UNIVERSITY OF CAMBRIDGE

Effective from 6 April 2026

Public Interest Disclosure by University Employees: 'Whistleblowing' Policy

Parts of the Higher Education (Freedom of Speech) Act 2023 came into effect on 1 August 2025. These strengthen the legal duties of universities in relation to free speech and academic freedom. Regulation of the new duties is undertaken by the Office for Students (OfS), which has published regulatory guidance on the topic.

The University is fully committed to securing and promoting freedom of speech within the law for staff, students and visiting speakers in all activities relating to academic life. The University's Code of Practice on Freedom of Speech sets out the University's values, approach and associated procedures in detail.

This policy/guidance/information is currently being reviewed against the OfS' regulatory guidance. Any amendments arising from the review will be subject to approval being sought through the University's normal governance processes. In the meantime, **this policy/guidance/information is to be interpreted and applied in a manner consistent with the Code of Practice; in the case of any perceived conflict, the provisions of the Code of Practice will take precedence insofar as that is lawful and reasonably practicable.**

For further information on the new legislation, please see the Governance and Compliance Division website.

Advice and Instructions for Staff

The term 'whistleblowing' has no legal definition within EC or UK law; however, it has been used to describe incidents where an employee (which for these purposes includes not only employees but workers and other staff members) reports some alleged wrongdoing within an organisation.

The Public Interest Disclosure Act 1998 aims to promote greater openness in the workplace and, by amending the Employment Rights Act 1996, protects 'whistleblowers' from detrimental treatment, i.e. victimisation or dismissal, for raising concerns about matters they reasonably believe to be in the public interest.

This statement sets out the University's Policy and provides in some detail advice and guidance to staff on the scope of the Policy. It explains that a member of staff, who has a reasonable belief that serious malpractice relating to any of the protected matters specified in the Policy has occurred or is likely to occur, may raise a concern under the procedure agreed by the Council and which is described in this statement. There is also information about the rights of staff to raise the matter externally and the protection afforded to them if they choose to do this.

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Introduction

1. All persons employed by the University are under an obligation implied in their contract of employment to give honest and faithful service to their employer. This includes an obligation not to disclose to external sources any trade secrets or confidential information acquired during the course of employment or act in a manner that will undermine the mutual trust and confidence on which the employment relationship is based. The Public Interest Disclosure Act 1998 complements those obligations by providing protection to employees for disclosures made in the public interest of certain specific types of information, which in most cases will be of a confidential nature. These are outlined below in paragraph 3. The purpose of this policy is to provide a means by which staff are enabled to raise concerns with the appropriate University authorities if they have reasonable grounds for believing serious malpractice has occurred or is likely to occur. The University encourages staff to raise matters of concern responsibly through the procedures laid down in this policy statement.

Scope of the Policy

2. The policy is designed to deal with concerns raised in relation to the specific issues which are in the public interest and are detailed in paragraph 3 below, and which fall outside the scope of other University policies and procedures. The policy is not intended to apply to personal grievances concerning an individual's terms and conditions of employment, or other aspects of the working relationship, complaints of inappropriate behaviour under the dignity at work policy, or disciplinary matters, except where such issues raise concerns in the public interest. Such complaints will be dealt with under existing procedures on grievance, discipline and misconduct in research. Details of these procedures will be found in the relevant staff handbook and/or in Statute C. They are also published on the web.

3. The policy may be used to deal with specific concerns which are in the public interest and specifically where a staff member has a reasonable belief that one of the following has occurred or is likely to occur:

- a criminal offence
- failure to comply with legal obligations
- financial or non-financial maladministration or malpractice or impropriety or fraud
- academic or professional malpractice
- a risk to the health or safety of any individual
- environmental damage
- a miscarriage of justice
- sexual harassment (unwanted conduct of a sexual nature)
- attempts to suppress or conceal any information relating to any of the above.

