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Whistle Blowing Policy

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Whistle blowing Overview

1. The Public Disclosure Act 1998 offers a framework of protection against victimisation or dismissal for workers who 'blow the whistle' on criminal behaviour or other wrongdoings within the workplace. The Act came into force on 2 July 1999 and applies to 'workers' who ordinarily work in Great Britain including not only employees but also contractors providing services, most agency workers, home workers and trainees on vocational and work experience schemes.
2. The various categories of information covered by the Act (qualifying disclosures) are very wide and include:
3. Criminal offences;
4. Failure to comply with legal obligations;
5. Miscarriages of justice;
6. Health and safety dangers;
7. Damage or likely damage to the environment;
8. Concealing information about any of these matters.
9. An employee need only show that he/she had a 'reasonable belief' that the employer has committed one of these qualifying offences. However, to gain protection, the employee must follow the procedures laid down in the legislation in disclosing any of the above categories of malpractice.
10. The intention is that the employee should, in the first instance, raise his/her concerns with his/her employer or the appropriate regulatory body, such as the Health and Safety Executive (or had not done so because they believed they would be victimised or evidence would be concealed or destroyed).
11. The employee must also:
12. Make the disclosure in good faith;
13. Reasonably belief that the information is substantially true;
14. Not act for personal gain;
15. Act reasonably.

1.0 Introduction

- 1.1 Badminton Wales is committed to providing the highest level of service to our internal and external partners and customers and to applying the highest standards of quality, probity, openness and accountability. Part of this commitment involves encouraging our employees (or others with serious concerns regarding any aspect of our work, the conduct of others or the running of our organisation) to report such concerns in confidence and with confidence.
- 1.2 In the majority of cases these concerns or complaints can be dealt with through the existing procedures. However we do recognise that there may be occasions when employees will want to express concerns of a confidential nature. The aim of this policy is to ensure that all employees and key volunteers feel able to do this on the understanding that they have nothing to fear and will not suffer reprisals or victimisation.
- 1.3 When we find that there is a problem we will ensure that it is viewed with the seriousness that it deserves and will be dealt with appropriately.
- 1.4 We will also pursue fraud and abuse vigorously through our disciplinary procedures, and/or if necessary through the courts.
- 1.5 We hope that all employees will share our sense of what is right and wrong and be confident that we will act on anything that is reported to us in a responsible way.

2.0 Badminton Wales Policy

- 2.1 We acknowledge that it is not easy to report a concern, particularly one that relates to fraud, corruption or abuse. We urge employees to come forward with any concerns at an early stage, before the problem has a chance to become serious.
- 2.2 We are happy for employees to come forward with a work colleague, trade union representative or alone if they prefer.
- 2.3 We will support and protect employees from reprisal or victimisation. Employees can be confident that reporting any matter will in no way affect their career or enjoyment of their job.
- 2.4 This also applies if an employee comes forward in good faith and with reasonable belief and, after investigation, it turns out that the matter has genuine and innocent explanation. We will do all we can to respect any request for confidentiality.
- 2.5 If anyone tries to discourage an employee from coming forward with any concerns, this will be treated as a disciplinary offence. This will apply to anyone

who expresses criticism or any negative responses and to anyone who harasses, bullies, isolates or victimises employees in any way after they have come forward.

3.0 Procedure

Stage 1:

- 3.1 The individual should request a confidential meeting with the Head of Operations if they are concerned about anything to do with work or their workplace;
- 3.2 If the individual feels that it would not be appropriate to discuss the issue with his/her immediate manager, they should bring the matter to the attention of the Chair.

Stage 2:

- 3.3 The Head of Operations will arrange for an investigation into the allegations to be carried out. As far as possible, confidentiality will be respected but there may be occasions where we have no alternative but to act, which may break that confidentiality. We will ensure however that the individual who has raised the issue is fully informed in advance if possible, of any such action;
- 3.4 To ensure fair treatment of all concerned, if someone is potentially being accused of misconduct, our investigation will involve taking statements from those involved. During our investigation, we will respect any fears that the individual who has raised the issue may express about his/her own or their family's physical and/or emotional safety and/or career;
- 3.5 Our investigations may involve other regulatory bodies such as the police, Customs & Excise, the Health and Safety Executive etc. We would expect the individual who has raised the issue to co-operate fully with these outside agencies in assisting with their investigations.

Stage 3:

- 3.6 Once the investigation is complete, the Head of Operations will agree a course of action (the Chair will be involved if necessary). If the individual who raised the issue wishes to receive details of the result of the investigation and any proposed action, this information will be provided however, we do have to respect the right to confidentiality of other employees or the other parties and it may not be possible to provide all the details.

4.0 Abuse of the System

- 4.1 If it is discovered that an individual has abused this confidential reporting process and has maliciously or in bad faith or without reasonable belief raised unfounded allegations, Badminton Wales will treat this as a very serious disciplinary matter. In this event the process will be dealt with in accordance with our Disciplinary and Grievance Procedures. Please note that anyone who comes forward in good faith and/or with a reasonable belief has nothing to fear even if it turns out that his or her concerns were unfounded.

5.0 Help from External Agencies

- 5.1 The current policies and procedures should allow employees to express their concerns and have them dealt with without the need to involve any external agencies however we do acknowledge that in exceptional, urgent or emergency circumstances, employees might feel that it is best to contact an external agency e.g. If they believe a serious criminal offence has been or is about to be committed, they may wish to call the police.
- 5.2 Alternatively, if the problem involves a senior member of staff, they may wish to raise this directly with the Chair or a Management Board Member.
- 5.3 An employee may wish to contact Public Concern At Work for confidential and independent advice on 020 7404 6609.
- 5.4 Monitoring the Policy and Procedures.
- 5.5 The Head of Operations will actively monitor the Policy and Procedures relating to Whistle Blowing and will update all employees on any changes that arise in this respect.