



Whistleblowing Policy



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Introduction

All organisations face the risk of things going wrong or of unknowingly harbouring malpractice.

We take malpractice very seriously. We are committed to conducting our business with honesty and integrity and we expect all staff to maintain high standards too. We encourage open communication from all those who work for us, and we want everyone to feel secure about raising concerns.

All staff have protection under whistleblowing laws if they raise concerns in the correct way.

This policy is designed to give staff that opportunity and protection.

It does not matter if an individual who raises a concern is mistaken about it, staff do not have to prove anything about the allegation they are making but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice.

We are committed to the principles set out in this policy. If you use this policy to raise a concern, we give you our assurance that you will not suffer any form of retribution or detrimental treatment. We will treat your concern seriously and act according to this policy.

If you ask for your identity to remain confidential, we will respect this request and, unless the law required otherwise, it will only be disclosed to third parties or other staff with your consent.

Scope

This policy applies to all employees, officers, consultants, our contractors and to other workers within the Foundation including agency workers, volunteers, homeworkers, and casual workers.

This policy does not form part of any contract of employment, and we may amend it at any time.

Application of this policy



There is a difference between whistleblowing and raising a grievance:

- **Whistleblowing**

Where you have a concern about a danger or illegality that has a public interest aspect to it, for example, because it threatens customers, third parties or the public generally.

- **Grievance**

Is a complaint that generally relates to your own employment position or personal circumstances at work.

This policy does not set out the procedure that applies to general grievances. If you have a complaint about your own personal circumstances, then you should use our grievance procedure instead.

Malpractice covered by this policy

Whistleblowing is the reporting of suspected malpractice, wrongdoing, or dangers in relation to our activities. The kinds of malpractice covered by this policy include:

- Criminal offences (except those in relation to bribery and corruption, which should be reported using the procedure set out in our Anti-Bribery and Corruption Policy).
- Miscarriages of justice.
- Danger to the health and safety of any individual.
- Damage to the environment.
- Breach of any legal or professional obligation (except those in relation to bribery and corruption, which should be reported using the procedure set out in our Anti Bribery and Corruption Policy).
- Deliberately concealing any of the above.

Procedure

If you are concerned about any form of malpractice covered by this policy, you should normally raise the issue with your line manager.

If you feel that you cannot tell your line manager, for whatever reason, you should raise the issue with the senior manager.



If you have raised concerns and are still concerned, or the matter is so serious that you feel you cannot discuss it with either of the people named above, you should raise the matter with Jonathan Duckworth (Board Director).

A concern can be raised by telephone, in person or in writing. It is preferable if it is made in writing. Although you are not expected to prove the truth of your concern beyond doubt or provide evidence, you will generally need to provide information as to the nature of the concern and why you believe it to be true, and the background and history of the concern, giving relevant dates where possible.

The investigation

We are committed to ensuring that all disclosures raised will be dealt with appropriately, consistently, fairly and professionally.

We will arrange a meeting as soon as possible to discuss the concern raised. You may bring a colleague or trade union representative to any meeting that takes place. The companion must respect the confidentiality of the disclosure and any subsequent investigation. We may ask you for further information about the concern raised, either at this meeting or at a later stage.

After the meeting, we will decide how to respond. Usually, this will involve making internal enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised. External investigators may be brought in where necessary. We will endeavour to complete investigations within a reasonable time.

We will endeavour to keep you informed of the progress of the investigation carried out and when it is completed and give an indication of timings for any actions or next steps that we will take, but we will not be able to inform you of any matters which would infringe any duty of confidentiality owed to others.

Confidentiality

All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of an individual who raises a concern if that is their wish. If disciplinary or other proceedings follow the investigation it may not be possible to act as a result of a disclosure without the help of the individual who raised the concern, so the individual may be asked to come forward as a witness.

We hope that all staff will feel able to voice their concerns openly under this policy. Although a concern may be made anonymously, we encourage you to put your name to



your allegation whenever possible. If this is not done, it will be much more difficult for us to protect your position or to give feedback on the outcome of investigations.

Concerns that are expressed completely anonymously are much less powerful and are difficult to investigate. We will consider them at our discretion considering factors such as the seriousness of the issue raised, the credibility of the concern, and the likelihood of confirming the allegation from other sources.

Raising your concerns externally (exceptional cases)

The main purpose of this policy is to give all our staff the opportunity and protection they need to raise concerns internally. We would expect that in almost all cases, raising concerns internally would be the most appropriate course of action.

However, if for whatever reason, you feel that you cannot raise your concerns internally and you reasonably believe the information and any allegations are substantially true, the law recognises that it may be appropriate for you to raise the matter with another prescribed person, such as a regulator or professional body or an MP. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect (formerly known as Public Concern at Work) and on the gov.uk website at:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies-2>

We strongly encourage you to seek appropriate advice before reporting a concern to anyone external

Protect is a leading independent charity whose main objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. They are a source of further information and advice and operate a confidential helpline.

Protection and support for those raising concerns

We are committed to good practice and high standards and to being supportive to staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Any individual raising a genuine concern must not suffer any detriment as a result of doing so. If you believe that you have suffered such treatment you should inform your line manager immediately. If the matter is not dealt with to your satisfaction, you should raise it formally using our grievance procedure.

No member of staff must threaten or retaliate against an individual who has raised a concern, and we will not tolerate any such harassment or victimisation. Any person involved in such conduct may be subject to disciplinary action.



However, to ensure the protection of all our staff, those who raise a concern frivolously, maliciously and/or for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

Further information and contacts

| Name of Regulator | Contact Details |
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| Protect (formally known as Public Concern at Work) | 020 3117 2520 www.protect-advice.org.uk |
| England & Wales Cricket Board (ECB) | www.ecb.co.uk |
| Financial Conduct Authority (FCA) | www.fca.org.uk |
| Health & Safety Executive (HSE) | www.hse.gov.uk |