POLICY ON PUBLIC INTEREST DISCLOSURE
(“WHISTLEBLOWING”)

The University Court is committed to ensuring that the University conducts its affairs in a reasonable and transparent way and conforms to those standards in public life enunciated in the reports of Lord Nolan and others.

Consequently, the Court will ensure that any former or current University employee or student who has information about possible malpractices within the University during her/his membership of the University may bring that concern immediately to its attention. The designated contact to receive such concerns is the Convener of the Audit & Risk Committee of the University Court, whose contact details are found at the end of this document. The same opportunity exists for any member of the general public. Such a disclosure should contain information relating to some perceived danger, fraud, improper financial conduct, or other illegal or unethical conduct connected with the University.

The University will treat such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation will be kept confidential so long as confidentiality does not hinder or frustrate the investigation. In some cases, the investigative process may reveal the source of the information, and the individual making the disclosure may need to provide a statement as part of the evidence. The Court guarantees that the instigator of an investigation shall not consequently be disadvantaged or discriminated against in any way, provided (s)he is reasonably believed to have acted lawfully, without malice, and in the University or public interest.

When a disclosure is made, the Convener of the Audit & Risk Committee (having obtained external advice from the University’s internal auditors or legal advisors as necessary) shall normally consult with the Senior Governor. The latter shall ensure - unless the complaint either can be more appropriately dealt with under an alternative University procedure or is referred to the Police or other relevant Authority - that the matter is fully investigated and determined as (s)he thinks fit. Allegations concerning financial misconduct will normally be referred to the University’s outsourced internal auditors for appropriate external scrutiny. The Senior Governor will report the outcome of the investigation both to the original complainant and to the University Court. (The Convener of the Audit & Risk Committee may advise that the complaint should properly be dealt with under other available internal University procedures, viz. either via senior officers or under established procedures such as relate to the following: Academic Appeals; Complaints Handling; Discipline or Misconduct; Grievance; Sexual and Racial Harassment. If the Senior Governor accepts such advice, the complainant and the University Court will be informed accordingly.)

If the Convener of the Audit & Risk Committee considers that a matter so reported involves the Senior Governor personally in any way, the Convener of the Audit & Risk Committee is authorised to initiate appropriate action.

Because this process is intended to allow the University an opportunity to investigate such concerns while preserving confidentiality in so far as possible for the person disclosing the information, this Policy may not be invoked by a person whose concerns have been revealed in the Press or to the Scottish Funding Council or to Audit Scotland or to any other similar body or organisation. In circumstances where disclosure has been made to bodies external to the University, the University will conduct a full investigation and be concerned to act upon those findings, but according to procedures outwith the provisions of this Policy.
Notes

1. In the preparation of this Policy, due account has been taken of the Public Interest Disclosure Act 1998 and other HE sector guidance.

2. Because the University must protect its ability to make an appropriate and timely response to one or more external agencies prior to the completion of an investigation conducted in accordance with the above Policy, the University cannot guarantee a person's right to invoke the Policy in such circumstances. The University is, however, committed to responding to any such complaint in a just and reasonable fashion.

3. As indicated above, any member of the public who has information about malpractices in the University may also use the procedure described above or, if appropriate, the University's Complaints Handling Procedure. If a member of the public is not satisfied with the final outcome of either procedure, then s(he) will be advised of a right to refer the matter to the Scottish Public Services Ombudsman.

4. The designated recipient for information disclosed under this Policy is the Convener of the Audit & Risk Committee of the University Court (the University's internal audit function is presently outsourced to an external provider). The Convener is currently Dr Mary Popple. Letters may be sent to the Convener (marked "For Forwarding without Opening" and "Strictly Private & Confidential") at the Court Office, College Gate, North Street, St Andrews, Fife, KY16 9AJ, UK. The Convener may also be directly contacted by email through a special confidential account with the address whistleblowing@st-andrews.ac.uk.

Revised by the Audit & Risk Committee, May 2014