



COMMUNITY
SPORTS
FOUNDATION

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NEST

SPEAK UP

Date of Next Update: June 2024

Scope

This policy is for the Norwich City Community Sports Foundation (“Foundation”) staff and volunteers. This includes agency, temporary, zero-hours, and consultancy and contracted staff members.

Foundation’s Commitment

We always aim to conduct ourselves ethically, and with honesty and integrity. We expect the same high standards from all our people – employees, workers, contractors, agency workers, and volunteers.

We do, however, recognise that there may be occasions when we – or our people – do not get this right. In these instances, you may feel that you need to raise your genuine and serious concerns through this ‘speak up’ (whistleblowing) policy.

Aim of the policy

The aim of this policy is to:

- Provide an effective way for you to raise serious concerns
- Ensure that you receive feedback on any action undertaken by us as a result of you raising serious concerns
- Ensure that you will be protected from reprisals or victimisation for having raised you concern in good faith
- Signpost you to further options available to you if you are dissatisfied with our response, or if internal investigation is not appropriate
- Allow the Foundation to take action against any employee who makes allegations in bad faith and / or publicly discloses information when it is unreasonable for them to do so

Defining Whistleblowing

Whistleblowing is a term used to refer to the internal or external disclosure of malpractice (bad practice) as well as illegal acts, or omissions (leaving out), at work. It covers, for example, how we raise funds, how we commission work, or make payments.

You may see whistleblowing referred to as ‘speak up’.

Protecting individuals using this policy

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996, and it provides protection for individuals who raise legitimate concerns about specified matters, outlined below.

These are called qualifying disclosures. A qualifying disclosure is one made in good faith by an individual who has a reasonable belief that:

- A criminal offence (including fraudulent and corrupt behaviour, e.g., theft, fraud, or malpractice)
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A break of any other legal obligation (including safeguarding)
- Covering up / hiding any of the above

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed. You do, however, need to a **reasonable** belief of such as action having been, being or likely to be carried out.

If you make such a protected disclosure, you have the right not to be dismissed, subject to any other detriment (such as suspension), or victimised. This is the case even were it to materialise that you were genuinely mistaken.

The Foundation will not tolerate any individual being subjected to a detriment as a result of their making a disclosure in good faith.

Under the law, interns, contractors, or volunteers, are not afforded the same legal protection that is afforded to employees. At the Foundation, however, we want to promote and encourage an open and honest environment in which concerns can be freely raised. We will therefore, in so far as is possible, aim to treat all individuals making a disclosure in the spirit of the Public Interest Disclosure Act 1998.

Malicious disclosures

If it is found that you have maliciously raised a matter which you know to be untrue or you are involved in any way in the malpractice, wrongdoing, illegal acts or wrongdoing, your behaviour may be address through the appropriate Foundation policy.

Non-whistleblowing concerns

This policy is only to be used in the expectational circumstances as outlined in the 'protecting individuals using this policy' clause, above. There are a number of Foundation policies that will be relevant in other circumstances.

This includes, but is not limited to:

- Safeguarding
- Bullying and Harassment
- Disciplinary
- Grievance

Raising a concern

You should raise your whistleblowing concern as soon as possible. This will make it easier to act and to enable any problems to be resolved or reported quickly.

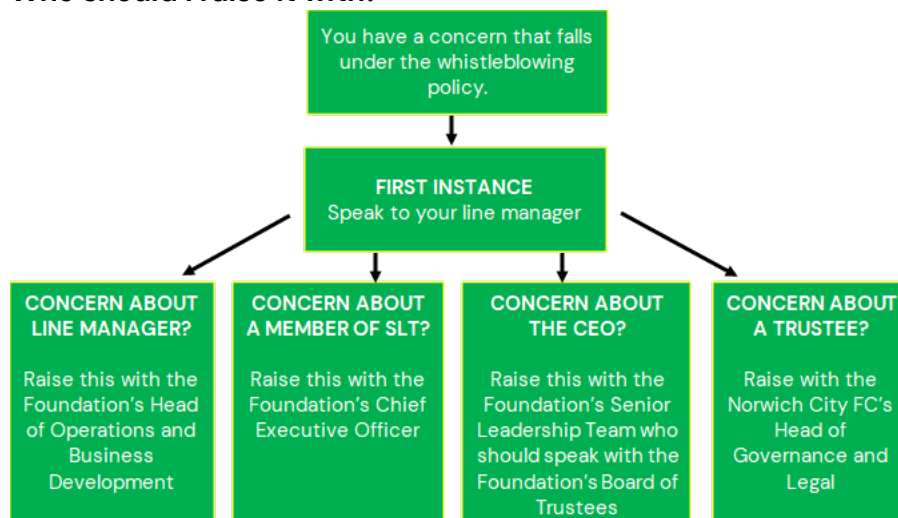
You can make your disclosure verbally; however written disclosures are preferred as these will make the process more efficient and effective. In your disclosure, you should:

