



## **WHISTLEBLOWING POLICY**

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### **1. INTRODUCTION**

In2scienceUK conducts its business at all times with the highest standards of integrity and honesty. It expects all its employees to maintain the same standards in everything they do.

It is important to In2scienceUK that any fraud, misconduct or wrongdoing by employees of the organisation is reported and properly dealt with. In2scienceUK therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which it is run.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

### **2. AIM**

The aim of this policy is to:

- Enable and encourage staff and volunteers to raise genuine concerns about possible wrongdoing at work without fear of reprisal and to reassure all that such matters will be dealt with seriously and effectively by In2scienceUK internally.

- Allow In2scienceUK to take action against any employee who makes allegations in bad faith and/or publicly discloses information when it is unreasonable for them to do so.

It is particularly important to state that this policy is separate from in2scienceUK's Grievance Policy and Procedure, which relates to general concerns which an employee may have about their own personal circumstances.

This Whistleblowing Policy is designed to ensure that concerns about possible illegal and dangerous activities or forms of malpractice are brought swiftly to management's attention. These may not necessarily be related to the whistleblower's area of work.

### **3. SCOPE**

Although the Public Interest Disclosure Act limits protection to employees, agency workers and self-employed workers, In2scienceUK policy additionally covers volunteers, participants, partner organisations and providers of services to UCL through a profession or business.

Concerns within the workplace which might prompt disclosure could include the following:

- Financial malpractice, impropriety or fraud
- Activities which have or have the potential to involve bribery or corruption
- Failure to comply with a legal obligation
- Endangering of health and safety or damage to the environment
- Criminal activity
- Miscarriage of justice
- Improper conduct or unethical behaviour

### **4. PROTECTION**

Protection is provided under this policy provided:

- The disclosure is being made in the public interest and by a person who falls within the scope of section 3.
- The person making the disclosure is doing so in the reasonable belief the information they have tends to show wrongdoing.

It is not necessary for the persons disclosing to have evidence that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The person has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that:

- 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 obligation;
- concealment of any of the above; is being, has been, or is likely to be, committed.

Any individual who has made a disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

Any member of In2scienceUK who chooses to make a disclosure outside In2scienceUK (including e.g. to the press) may be subject to internal disciplinary procedures.

## **5. CONFIDENTIALITY**

### **5.1. Discloser**

In2scienceUK will treat all disclosures made in a sensitive manner. In2scienceUK hopes that all individuals feel comfortable to make a disclosure openly. However, in the circumstance in which the individual wants to disclose a concern confidentially, In2scienceUK will endeavour to keep their identity confidential as long as this is compatible with carrying out the necessary investigation into the allegation. During the course of the investigation the source of the information may need to be disclosed, and the individual may be required to make a statement.

### **5.2. Anonymous Allegations**

Individuals are encouraged to put their name to any disclosure. Concerns that are raised anonymously are less impactful and are much more difficult to investigate. In2scienceUK will address these disclosures with discretion, considering: the seriousness of the issue; the credibility of the disclosure; the likelihood of sourcing alternative credible sources. While we seek to protect anonymity, we cannot guarantee that the discloser's identity cannot be deduced by the nature of the concern and/or subsequent investigation. If, contrary to this policy, they then suffer reprisals, it may be difficult to show that this was as a result of them raising a concern, i.e. it may not be possible to protect unidentified people.

## **6. WHISTLEBLOWING PROCEDURE**

### **6.1. Who to disclose to**

In most cases In2scienceUK would encourage all persons who fall under the scope of those listed in section 3 to first raise any concerns to their In2scienceUK point of contact or, if an In2scienceUK staff their head of department. This will help to direct disclosures through the correct procedures.

If, for any reason you would prefer not to disclose to this individual you can contact Stephen Hancock, Head of Operations, [stephen@in2scienceuk.org](mailto:stephen@in2scienceuk.org). The Head of Operations has been designated as the officer responsible for considering and investigating disclosures.

If the allegation concerns this officer or their conducting of the investigation then this should be reported to the Chief Executive Colby Benari, [colby@in2scienceuk.org](mailto:colby@in2scienceuk.org) or any charity trustee, [tsl@in2scienceuk.org](mailto:tsl@in2scienceuk.org).