If in the course of investigation any concern raised in relation to the above matters appears to the investigator to relate more appropriately to existing procedures on grievance, discipline or misconduct in research, those procedures will be invoked, instead of or, where appropriate, in addition to this procedure.

Who can raise a concern?

4. Any member of staff who has a reasonable belief that there is serious malpractice relating to any of the protected matters specified in paragraph 3 above, may raise a concern under the procedure detailed in paragraph 6 below. The issues raised under the protected list may relate to another member of staff, a group of staff, the individual's own Institution or another part of the University. The individual must reasonably believe that the relevant failure or malpractice has occurred or is likely to occur and that matter is in the public interest. The University will ensure that any member of staff who makes a disclosure in such circumstances will not be penalised or suffer any adverse treatment for doing so. However, a member of staff who makes an allegation maliciously or vexatiously without having reasonable grounds for believing that the relevant failure or malpractice has occurred or is likely to occur and that the matter is in the public interest may be subject to disciplinary proceedings.

5. In view of the protection afforded to a member of staff raising a concern about matters they reasonably believe to be in the public interest, it is hoped that individuals will feel able to put his/her name to any disclosure. The identity of the person raising the matter will be kept confidential, if so requested, for as long as possible provided that this is compatible with a proper investigation. Proper investigation may be more difficult or impossible if further information cannot be obtained from the person raising the complaint. It is also more difficult to establish whether any allegations are credible. Anonymous complaints will be investigated and acted upon as the person receiving the complaint sees fit, having regard to the seriousness of the issue raised, the credibility of the complaint, the prospects of being able to investigate the matter, and fairness to any individual mentioned in the complaint.

Procedure

6. In many cases it will be appropriate for the member of staff to raise any concerns informally with their line manager in the first instance, either in person or in writing. It may be possible to agree a way of resolving the concern quickly and effectively.

However, where the matter is more serious, or the member of staff feels that their line manager has not addressed the concern, or they prefer not to follow that informal step for any reason, they should contact one of the following:

The Academic Secretary (in the case of Institutions under the supervision of the General Board)
Email: academic.secretaryWBdisclosure@admin.cam.ac.uk

The Registrary (in the case of all other University Institutions)
Email: registraryWBdisclosure@admin.cam.ac.uk

If the disclosure is about either of those Officers, the member of staff may raise the concern with the Vice-Chancellor by email to vice-chancellor@admin.cam.ac.uk

If the disclosure concerns the Vice-Chancellor, the member of staff may raise the concern with the Chair of the Audit Committee. The name of the Chairman existing at the time of a potential disclosure is published in the Officers Number of the Reporter in the section “Other Committees of the Central Bodies”.

The person to whom the disclosure is made will decide whether the matter should be dealt with under this procedure. If he or she considers that the matter should be dealt with under a different University procedure, s/he will advise the person making the disclosure as to the appropriate steps which should be taken.

Process

7. The person to whom the disclosure is made will normally consider the information and decide whether there is a prima facie case to answer. He or she will decide whether an investigation should be conducted and what form it should take. This will depend on the nature of the matter raised and may be

- investigated internally
- referred to the External Auditors
- the subject of independent enquiry

Some matters, will need to be referred to the relevant outside body, e.g. the Police, Funding Council.

If the person to whom the disclosure is made decides not to proceed with an investigation, the decision will be explained as fully as possible to the individual who raised the concern.

Investigation

8. Any investigation will be conducted sensitively and promptly. The employee will be notified of the intended timetable for the investigation. The person to whom the disclosure is made may authorise an initial

investigation to establish the relevant facts. The investigator will report his or her findings to the person to whom the disclosure was made, who will then decide if there is a case to answer and what steps, if any, should be taken. This may include setting up a special internal independent investigation or reference to some external authority, such as the police, for further investigation. The decision may be that the matter would be more appropriately handled under existing procedures for grievance, bullying and harassment, or discipline.

Where a disclosure is made any person or persons potentially implicated in wrongdoing will be told at an early stage of it and of the evidence supporting it, and they will be allowed to respond.