- Provide any relevant context and background, including relevant dates, venues, names, etc.
- State clearly the reason why the situation causes for concern

You must say that you are raising your concern using the whistleblowing policy and whether you wish your identity to be kept confidential. While we will make every effort to deal with your case confidentially, depending on the circumstances of the case this may not always be possible. Where this is the case, you will be informed of this and the reasons why it was not possible.

We will consider anonymous disclosures, but we do not encourage them as anonymity often makes it difficult to properly investigate concerns, protect employees or given feedback on outcomes.

Who should I raise it with?



What happens after I raise a concern?

The Foundation will acknowledge your disclosure within three working days.

It will be investigated by the Foundation manager or senior leader that you raise your concern to. This may be deputised where appropriate, including to a member of the team in the Norwich City FC Human Resources team.

The investigating manager will arrange to meet you as soon as possible, away from the workplace, if necessary, to enable you to explain your concern, as outlined in 'raising a concern' section.

As per the 'raising a concern' section above, we may not always be able to keep your details confidential, but we will always let you know if it is not possible to do this.

You will be told either at the meeting or as soon as possible afterwards, what actions will be taken to address the concern you have raised. Where action is not taken, you will be informed and given an explanation. The action taken in response to a disclosure will depend on the nature of the concern.

If you haven't heard anything regarding actions within 7 working days after your meeting, you should follow up with the investigating manager.

Typically, the matters raised may result in one or more of the following:

- No action required
- Action being taken under other Foundation policy or procedure
- An internal investigation under this policy
- A referral to the police or relevant statutory body
- A referral to the Charity Commission
- A referral to the Football Association
- An independent enquiry

Any Foundation manager or senior leader receiving a potential whistleblowing concern must notify the Foundation's Chief Executive Officer or Board of Trustees immediately that a concern has been raised and inform them of progress in resolving the concern.

Raising a concern externally

We strongly encourage you to exhaust the internal processes set out above in the first instances.

In exceptional or urgent circumstances, however or where, having made a disclosure, you are unhappy with the outcome, you have a legal right to make a disclosure to prescribed bodies.

These include but are not limited to:

- The Charity Commission for England and Wales
- HM Revenue and Customs
- The Health and Safety Executive (HSE)
- The Financial Services Authority (FSA)
- The Office of Fair Trading
- The Environment Agency
- Office of the Scottish Charity Regulator

- The Charity Commission for Northern Ireland
- Fundraising regulator
- The Football Association

Similar to the rights and obligations of an employee, the Foundation reserves the right to make a referral to any of the above agencies without your consent.

Making a disclosure to the press

Disclosures to the press will not be considered reasonable and may constitute misconduct. As such, the matter might be treated as a disciplinary matter in accordance with our disciplinary and grievance policy and procedure.

Further help and assistance

If, at any stage in the procedure, you are unsure about what to do and would like independent advice, you can discuss your concern with someone at Public Concern at Work. This body is an independent charity staffed by lawyers, which offers confidential free legal and practical advice on how people can raise concerns about malpractice at work. They can also provide advice about what legal protection may be available to you. You can email Public Concern at Work at whistle@pcaw.org.uk or phone their advice line on 020 3117 2520

Policy Issue Date: **June 2022**

Date of Next Update: **June 2024**

This policy is next due for a general review on the above date. It may however be reviewed and updated earlier, in the event of a change in Foundation requirements, or relevant legislation.

