

## NCF Whistleblowing Policy

### 1 Introduction

1.1 The Public Interest Disclosure Act 1998 (commonly referred to as Whistleblowing) was introduced to protect employees who disclosed information about dangerous, unethical or criminal behaviour, from being dismissed or subjected to detrimental behaviour by their employer as a result of such a disclosure.

1.2 Whistleblowing is revealing information based on knowledge, which calls attention to fraud, negligence, abuses or danger that affects individuals. A 'whistleblower' is someone who comes to a decision to express concern after a great deal of thought. The legislation requires the whistleblower to have a genuine concern and he/she is not expected to produce irrefutable evidence in support of their claim.

1.3 The Norfolk Cricket Foundation is committed to encouraging a climate of openness in the workplace and creating a positive environment in which employees can raise their concerns without fear of reprisal.

1.4 The Foundation is also committed to eradicating any fraud, irregularity or malpractice which may arise within the organisation. Any reports of such activities will be taken seriously and investigated. Any employee who witnesses such activities and who decides to raise their concerns will receive the full protection of the legislation of this policy.

1.5 The policy addresses the following areas:

- What disclosures are covered by the Act?
- Making a disclosure.
- What will happen when a disclosure has been made?

### 2. What Disclosures are covered by the act?

2.1 Disclosures covered by the Act (referred to as qualifying disclosures) are those which, in the reasonable belief of the employee, show one or more of the following:

- That a criminal offence has been, or is likely to be committed
- That a person has, is, or is likely to fail to comply with a legal obligation
- That a miscarriage of justice has, is, or is likely to occur
- That the health and safety of an individual has, is or is likely to be endangered
- That the environment has, is, or is likely to be damaged
- That information relating to the above examples of illegal and unethical behaviour has been, is, or is likely to be deliberately concealed

2.2 To be covered by the Act the employee must make a qualifying disclosure and must demonstrate a reasonable belief that the allegations are substantially true and not make the disclosure for personal gain, **i.e. the disclosure will only be protected if 'made in the public interest' (in the reasonable belief of the worker).**

2.3 The Foundation requires employees to inform management of any breach of policy and procedure, or of the Code of Conduct. To do this is not 'whistleblowing' unless there has been some serious failing of the type listed above. If employees are unsure whether malpractice by another employee has taken place they may need to refer to the Foundation's Code of Conduct, a copy of which can be obtained from your line manager or is found in the Policy Manual.

### 3. Making a Disclosure

3.1 Concerns which arise in the workplace can usually be discussed with the line manager. It is better to try to resolve matters at the lowest level at which they are likely to be able to be sorted out.

3.2 Whistleblowing is appropriate when the matter appears serious or when it is very difficult to raise through normal systems or when a member of staff has done so and no action has been taken.

3.3 An employee should make their disclosure to their line manager or where this is not appropriate, the Foundation's Chair or Vice Chair. Wherever possible, the disclosure should be in writing.

3.4 It is possible for an employee to make a disclosure anonymously but it would be preferable to the Foundation if the employee were willing to give their personal details so they may be contacted in the event that further information is required.

### 4. What will happen when a disclosure is made?

- Information received will be treated very seriously by the Foundation and in the strictest confidence.
- An employee who makes a disclosure will be interviewed in order to obtain all the required information and to clarify any facts where necessary. Typically this interview will be conducted by the Cricket Development Manager, unless they are connected with the disclosure in some way. Depending on the nature and seriousness of the matter, the interview may be conducted by the Foundation's Chair or Vice Chair.
- The matter will be thoroughly investigated. The period over which any investigation will take place will be dependent on the nature of the disclosure.
- During the investigation, all employees involved are expected to respect the need for confidentiality and failure to do so will be considered a disciplinary offence.
- Following the investigation, the Foundation will consider the action to be taken. Action taken will be appropriate to the circumstances and may include disciplinary action against the person alleged to have performed malpractice. It would also mean that the

Foundation may decide to report the matter to a third party such as the police authority or an appropriate public authority.

- If required, the employee who made the disclosure will be advised of the progress of any investigation together with the final resolution and outcome taking into consideration the need for confidentiality.
- The Foundation will use its best endeavours to protect an employee, who makes a disclosure, from discrimination or victimisation. Any victimisation or discrimination against an employee making a protected disclosure will be considered a disciplinary offence with sanctions up to and including dismissal. An employee who feels they are being subjected to this behaviour must inform their line manager immediately.
- Instances where an employee discloses confidential information to a third party unconnected to the Foundation for example the media, without having first followed steps outlined in this policy will be investigated by the Foundation. Employees who are unable to provide a satisfactory reason to the Foundation for disclosing information to the third party may be subject to disciplinary action in accordance with the organisation's Disciplinary procedure.
- Any employee, who is not satisfied with the way in which their disclosure has been dealt with, should raise the issue in accordance with the Grievance procedure.

4.1 It should be noted that the Foundation will take disciplinary action against any employee found to have made malicious or vexatious allegations and disclosures they know to be untrue.

4.2 All new staff are required to read this policy as part of their induction process.

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