Should an investigation or referral lead the appropriate University authority to conclude there has been a breach of University discipline, the member or members of staff responsible may, in addition to any civil or criminal proceedings, be subject to disciplinary action in accordance with the appropriate disciplinary procedures for the relevant category of staff.

The individual making the disclosure will be informed of what action is to be taken where possible although the need for confidentiality means it may not be possible to share some of the details including, for example, specific information about any disciplinary action taken against another member of staff.

Staff should treat any information about the disclosure, the investigation or its outcome as confidential.

If an individual is not happy with the way in which their concern has been handled or the outcome, it is open to the individual to raise this with one of the other persons specified in paragraph 6 above.

Records

9. An official written record will be kept of each stage of the procedure (see also paragraph 10 below).

Reporting of outcomes

10. A report of all disclosures and subsequent actions taken will be made by the persons deciding on the issues. This record should be signed by the Investigating Officer and the person who made the disclosure, and dated. Where appropriate the formal record need not identify the person making the disclosure, but in such a case that person will be required to sign a document confirming that the complaint has been investigated. Such reports will normally be retained for at least five years. In all cases a report of the outcome will be made to the General Board and Council, which will refer the report on appropriately if necessary.

Advice for staff raising a concern

11. The University acknowledges the difficult choice a member of staff may have to make in raising a concern. As the issues that prompt the concern are likely to be complex, how the member of staff proceeds with his or her concern will vary from situation to situation. The following advice is recommended if a member of staff wishes to make a disclosure:

- make any objections to illegal, unsafe or unethical practices promptly so as to avoid any misinterpretation of the motives for doing so;
- focus on the issues and proceed in a tactful manner to avoid unnecessary personal antagonism which might distract attention from solving the problem;
- be accurate in his/her observations and claims and keep formal records documenting relevant events.

Members of staff may also wish to seek independent legal advice.

Complaints of retaliation as a result of disclosure

12. The University accepts that it has an obligation to ensure that staff who make a disclosure in accordance with this policy are protected, regardless of whether or not the concern raised is upheld. A member of staff who has made a disclosure and who feels that, as a result, he or she has suffered adverse

treatment should submit a formal complaint under the relevant grievance procedure for their staff group detailing what has been done to him or her.

13. Where it is determined that there is a prima facie case that a member of staff has suffered adverse treatment, harassment or victimisation as a result of his or her disclosure, a further investigation may take place and disciplinary action may be taken against the perpetrator in accordance with the relevant procedure.

External disclosure

14. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases the member of staff should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to certain external bodies including:

- Such body or person (if any) prescribed by the Secretary of State under Section 43F of the Employment Rights Act 1996, as amended by Section 1 of the Public Interest Disclosure Act 1998 as being a prescribed person to whom the particular type of issue in question can be disclosed (a 'Prescribed Person'). An up to date list is available at the following link Whistleblowing: list of prescribed people and bodies;
- a Government Minister;
- a legal adviser in the course of taking legal advice.

It will very rarely if ever be appropriate to alert the media.

15. A member of staff who makes an external disclosure of the kind described in section 3 to a Prescribed Person who reasonably believes that the information disclosed, and any allegations contained in it, are substantially true, and that the default lies within the remit of the prescribed person in question, will be protected against victimisation or other adverse treatment.

16. Wider disclosure to any other person will only be protected if it is not made for personal gain, and the employee making the disclosure:

- has previously disclosed substantially the same information to the University or to a prescribed person; or
- reasonably believes, at the time of the disclosure, that they will be subjected to a detriment if they make disclosure to the University or a prescribed person; or
- reasonably believes (where there is no prescribed person) that material evidence will be concealed or destroyed if disclosure is made to the University

and in all the circumstances, it is reasonable for them to make the disclosure.

17. Complaints under this policy will usually relate to the conduct of University staff, but they may sometimes relate to the actions of a third party. In some circumstances the law will also protect staff who raise the matter with the third party directly. However, the University encourages reporting such concerns internally first.