

LEICESTER TIGERS



Whistleblowing Policy

Version	V0.01
Date Approved	31 July 2023
Review Date	1 August 2025

Introduction and purpose

- 1.1 The club is committed to conducting its business with honesty and integrity and expects all staff and board members to maintain the highest standards of ethical behaviour and professional conduct. We recognise that all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct ('malpractice').
- 1.2 We recognise that it is often individual staff members who are the first to notice potential malpractice taking place and we know that our staff are a valuable source of information and can be effective in helping us build assurance that we are meeting the high standards of ethical and professional conduct we expect of all staff and board members.

Therefore, this policy aims to:

- 1.2.1 Encourage and support staff to report concerns (sometimes referred to as a "disclosure" as soon as possible, in the knowledge that they will be taken seriously, and their concerns investigated as appropriate.
- 1.2.2 Provide staff with a mechanism to raise concerns in confidence within the club.
- 1.2.3 Reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.2.4 Balance the need to protect those who raise concerns against the need to protect staff and board members against malicious allegations that are made in bad faith.
- 1.2.5 This policy does not form part of any employee's contract of employment and the club may amend it at any time.

2. Scope of the policy

- 2.1 This policy should be used to disclose information which relates to suspected malpractice or risks / dangers at work. Such concerns will normally be about matters that are in the public interest.

You may be protected by law if you report any of the following:

- Criminal offences that have been, are being, or are likely to be committed (including but not limited to financial irregularity, fraud, serious financial malpractice, bribery, blackmail or corruption);
- Unauthorised disclosure of confidential information including any breach of data protection requirements;
- Endangering health and safety; which has occurred, is occurring or is likely to occur;
- Safeguarding concerns including but not limited to concerns about harm or risk of harm to children or vulnerable adults;
- Conduct likely to damage the clubs reputation or financial wellbeing.

- 2.2 The above list is not intended to be exhaustive. Individuals are encouraged to raise any concerns about matters which they consider are potentially damaging to the club or harmful to individuals, even if those concerns do not clearly fit within one of the identified categories. If in doubt, it is better to raise your concern.
- 2.3 The policy is not designed to allow individuals to:
- question legitimate financial, business or managerial decisions taken by the club;
 - seek reconsideration of any matters that have already been addressed under the grievance or disciplinary procedures; or
 - raise concerns relating to their own personal circumstances.
- 2.4 Where an individual raises a concern under another club policy (e.g. the Grievance Procedure) which highlights wider concerns that would fall within the scope of this policy, the club reserves the right to investigate under this policy.
- 2.5 Where an individual raises a concern under this policy, but the nature of the concern is within the scope of another club policy, the club reserves the right to investigate and, where necessary, take appropriate action in accordance with that other policy.
- 2.6 Employees raising concerns which are within the scope of this policy will still be afforded the protection of this policy even if they have not been specifically raised as whistleblowing matters under this policy, or where the club has taken the decision to deal with the matter in accordance with another appropriate club policy.

3. Confidentiality

- 3.1 Confidentiality is an important part of this policy, and the club will use all reasonable endeavours to protect the identity of staff who raise concerns. Details of concerns raised, and the names of any individuals involved will only be disclosed where it is absolutely necessary and/or lawful to do so, and in particular where required for any investigation or to remedy any issue related to the safety of individuals.
- 3.2 While the club will do all it can to protect individuals, it cannot guarantee that your identity will remain confidential for example in the following circumstances:
- Disclosure of your identity is a legal obligation.
 - Disclosure is to a professionally qualified lawyer for the purposes of obtaining legal advice.
 - Disclosure is necessary for any investigation.
 - Your identity as the discloser can be deduced from the information provided.
 - Disclosure to a third party.

4. Data protection

- 4.1 A disclosure made under this policy is likely to identify an individual or individuals, or may lead to an investigation in which it is necessary to identify individuals. It will therefore involve the processing of personal data under the Data Protection Act 2018 (DPA) and General Data Protection Regulation 2016 (GDPR). Depending on the nature of the allegations or information disclosed it may also involve the processing of special category personal data and/or personal data relating to criminal offences and convictions.
- 4.2 Individuals named in a disclosure will normally be told of the allegations and the identity of anyone who will receive personal data about them during the investigation of the matter, unless there is a substantial risk that this will prejudice the investigation, or it would otherwise be unlawful.
- 4.3 All personal data collected during receipt and investigation of a concern raised under this policy will be processed fairly and lawfully in accordance with the GDPR and DPA. From the information gathered, the retention and processing of personal data will be restricted to what is necessary for the purpose of investigating and responding to the concern raised. Personal data may need to be shared with relevant third parties while investigating or responding to a concern raised.
- 4.4 The recipient will ensure that a data protection impact assessment (DPIA) [dpia-template.docx \(live.com\)](#) is carried out before the processing of personal data when the processing is likely to result in a high risk to the rights and freedoms of individuals.

