *Everyone working at UKRI has a duty to report things that are not right, are illegal or if anyone at work is neglecting their duties. If a worker has any concerns, they should raise them immediately using the processes outlined within this policy.*

2. Principles

- 2.1 If a worker has any concerns regarding the behaviour of others (including illegal, improper or unethical acts); they can take confidential action to raise their concerns. The worker should use this procedure to raise concerns which affect the public interest.
- 2.2 The worker will be protected where they have blown the whistle on a genuine concern. Specifically, protection is conferred where the worker's concern is:
 - 2.2.1 covered by one of the categories set out in the [Public Interest Disclosure Act \(PIDA\)](#), and
 - 2.2.2 made in the public interest and they have a reasonable belief that the behaviour in question is occurring, has occurred, or is likely to occur. The whistleblower should provide evidence in relation to the concerns that are being raised. However, the whistleblower must not seek to investigate concerns themselves. UKRI will review concerns raised by workers and will respond in line with this policy.
- 2.3 If an employee is unclear about which route they should use to raise their concern, they may use any of the specified options available under the whistleblowing policy and UKRI will take action to investigate the issues raised, in accordance with the relevant policy.

3. Before taking action

- 3.1 Workers should not normally disclose confidential information or concerns relating to UKRI or the establishment’s business or other workers without first raising them in accordance with the procedures set out in this policy. If a worker feels uncomfortable using the internal procedure, then a disclosure may be made to the external contacts listed in paragraph 5.4.
- 3.2 A procedure already exists for workers to raise personal employment -related grievances. In addition, the UKRI Code of Conduct sets out the standards of personal behaviour to which workers must conform. The procedure in this policy complements but does not replace these existing procedures; workers should use the procedures in this section when the others are not appropriate.
- 3.3 A protected disclosure is different to a grievance in that it will concern the conduct of another person in the workplace (whether or not that conduct affects the complainant personally) in circumstances where the complainant genuinely believes that the conduct in question amounts to a criminal offence, a breach of a legal obligation, or something likely to endanger health or safety or damage the environment.
- 3.4 A grievance will concern a worker personally, e.g., the individual may have a complaint about:
 - 3.4.1 their pay or working hours;
 - 3.4.2 the amount of work that they are expected to do;
 - 3.4.3 working conditions; or
 - 3.4.4 being bullied by fellow workers

Examples of the difference between a grievance and a protected disclosure	
Grievance	Protected Disclosure
A worker’s complaint about the type of work that they are being asked to do, for example, if it is not covered by their contract	A disclosure that an individual has been instructed to carry out actions that they genuinely believe to be illegal, e.g., to falsify tax returns
A worker’s complaint that they have received insufficient safety training	A disclosure that safety rules within the workplace are routinely being flouted, thus endangering safety
A worker’s complaint about the hours that they are expected to work	A disclosure that the requirements imposed by the company on a group of workers represent a breach of the working time legislation

- 3.5 Allegations of misconduct in research should be raised in accordance with UKRI’s policy on that matter.
- 3.6 If a worker is in any doubt about the way in which they should raise their concern on a matter of public interest, they should contact the local HR Business Partner or a senior manager.
- 3.7 The worker may be accompanied by a trade union representative or work colleague at any stage of any informal or formal whistleblowing procedure.

