



# Whistleblowing Policy

**Policy Owner:** Lucy Whatmough

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**Review Due:** August 2019

**EP Signed Off:** 2018

## 1. Purpose

The Public Interest Disclosure Act 1998<sup>1</sup> provides employees with legal protection against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns.

In line with this legislation, the Wellcome Trust Sanger Institute (“the Institute”) has endorsed the provisions set out below to ensure that you do not feel at a disadvantage if you wish to raise legitimate concerns of this nature. The Institute is committed to the highest standards of integrity, openness and honesty. This policy allows you as an employee to voice your concerns in a responsible and effective manner. The institute therefore encourages you to raise any concerns that you may have about the conduct of others within the organisation, or the way it is run.

## 2. Policy Overview

The aim of this policy is to assist you, if you believe that you have discovered **serious misconduct, wrongdoing or irregularity**, to disclose this information internally without fear of negative consequences. This may, in some circumstances be reported to someone other than your line manager. For concerns about research misconduct, please refer to the Institute Procedure for Handling Allegations of Research Misconduct.<sup>2</sup>

The policy is intended to cover the disclosure of concerns, which may, at least initially, be investigated separately. This may then lead to action under other procedures (for example, the disciplinary procedure). These disclosures may include:

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

The policy is not designed to question financial or business decisions made by the Institute, but gives opportunity for you to raise concerns where you have evidence that because of that business decision then one of the above disclosures may apply. Nor may it be used to reconsider any matters that have already been addressed or should be addressed, under harassment, grievance, complaint, disciplinary or other relevant procedures.

<sup>1</sup>The Public Interest Disclosure Act 1998 is available at: <http://www.legislation.gov.uk/ukpga/1998/23/contents> <sup>2</sup>The WTSI Procedure for Handling Allegations of Research Misconduct is available at: <https://helix.wtqc.org/services/good-research-practice-policy>

### 3. Safeguards

#### 3.1 Protection

As employee of the Institute, this policy is designed to offer protection to you, if you disclose concerns. If you make such a protected disclosure you have the right not to be dismissed, subject to any other disadvantage, or mis-treated provided the disclosure is made:

- (a) in good faith  
*And*
- (b) in the reasonable belief that it tends to show misconduct or irregularity  
*And*
- (c) to the appropriate person, (see below)

#### 3.2 Confidentiality

The Institute will treat all disclosures in a confidential and sensitive manner. Your identity if making an allegation, may be kept confidential if it does not hinder or frustrate any investigation. However, you should be aware that the investigation process may need to identify who made the allegation. In this case, you should be willing to provide a statement as part of the evidence required.

#### 3.3 Unidentified Allegations

We encourage you to raise your concern openly, but also appreciate that you may wish to raise it confidentially. You may be happy for the person you report your concern to, but not anyone else. We will try to keep your identity confidential, where this is possible and will talk to you, where we cannot do this. You can choose to raise your concern without telling who you are, but that may make it more difficult to investigate and give you feedback on the outcome. Anonymous disclosures may be considered at the discretion of the Institute. In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from other attributable sources

#### 3.4 Untrue Allegations

If you make an allegation, which is subsequently not confirmed by an investigation, no action will be taken against you. If you make an allegation, you should ensure that it is accurate and valid. If you make malicious or vexatious allegations, then further action (including disciplinary action) may be taken.

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#### 4. How do I make a Disclosure

- Initially the disclosure should be sent to your Manager.
- Where the disclosure is related to the actions of your Manager, then you should send your complaint to the Chief Operating Officer (COO) or the Institute Director.
- Should the disclosure relate to the actions of the Institute Director or COO, then the complaint should be forwarded to the Chairman of the Genome Research Limited Board of Directors (“the Chairman”).
- We will then ask someone who is not connected with your case, or who will not have a conflict of interest, to investigate your concerns.
- You can take your disclosure directly to the Chairman of the Genome Research Limited Board of Directors if you feel this is appropriate. However, the Chairman has the right to refer the matter back to the COO or to the Institute Director, or to another appropriate person, if they feel that the disclosure can be appropriately investigated internally, without any conflict of interest.

#### 5. Investigation Procedure and Timescales

Depending on the nature of the allegation, it might be necessary to hold an investigation. Where an investigation is necessary, a member of Human Resources will appoint an Investigating Manager – this will be someone who has not previously been involved with the matter raised in the allegation and able to undertake an investigation. The Investigating Manager will contact you to explain the scope of the investigation and expected time frames.

Investigations may vary in length of time depending on the complexity and scope of the allegation. The Investigating Manager will aim to complete the investigation as quickly as possible in order to avoid any undue stress, whilst balancing the need for a thorough and fair investigation. You will be kept informed of the progress of the investigation and likely timescales.

Once the investigation is completed, the Investigating Manager will write a report of findings and conclusion for consideration.

#### 6. Further Action

In providing this Whistleblowing Policy for staff, the Institute expects you to use it to raise concerns of this nature internally rather than discussing your complaints outside the Institute or to third parties. If you do not follow the whistleblowing policy, we cannot guarantee that you will be protected, in the same way from action under one of the Institute’s policies.

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However, if you genuinely believe that this procedure is unsuitable, or you have already the disclosure internally and you are not satisfied that it has been dealt with appropriately, you can raise the issue with the Institute Director and/or the Chairman. You can also make disclosures to specific prescribed bodies (such as the Health and Safety Executive or other official regulatory bodies) or, where justified, elsewhere.

If you feel you need to take advice before proceeding, the independent charity 'Public Concern at Work' can provide free confidential advice on whistleblowing procedures, the Public Interest Disclosure legislation and general information relating to your rights, responsibilities and possible avenues of complaint open to you. They can be contacted at:

### **Public Concern at Work**

Address: Suite 306, 16 Baldwin's Gardens, London EC1N 7RJ

Website: [www.pcaw.co.uk](http://www.pcaw.co.uk)

Telephone - general enquiries: 020 7404 6609.

E-mail:- UK helpline: [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

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