The discloser must not approach the individual(s) concerned in any disclosure directly, either to make them aware of the disclosure or to investigate the matter personally.

Where the disclosure is concerning safeguarding, our Safeguarding Children and Young People and Safeguarding Vulnerable Adults policies and procedures should be referred to.

## **6.2 Making a disclosure**

Any person who has a genuine reason for their disclosure should feel confident in bringing forward their concerns.

If anyone should try to discourage an individual from coming forward to express a genuine concern, or criticises or victimises someone for making a concern, In2scienceUK will treat this matter very seriously. In the case of In2scienceUK staff this will be treated as a disciplinary matter.

If it should become clear that the procedure under this policy has not been invoked in good faith (for example, falsely or for malicious reasons or to pursue a personal grudge against another employee), this will constitute misconduct and it will be treated as a disciplinary matter.

Any employee who, in good faith, makes allegations that turn out to be unfounded will not be penalised for being genuinely mistaken.

## **6.3. Disclosure process**

In2scienceUK staff should first contact their head of department, Head of Operations, Chief Executive or charity trustee depending on the circumstance when making a disclosure or reporting an external concern that has been disclosed to them. This can be made via any professional channel of communication the discloser is most comfortable with.

The responsible person to whom the disclosure is made will make a detailed record of the disclosure and consider the information provided to decide whether there is grounds for a

further investigation. This may be done in conjunction with other responsible persons within the organisation. In order to make this decision the discloser may be requested to make a written statement. The action taken in response to a disclosure will depend on the nature of the concern.

By way of example, the matters raised may result in one or more of the following:

- No action required.
- Action being taken under other In2scienceUK policies and/or procedures.
- An internal investigation under this policy.
- A referral to the police.
- A referral to In2scienceUK's external auditors.
- A referral to the Charity Commission.
- An independent enquiry.

On making a decision, the discloser will be notified within five working days. Details of this notice will include acknowledgment of receipt of the complaint, who the complaint has been referred to and details of who the discloser should contact if they have further questions.

In2scienceUK would urge employees to exhaust the internal processes set out above but, in exceptional or urgent circumstances, it might be appropriate for them to contact an external person or body. Legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Services Authority;
- the Office of Fair Trading;
- the Charity Commission;
- the Health and Safety Executive;
- the Environment Agency.

#### **6.4. Investigation**

Where further action is required under this policy in relation to a disclosure, this will typically, in the first instance, take the form of an internal investigation. The internal investigator will be the Head of Operations, the Chief Executive or a trustee of In2scienceUK (as appropriate on a case by case basis). However, In2scienceUK may instead decide to arrange for a suitably qualified independent professional to undertake the investigation.

During the investigation, the employee who reported the disclosure may need to be called upon for an interview. They will also be given appropriate updates of progress made during the investigation, whilst bearing in mind the need to respect the confidentiality of other workers as well.

Once the investigation is complete:

- The employee will be given a prompt and thorough explanation about the result of the investigation and any action In2scienceUK is likely to take as a result of it.
- Where the allegation is deemed to be of a serious nature, an appropriate report will be submitted to the Board of Trustees.
- Any action which the investigator decides is required will be taken.

In2scienceUK recognises that there may be matters which cannot be dealt with internally and external authorities may need to become involved, including the police and the Charity Commission. Where this is necessary, In2scienceUK reserves the right to make such a referral without the reporting employee's consent.

## **7. ESCALATION**

If the individual remains unhappy about the speed or conduct of any further action taken or the way in which their concerns have been resolved, he/she should refer the matter first to the Chief Executive and then to the Chairman of the Board of Trustees of In2scienceUK.

## **8. INDEPENDENT ADVICE**

If, at any stage in the procedures, employees are unsure about what to do and would like independent advice, they might like to discuss their concerns with someone at Public Concern at Work. This body is an independent Charity staffed by lawyers, which offers confidential free legal and practical advice on how people can raise concerns about malpractice at work. They can also give advice on who else the worker may contact about what legal protection may be available. Public Concern at Work may be contacted at: [www.pcaw.co.uk](http://www.pcaw.co.uk) or by phone on 020 7404 6609.

Professional Associations and Trade Unions can also offer advice to members considering raising concerns