4. Qualifying Disclosures

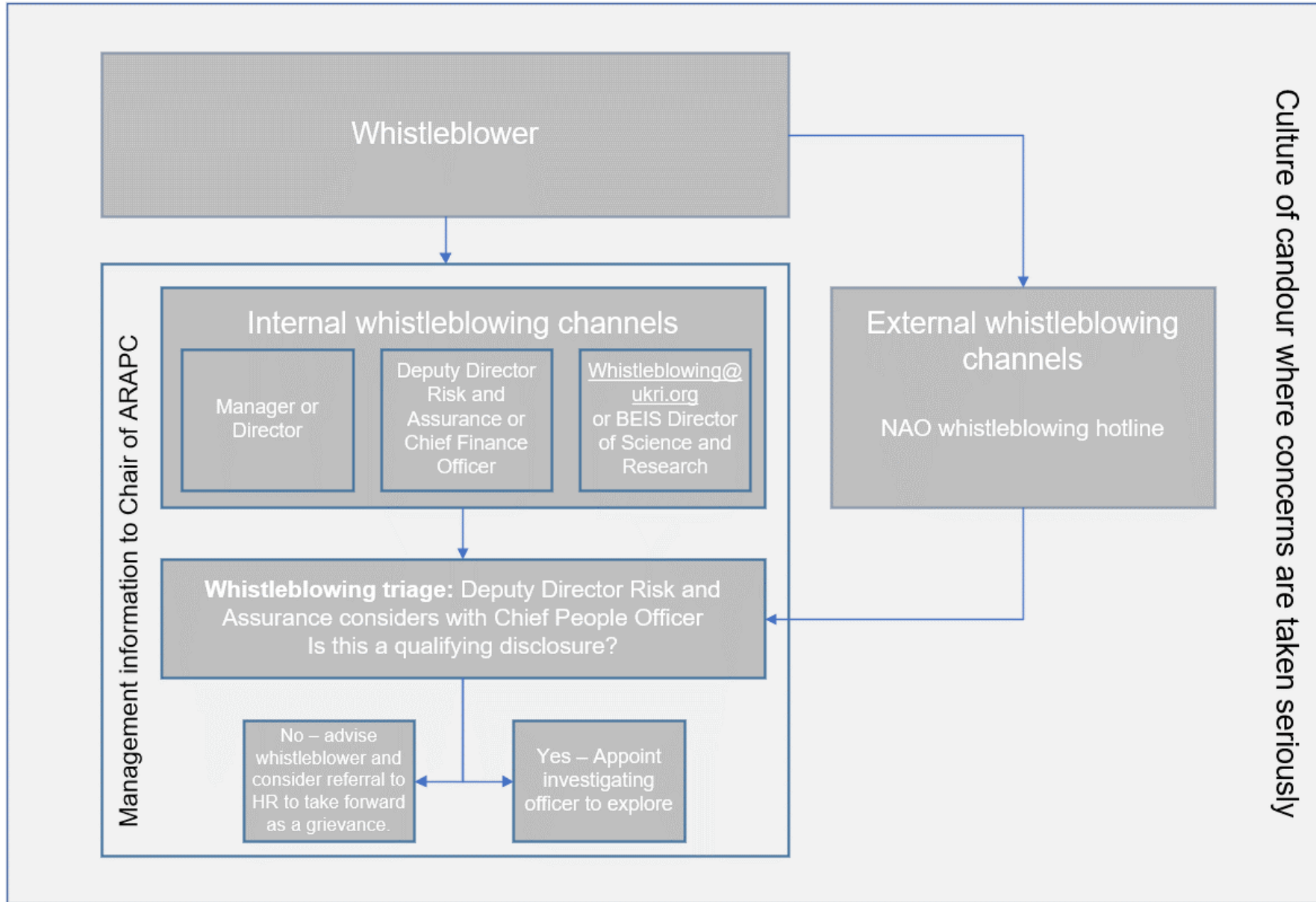
- 4.1 For a disclosure to be protected by the Act's provisions it must relate to matters that 'qualify' for protection under the Act. Qualifying disclosures are disclosures which the worker reasonably believes tends to show that one or more of the following matters is either now, took place in the past, or is likely to happen in the future:
- 4.1.1 a criminal offence;
 - 4.1.2 the breach of a legal obligation;
 - 4.1.3 a miscarriage of justice;
 - 4.1.4 a danger to the health and safety of any individual;
 - 4.1.5 damage to the environment; and
 - 4.1.6 deliberate concealment of information tending to show any of the above five matters.
- 4.2 For the worker's disclosure to be protected by the law it should be made to the right person and in the right way. The worker must reasonably believe that the information is substantially true.
- 4.3 If the worker feels unable to raise their concerns internally, they must also reasonably believe that they are making the disclosure to the right 'prescribed person'. A list of the Department for Business, Energy and Industrial Strategy's prescribed people and bodies can be found on [Gov.uk](https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies#business-finance-or-fraud)¹.
- 4.4 Anyone wishing to raise a concern is encouraged to put their name to their allegation. Anonymous disclosures are less powerful and more difficult to investigate, obtain additional information and to provide feedback upon; but will be considered by UKRI in the context of the following:
- 4.4.1 The seriousness of the disclosure;
 - 4.4.2 The credibility of the concern;
 - 4.4.3 Fairness to the individual who may be the subject of the concern raised; and
 - 4.4.4 Whether there is a likelihood that the allegation can be confirmed using reliable sources.

