

## Whistleblowing Policy

### Policy statement

Sport Structures is committed to operating its business fairly, honestly and with transparency in compliance with all legal and regulatory obligations. We encourage and expect all staff and partners to maintain the highest standards of ethical business behaviour. However, all organisations face the risk of things going wrong occasionally and a culture of openness and accountability is crucial in order to prevent such situations from occurring and to address them when they do occur via raising their concerns using this policy.

### Introduction

Sport Structures is committed to maintaining the highest standards of openness, inclusiveness, integrity and accountability adhering to our Safeguarding and Prevent Policy. We also strive to conduct our services in a responsible way meeting the requirements of funding bodies and awarding organisations and reflecting the standards set in the sport and physical activity sector.

You may be the first to realize there is something wrong. This may involve Sport Structures staff, associates, sub-contractors or other related individuals/organisations. Please be encouraged to raise genuine concerns about wrongdoing at the earliest opportunity.

The aim of this policy is:

- to support individuals in reporting suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate.
- to signpost to our Whistleblowing procedure on how to raise concerns.
- to reassure individuals that they can raise genuine concerns without fear of reprisal even if they turn out to be mistaken.

### What is Whistleblowing?

Whistleblowing refers to the disclosure of malpractice, as well as illegal acts or omissions at work. The term 'Whistleblower' is used to describe an individual who raises a concern.

Whistleblowers should act if their concerns are not covered by any other Sport Structures policy. Any whistleblower must believe their disclosure is in the public interest and shows past, present, or potential future wrongdoing. Meeting these requirements will provide the whistleblower with cover by law under the Employment Rights Act 1996 (amended by the Public Interest Disclosure Act 1998).

### Who is responsible for the policy?

The Board have overall responsibility for this policy and for reviewing its effectiveness.

The Human Resources Manager has day-to-day operational responsibility for this policy. The Human Resource Manager will review the policy in conjunction with the Board frequently.

The Human Resource Manager will report annually to the Board on the operation of the policy and whether any disclosures have been made (subject to any obligations of confidentiality).

### Who may raise a Whistleblowing concern?

This policy applies to all individuals who may come into contact with Sport Structures.

The Whistleblowing procedure is distinct from existing internal procedures for dealing with individual complaints by staff connected with their personal circumstances at work, terms of employment or collective grievances, and from procedures for dealing with complaints or appeals. This procedure may not be used to re-open or review a matter already decided in such procedures or to question or reconsider financial or business decisions taken by the company.

The purpose of this policy is to assist individuals who believe that they have discovered wrongdoing at Sport Structures to have their concerns considered.

If an individual is uncertain whether this policy applies to their concern or is within the scope of the policy, they should contact the Whistleblowing Officer for a decision as to which is the appropriate procedure to apply. The decision of the Whistleblowing Officer will be final.

### What concerns may be raised?

Examples of situations that constitute grounds for whistleblowing include:

- Criminal offences (e.g. fraud, blackmail, bribery, corruption)
- Endangering someone's health and safety
- Damage to the environment
- A miscarriage of justice
- A failure to comply with a legal and regulatory obligation
- A safeguarding concern
- Improper conduct or unethical behaviour including unauthorized disclosure of confidential information.
- Attempting to conceal any of the above

A 'Whistleblowing Concern' is a genuine concern relating to any of the matters set out in the bullet points above.

### Procedure

Please refer to the Whistleblowing Procedure for raising a whistleblowing concern.

### Designated Officers

Our designated Whistleblowing Officers can be found below.

| Deputy Designated Whistleblowing Officer  |
|---|
| Ross Szabo<br><a href="mailto:Ross.Szabo@sportstructures.com">Ross.Szabo@sportstructures.com</a> 07917<br>388167<br>Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP |

| Designated Whistleblowing Officer   |
|---|
| Simon Kirkland<br><a href="mailto:Simon.kirkland@sportstructures.com">Simon.kirkland@sportstructures.com</a> 07766<br>768474<br>Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP |

# Whistleblowing Procedure

## Introduction

It is recommended that individuals refer to the Whistleblowing Policy prior to reading this procedure.

## Safeguarding and confidentiality

This procedure is designed to offer protection to any individual connected with Sport Structures who disclose Whistleblowing concerns provided that:

- The individual making the disclosure reasonably believes that it is a matter of public interest
- The disclosure is made to an appropriate person

Sport Structures aims to promote a culture in which individuals feel confident to raise their concerns. Consequently, anyone reporting a disclosure is encouraged to identify themselves. However, if an individual wish to raise a Whistleblowing concern confidentially, Sport Structures will make every effort to keep that individual's identity secret.

Concerns which are expressed anonymously will be considered at the discretion of Sport Structures according to:

- The seriousness of the issues concerned.
- The likelihood of confirming the allegation from alternative credible sources.

