

Whistleblowing Policy



Metadata

Policy Owner	Human Resources (HR)
Policy Author	HR Business Partner
Effective date	October 2022
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Revision History

<u>Version</u>	<u>Date</u>	<u>Comments/reason for amendments</u>	<u>Amended by</u>
September 2020	01.10.22	Branding Update Inclusion of review date Definition of whistleblowing General formatting and grammar updates Inclusion of disciplinary action for any bullying, harassment or victimisation against whistle-blowers Greater inclusion of support for whistle-blowers Splitting of safeguarding and confidentiality into separate sections Inclusion of Media involvement Updates to the reporting procedure Inclusion of what a disclosure should contain Inclusion of safeguarding concerns Raising concerns externally	S. Foxall

Policy details

West Bromwich Albion Football Club is committed to conducting our business with honesty and integrity and we expect all Staff and volunteers to maintain the same high standard.

Whistleblowing is a term used to refer to the internal or external disclosure of malpractice as well as illegal acts, or omissions at work. This policy is only to be used in the exceptional circumstances as outlined in section 2, below. There are a number of Club policies that will be relevant in other circumstances. This list includes but is not limited to:

- Safeguarding Children Policy
- Safeguarding Adults Policy
- Disciplinary Policy
- Grievance Policy
- Complaints Policy

This policy is designed to enable all stakeholders (employees, volunteers, casual workers, parents, participants and contractors) concerns to be raised internally and at a senior level to disclose information if they believe that something dangerous, unlawful or unethical is going on within the Club and it is affecting (or risks affecting) you or other colleagues. The aim of the policy is to encourage staff to report suspected wrongdoing or impropriety as soon as possible in the knowledge that their concerns will be taken very seriously and will be dealt with confidentially.

This policy does not form part of any employee's contract or contract of employment and may be amended by the Club at any time.

This policy applies to all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers.

Activities typically considered relevant to whistleblowing

Examples of acts of wrongdoing or impropriety which may fall under this policy include, but are not limited to, the following:

- Criminal activity
- Safeguarding of Children and Adults at Risk
- Dangers to Health and Safety
- Bribery or Fraud
- Slavery / Human Trafficking
- Failure to comply with any legal, professional obligations or regulatory requirements
- Discrimination
- Bullying and/or harassment
- Extremism and radicalisation
- Conduct likely to damage the reputation of the Company
- The deliberate release of confidential information

Safeguarding

This Policy offers support and protection for those individuals who disclose their concerns provided that such concerns are made in good faith and in the reasonable belief that there is wrongdoing or impropriety (even if those concerns are subsequently assessed to be unfounded). In these circumstances, the Club will fully support the whistle-blower and will not tolerate any bullying, harassment or victimisation whatsoever. If this does occur any perpetrators will be dealt with under the Club's disciplinary policy and procedures, which may amount to gross misconduct and result in.

The Club will investigate anonymous allegations at its discretion. However, anonymous allegations are much less credible and therefore individuals are encouraged to put their names to any disclosure.

If an individual makes an allegation in good faith, which is not confirmed by a subsequent investigation, no action will be taken against that individual and they will be fully supported. If, however, an individual makes a malicious or vexatious allegation, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Confidentiality

The Club will treat all such disclosures in a confidential and sensitive manner. The identity of the whistleblower will be kept confidential as much as possible, but depending on the case, this may

not always be possible and the Company may need to reveal the source of the information to further the investigation. In these circumstances the individual making the allegation will be consulted before any disclosure is made to discuss the reasons why, any likely consequences and support required.

Alerting the media to a concern, particularly before or during an investigation, is almost never justified or appropriate in any situation. We strongly discourage you from doing so, and will treat any contact with the press as a serious disciplinary issue which may result in dismissal unless exceptional circumstances exist. We would expect you to have taken all reasonable steps to deal with the matter internally or with an external regulator and to have taken full legal advice or advice from Protect before being justified in approaching the media.

How to raise a concern

- In most cases you should start by raising your concerns with your manager or Club point of contact, either face to face or in writing.
- If you are unable to speak with your manager or Club point of contact, you should address your concerns to the HR Business Partner. You should also do this if your concerns are of a serious nature. Where your disclosure is about HR you should address your concerns directly to the CEO.
- You should set out all of the key facts, including names of those involved and all relevant dates.
- An investigating office will be appointed, which will be an appropriate manager, to investigate the complaint and this will be done as quickly as possible.
- You will be invited to a meeting to discuss your concerns. You are entitled to be accompanied to this meeting by either a trade union representative or work colleague. Anyone who accompanies you will be asked to agree to keep strictly confidential the contents of the meeting, including any materials disclosed and/or examined during it. This obligation of confidentiality will extend before, during and after the meeting and any following investigation that is conducted in relation to the concerns raised.
- The Investigating Officer will investigate the complaint and if necessary shall conduct interviews and obtain statements with other members of staff. Where applicable, the Investigation Officer may use individual or external agencies to assist in the investigation.
- Where safeguarding concerns arise, these will always be considered by the appropriate Safeguarding Case Management Group to ensure that the necessary expertise and experience is applied.
- The Investigating Officer will keep the Club's Board of Directors informed of the investigation and shall consult with them as appropriate.
- You will be kept informed about the progress of the investigation as far as they are able. For a number of reasons, general relating to legal obligations, including obligations of confidence, to others, or in relation to any legal advice that we may decide to take on our own behalf, we may not be able to share every detail of our discoveries or deliberations with you. We will always endeavour, however, to reassure you, as best we can, of the fact that we are taking your concerns seriously and that we are conducting a responsible investigation.
- If you are not satisfied that the complaint has been dealt with properly by the Investigating Officer then you have the right to raise it in confidence with the CEO, or where the complaint is about the CEO, a member of the Board and request a review of what has been done and concluded.

External prescribed bodies

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 the legal right to make a disclosure to prescribed bodies. These include but are not limited to:

- The Police;
- The Charity Commission;
- HMRC;
- The Health and Safety Executive;
- The Financial Services Authority;
- The Office of Fair Trading;
- The Environment Agency
- Fundraising Regulator

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

Where individuals feel unable to raise safeguarding concerns internally via this procedure or the Club's Safeguarding Team for any reason, we are clear that it is never an option to do nothing, and external whistleblowing may be necessary via the following helplines:

Whistleblowing Helpline for Professionals: 0800 028 0285

NSPCC Helpline: 0800 800 5000 or help@nspcc.org.uk

Further advice

You can seek further advice on whistleblowing, protecting confidentiality, and being protected from reprisals from the independent charity Protect, which offers a confidential helpline on 020 3117 2520; www.protect-advice.org.uk

Monitoring & Evaluation

This policy will be reviewed every 12 months or in line with legislative and business changes.