5. Process Details

- 5.1 In the first instance, workers should consider raising concerns with their Line Manager. In many circumstances the easiest way to get a concern resolved will be to raise it formally or informally with their Line Manager.
- 5.2 If a worker feels unable to raise their concerns with their Line Manager or Director, they may also raise their concern with the following UKRI nominated people;
- 5.2.1 the Deputy Director Risk and Assurance (rod.viggers@ukri.org); or
 - 5.2.2 the Chief Finance Officer (Siobhan.peters@ukri.org); or
 - 5.2.3 Whistleblowing Freedom to Speak Up Guardian (freedomtospeakupguardian@ukri.org).
- 5.3 Should the worker's concern involve their Line Manager, they should report their suspicion to the next highest level of authority without notifying the person concerned.

¹ <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies#business-finance-or-fraud>

- 5.4 Alongside publication of this policy, the Chief People Officer (CPO) / HR is required to make all staff aware of who these individuals are and how they can be contacted.
- 5.5 Where workers still feel uncomfortable with these management routes, an independent ‘Whistleblower’ contact has also been established. This is:
 - 5.5.1 Email whistleblowing@ukri.org. Emails sent to this account will be managed by the UKRI Governance Team and passed directly to the Chair of the UKRI Audit, Risk, Assurance and Performance Committee (ARAPC) in their capacity as Freedom to Speak Up Guardian.
- 5.6 If the worker feels unable to use these internal procedures, they can report their concerns to:
 - 5.6.1 The BEIS Director General for Science, Innovation and Growth; or
 - 5.6.2 NAO Whistleblower Hotline: details can be found on their website <https://www.nao.org.uk/contact-us/whistleblowing-disclosures/> or call: **020 7798 7999**
- 5.7 Further advice can be obtained from:
 - 5.7.1 Protect – formerly Public Concern at Work, a charity specialising in providing advice for whistleblowers, on **020 3117 2520** or visit their website www.protect-advice.org.uk
- 5.8 Further information on prescribed persons for whistleblowing can be found on the [Gov.uk website](#).
- 5.9 Please see the following process diagram.