All disclosures made under this procedure will be treated sensitively, consistently and fairly.

In the event that it is deemed necessary to reveal the identity of the individual making the disclosure, this will be discussed with the individual to gain consent. The investigation process may require that the source of the information and the individual making the disclosure provide a statement as part of the evidence required or to assist in further investigations.

Whistleblowers should not suffer any detriment as a result of raising a genuine concern. Detrimental treatment includes dismissal, harassment, victimisation, disciplinary action, threats or other unfavourable treatment (including poor treatment from colleagues) connected with raising a concern. If an individual believes that they have suffered any such treatment, they should inform the Whistleblowing Officer immediately. Sport Structures will treat this as a serious disciplinary offence, which will be dealt with under the Sport Structures' disciplinary procedures.

## Procedure for raising a whistleblowing concern

Concerns can be raised at any time, verbally or in writing (see appendix 1) to the officer named above. Disclosing concerns will not affect the position held by the individual within the organisation. All reports will be taken seriously and investigated by the Whistleblowing Officer who receives the disclosure.

## Investigation Process

The form of the investigation will depend on the nature of the matter raised. The Whistleblowing Officer will:

- Commence a prompt and fair investigation

- Identify whether the investigation should take place under an existing internal procedure
- Arrange an interview with the whistleblower to obtain further evidence
- If the whistleblower wishes to remain anonymous, an investigation will still be conducted using available evidence
- Report any illegal activities to the police
- Keep the whistleblower informed of the progress of the investigation, maintaining the confidentiality of those involved where required.

Any investigation under this policy will be conducted as sensitively and speedily as possible. The intended timetable for the investigation will be notified to the Whistleblower. In order to seek to protect the identity of the parties concerned, those participating in the investigation will be reminded of the need to maintain strict confidentiality in appropriate cases at all stages of the process. However, the Whistleblower may be accompanied during their interview with the Whistleblowing Officer if they wish.

### **Actions**

Following the investigation, the Whistleblowing Officer will arrange a meeting with the Whistleblower to give feedback on any action taken. This will not include details of any disciplinary action, which will remain confidential to the individual concerned. The feedback will be provided within reasonable time limits which will be specific to the nature of each investigation.

If the investigation requires disciplinary action to be taken, this shall be conducted as per the Sport Structures disciplinary procedure. Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the Whistleblowing Officer should ensure that the employee suffers no reprisals.

In some instances, it may be necessary to conduct further internal investigations or to refer the matter to an external authority for further investigation (i.e., the Police, Health and Safety Executive, Ofsted)

If an employee raises false allegations made maliciously, or knowingly untrue concerns are raised in order to harm colleagues, the whistleblower will face disciplinary action. This could result in dismissal unless they can demonstrate a reasonable belief that the concern was raised in the public interest.

### **Further Action**

If the Whistleblower does not feel their concern has been addressed adequately and is not satisfied with the outcome of the investigation, Sport Structures recognizes the lawful rights of the whistleblower to make disclosures to [prescribed persons](#) or, where justified, elsewhere.

### **Time Limits**

If a whistleblowing claim is for a detriment, it must be presented to a tribunal within three months of the last act by Sport Structures. The time to bring a claim runs from the date of 'the act of failure to act to which the complaint relates'. If there is a series of similar acts or failures, then the time runs from the last of the series of acts. The three-month period runs from the date of the act complained of, not from the

detriment alleged to be suffered as a result. Time limits may be extended if it was not reasonably practicable to present the claim on time.

## Whistleblowing Form

Please use this form to report any Whistleblowing concerns that you may have concerned Sport Structures to the Whistleblowing Officer and HR Manager, including but not limited to:

- Criminal offences (e.g., fraud, blackmail, bribery, corruption)
- Endangering someone's health and safety
- Damage to the environment
- A miscarriage of justice
- A failure to comply with a legal and regulatory obligation
- A safeguarding concern
- Improper conduct or unethical behaviour including unauthorised disclosure of confidential information.
- Attempting to conceal any of the above

The above may involve Sport Structures staff, associates, sub-contractors or other related individuals/organisations.

|   |  |
|---|--|
| Who is the allegation against? (name and or company if known)   |  |
| Please provide full details of your concerns including details of any incidents.  |  |
| Can you provide any evidence to support this? Please provide details.   |  |
| If you have a preferred outcome to this matter, please identify what this might be.   |  |
| Do you wish to remain anonymous?  | Yes <input type="checkbox"/> No <input type="checkbox"/>                                 |
| Preferred method of contact   | Phone / Email / Letter (please delete as appropriate)<br>Please provide contact details: |
| By signing this form, you confirm that you are making this concern in line with our Whistleblowing policy and understand that this matter will be dealt with using our Whistleblowing procedure |  |
| Signed:   |  |
| Date:   |  |