5. Anonymous disclosures

- 5.1 Anonymous disclosures are not encouraged. Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of the club.

6. Raising a concern

- 6.1 Any concerns should be raised at the earliest opportunity so the matter can be considered without delay and, where necessary, appropriate action taken.
- 6.2 If you are reporting a concern under this policy, you are not required to have 'proof' that malpractice has occurred and you are not expected (or encouraged) to gather evidence before raising the matter. It is sufficient for you to have a reasonable suspicion about the matter of concern you are raising, even if it turns out that you are mistaken. You should only provide factual information which explains the basis of your concern.
- 6.3 Any matter raised under this policy should, where possible, be in writing but concerns

may be raised in person.

- 6.4 You can raise concerns with your immediate line manager, or a member of the senior leadership team known as 'designated person' from here on in. They may be able to agree a way of resolving your concern quickly and effectively.
- 6.5 If the disclosure is about your line manager, then you may raise your concern directly with their line manager. If the disclosure is about the Chief Executive Officer, then you may raise your concern directly with the Chair of the Board.
- 6.6 Concerns can also be disclosed to an official body but is likely to result in the loss of the protections afforded to whistleblowers.
- 6.7 When a concern is raised, the designated person will acknowledge receipt of the disclosure in writing and arrange a meeting with you as soon as possible to discuss your concern. If you wish, you may be accompanied at the meeting by a colleague or trade union representative.
- 6.8 At the meeting you should provide as much supporting information as possible about your concern to ensure context and understanding.
- 6.9 The designated person will take down a written summary of your concern and provide you with a copy after the meeting.
- 6.10 Whistleblowing concerns may sometimes relate to the actions of a third party, such as a partner organisation, a supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, you are encouraged to report such concerns internally within the club first.

7. Safeguarding

- 7.1 The club uses a system called CPOMs to log and monitor safeguarding concerns across the club and there is clear process for escalating concerns. However, this does not preclude the use of this policy. For more information visit [Safeguarding | Leicester Tigers](#).

8. Investigation

- 8.1 The designated person will carry out an initial assessment of the information made available to them and may consult with appropriate colleagues for example HR/Finance to determine if the matter is appropriate for this policy and the scope of any investigation required.
- 8.2 Following this initial assessment, the designated person will inform you of the outcome e.g. if there is no further action required or if there is a need to investigate the matter internally or refer the matter to the police or other external body.

- 8.3 The nature and scope of any investigation required will depend on the nature of the concern raised and the designated person may not conduct the investigation.
- 8.4 In some cases, the club may appoint an impartial investigator or team of investigators, including staff, with relevant experience of investigations or specialist knowledge of the subject matter.
- 8.5 The designated person will aim to keep you informed of the progress of the investigation and its likely timescale and you may be required to attend additional meetings to provide further information. However, sometimes the need for confidentiality may prevent the club giving you specific details of the investigation, or any disciplinary action taken.

9. Conclusion of investigation and outcomes

- 9.1 At the conclusion of the investigation, the person carrying out the investigation will make a report to the designated person. The report may make recommendations for actions to be taken which may include:
- Reviewing and making recommendations for changes to internal procedures e.g. risk assessments or training to minimise future risks.
 - Recommending the instigation of disciplinary proceedings.
 - Notifying/reporting to an external body e.g. RFU, DBS.
- 9.2 Once the designated person has reached a decision, they will inform you of this, if possible, within 10 working days, including any detail of further actions to be taken.
- 9.3 Depending on the findings, there may be a separate duty to report it to the police or other appropriate authority - for example, if criminality is suspected.
- 9.4 If the club concludes that untrue allegations have been made in bad faith or maliciously and with a view to personal gain, you may be subject to disciplinary action or other sanctions.

10. If you are not satisfied with the outcome

- 10.1 The club cannot guarantee any particular outcome to any concern raised but will try to deal with concerns raised under this policy fairly and appropriately.
- 10.2 If you are not happy with the way in which your concern has been handled, you can raise it with a different designated person who will consider all the information presented, the procedures that were followed and the reasons for the action taken. The outcome of this will be either to confirm that no further action is required or that further investigation is required.

11. Support and Advice

- 11.1 If a member of staff needs independent advice about a whistleblowing issue, they can visit the following website <https://protect-advice.org.uk/what-is-whistleblowing/>.

12. Record Keeping

- 12.1 If substantiated, records will be kept for 6 months following the outcome. If unsubstantiated, personal data will be removed immediately.