- 5.10 Concerns can also be escalated, or taken externally by the whistleblower at any point in the procedure, if:
 - 5.10.1 They reasonably believe that they will be victimised if they raise the matter internally or have suffered an identifiable detriment
 - 5.10.2 They reasonably believe that evidence is likely to be concealed or destroyed
 - 5.10.3 They have previously raised their concern internally without success.
- 5.11 When raising a concern outside of the organisation, the whistleblower should provide an overview of the issue(s) and
 - 5.11.1 Any action they have taken to date to resolve the issue or to follow the whistleblowing procedures
 - 5.11.2 Why they feel they cannot, or are unable to continue to, raise the issue internally
- 5.12 Whistleblowing reports will be reported to the Audit, Risk, Assurance and Performance Committee (ARAPC), with the Chair being made aware immediately. A report will be made available for each ARAPC meeting summarising any whistleblowing activity.
- 5.13 All concerns will be treated in confidence and every effort will be made not to reveal anyone's identity in so far as this is consistent with the proper examination and investigation of the matter. If it is necessary to reveal the worker's identity, this will be discussed with them at the earliest possible stage of the procedure.
- 5.14 The Deputy Director Risk and Assurance will consider with the Chief People Officer if this is a qualifying disclosure in the public interest (see section 4). If it is, the Deputy Director Risk and Assurance will appoint an investigation officer. The investigation officer will have responsibilities as set out below, to look into the case and provide recommendations to Deputy Director Risk and Assurance, who will report these to ARAPC and the Chief Finance Officer.
- 5.15 If it is not a qualifying disclosure, the Deputy Director Risk and Assurance and Chief People Officer will direct the concern raised to the appropriate person. They may advise the whistleblower that the matter could be subject to the UKRI Grievance process and may ask the whistleblower if they wish to pursue that process with HR colleagues.
- 5.16 This process should not be used to raise a grievance – the worker should raise the matter using the grievance process.
- 5.17 If a worker is found to have raised a concern maliciously or in a vexatious manner not in line with the UKRI Code of Conduct, they may lose the protection of the Whistleblowing- 'Freedom to Speak up' Policy and may be subject to disciplinary action under the UKRI's Disciplinary Policy. The intent here is not to cause concern in whistleblowers seeking to raise a genuine issue, but to protect others against misuse of this process in the unusual situation where this may occur.
- 5.18 ***Everyone working at UKRI has a duty to report things that are not right, are illegal or if anyone at work is neglecting their duties. If a worker has any concerns, they should raise them immediately using the processes outlined within this policy.***

6. Timescales

- 6.1 Those raising a concern under this policy will receive an acknowledgement within 5 working days.

- 6.2 Should there be a requirement to instigate an investigation, this may take between 45 working days and 6 months depending on the nature, complexity, and level of the investigation.
- 6.3 It is the responsibility of the Deputy Director Risk and Assurance to ensure that the whistleblower is informed of the likely timescale of the investigatory process and on the level of feedback they are likely to receive

7. Responsibilities

7.1 Board responsibilities:

- 7.1.1 The terms of reference for the UKRI Board include responsibility for ensuring the effective arrangements are in place to provide assurance on risk management, governance, and internal control.
- 7.1.2 The board will receive reports from the Freedom to Speak Up Guardian and support UKRI in responding to whistleblowing allegations.

7.2 The Whistleblowing - Freedom to Speak Guardian responsibilities:

- 7.2.1 Fairly review the handling of worker whistleblowing cases and any actions taken as a result.
- 7.2.2 Seek assurance that workers have received appropriate feedback on how issues that they speak up about are investigated, and that they have been advised what they can do if they are not satisfied with the outcome of the investigation.
- 7.2.3 Assess the effectiveness of the process and liaise with the Risk and Assurance Directorate in relation to any amendments that might be required.
- 7.2.4 Provide any assistance that may be required in ensuring that any lessons learnt are disseminated.
- 7.2.5 If concerns are reported to the Freedom to Speak Guardian directly, pass the report confidentially to the Risk and Assurance Directorate to ensure that an appropriate person is identified to manage the investigation process in a timely manner.
- 7.2.6 Make recommendations and ensure action is taken.
- 7.2.7 Report to the board on the handling of cases and their outcomes.

7.3 CFO Responsibilities:

- 7.3.1 The CFO is responsible for ensuring that appropriate resource is in place to enable effective management and response to whistleblowing allegations.

7.4 Risk and Assurance Directorate Responsibilities:

- 7.4.1 Manage the independent whistleblowing mailbox and pass any emails directly to the Freedom to Speak Up Guardian.
- 7.4.2 Maintain a Whistleblowing register. This will include all monitoring and handling of reports.
- 7.4.3 Work with HR to ensure that associated lessons learnt are properly recorded.
- 7.4.4 Improvement actions will be tracked using the CGR. Automated reminders are sent to action owners and the People and Finance Operations Board (PFO) will receive reports on outstanding actions. The Risk and Assurance Directorate will be responsible for reporting on progress against actions to PFO.

7.4.5 Inform Counter Fraud of any investigation reports received that require further investigation.

7.5 Investigation Officer Responsibilities:

7.5.1 Will be appointed by the Risk and Assurance Directorate

7.5.2 The investigating officer receiving the concern will aim to contact the individual within three working days of receiving the concern to acknowledge the concern and inform the individual of the next steps.

7.5.3 Keep the whistleblower informed of developments in general terms every 28 days, depending on the nature of the concern and maintaining confidentiality of those under investigation.

7.5.4 To carry out a full investigation; when the investigation is concluded the findings of the outcome to be sent to the Risk and Assurance Directorate.

7.6 HR responsibilities:

7.6.1 The Chief People Officer (CPO) / HR owns the whistleblowing policy.

7.6.2 Communicate the policy; ensuring that workers and managers understand their responsibilities and help to engender a culture where workers feel able to speak up.

7.6.3 Maintain and update the policy.

7.6.4 Provide whistleblowing training to workers as part of induction.

7.7 Manager responsibilities:

7.7.1 Ensure the individual raising the concern is familiar with this Policy and has access to this policy.

7.7.2 Ensure all concerns raised are taken seriously; Managers are expected to respond to the worker's concerns immediately, and report to the concern to the Risk and Assurance Directorate. By doing so this ensures all investigations are started as soon as the worker has lodged their concerns, and the investigation is concluded as soon as possible (see section 5.4 process diagram)

7.7.3 Ensure complete confidentiality when handling sensitive, confidential information and maintaining anonymity where necessary. Ensure workers are respected by taking their feelings into account and supporting workers through this process.

7.7.4 Evaluating the basis of any concern brought to their attention and referring upwards to a more senior manager where appropriate. If a worker is not happy with the way in which their concern has been handled, they can raise it with an appropriate, more senior person from the options at 5.1 of this policy.

7.7.5 Ensure they have received all necessary training to enable them to handle concerns raised with them.

7.8 Worker responsibilities:

7.8.1 Raise concerns through their Managers as soon as possible.

7.8.2 If it is not appropriate to raise concern with Manager, please refer to Para 2.3.

7.8.3 Co-operate fully with any investigation. This will enable an immediate start to the process in order to ensure the investigation is completed as soon as possible.

8. Wrong-doing discovered while working for an outside organisation



- 8.1 If a worker suspects wrongdoing while working for or based at an outside organisation, they should use the internal procedures of that organisation, contacting the organisation's HR team if necessary. The worker may also contact the Risk and Assurance Directorate for advice.

9. Policy Review

- 9.1 This policy will be regularly reviewed to incorporate any legislation changes. The TU may request that a policy is reviewed.

Appendix A - Document Control Sheet

Version Control

Version Number	Status	Revision Date	Author(s)	Summary of Changes
0.5	Complete	12 Dec 2017	Yasmin Heckbarally	Role of Freedom to Speak Up Guardian; process map; formal process simplified
0.6	Complete	7 Jan 2019	Rebecca Brazier, Sophie Wallace	Amendments following review from T&Cs Working Group
0.7	Complete	10 Jan 2019	Rebecca Brazier, Rob Parsons	Addition of pending Freedom to Speak Up Guardian
1.1	Complete	19 Dec 2019	Alexandra Wall	UKRI Branding and government definitions
2.0	Complete	25 May 2022	Rod Viggers, Tanya Robinson	Amendments following review from GIAA and alignment of the qualifying disclosures to PIDA. Updates from GARI to Risk and Assurance Directorate and Head of Governance to DD Risk and Assurance.

Distribution for Review

Name/Group	Title/Function	Approved	Date
UKRI Trade Unions	Approval	Yes	9 th September 2022
Freedom to Speak Up Guardian	Freedom to Speak Up Guardian and Chair of ARAPC	Yes	23 rd September 2022

Publication

Version	Effective from Date	Date of Approval	Owner	Author	URL	Review Date
1.0	8 Feb 2019	7 Feb 2019	John Arnott		https://www.ukri.org/about-us/working-for-us/terms-and-conditions/	Feb 2020
2.0	1st November	October 2023	Rod Viggers and Tanya Robinson			