



## Welsh Short Mat Bowls Association

### POLICY STATEMENT – WHISTLE-BLOWING

*(Not yet adopted by WSMBA Executive)*

*Last amended May 2024*

*The term whistle-blower comes from “blowing the whistle” about something that you have seen in the past, are seeing now or you believe is likely to happen, usually but not always related to your employment. The wrong doing that you expose, to be classed as a whistle-blower must be in the public interest, i.e. it affects others not just yourself. It cannot be a personal grievance, such as bullying, discrimination or harassment unless the particular circumstances would be in the public interest.*

The Welsh Short Mat Bowls Association is committed to setting and upholding the highest possible standards with regard to our governance, behaviour, service to members and the general public and in all our working practices. To ensure this, the WSMBA encourages people to report their concerns about poor or dishonest practice, illegal acts or failures to comply with our required standards, without fear of reprisals or victimisation. Malpractice includes:

- a criminal offence, e.g. fraud
- someone’s health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g. doesn’t have the right insurance
- you believe someone is covering up wrongdoing

The WSMBA does not tolerate unfair treatment, harassment or victimisation of a whistle-blower and will consider such conduct by any officer or member as a breach of our constitution.

#### **Whistle-blowing procedure**

1. Any officer, volunteer or member may raise a malpractice concern under the “whistle-blowing policy”. This person shall be identified in this procedure as “the whistle-blower” or other name e.g. “discloser”

2. Any malpractice concern should be raised as soon as practicable with the Chair.
3. The raised concern must not be made for purposes of personal gain and malicious or false allegations will be regarded as a serious disciplinary offence.
4. Following the raising of a malpractice concern a full investigation will be carried out by the person who received the complaint or by their nominated representative. This person shall be considered “the investigating officer” as far as this procedure is concerned and wherever possible should complete the investigation within 5 working days.
5. A full written record must be kept at each stage of these procedures securely. At the end of the process the record shall be retained by WSMBA.
6. The investigating officer shall carry out an initial investigation which shall, in the first instance, include a meeting with the person or persons who raised the malpractice concern.
7. Usually the identity of the “the whistle-blower” or “discloser” shall be kept confidential unless they confirm in writing otherwise, or if any of the following apply:
  - it is a legal obligation to advise their name;
  - the information is already in the public domain;
  - identification is to a qualified lawyer for the purposes of obtaining legal advice, or d. where it is necessary as part of the proper investigation
8. Legal advice may be taken by “the whistle-blower” or “other name e.g. discloser” at their own expense at any time prior or during the process.
9. Individuals raising a concern, may do so anonymously but it is preferable that the individual puts their name to any disclosure. Their identity will be kept confidential, if so requested, for as long as possible provided that this is compatible with a proper investigation.
10. Anonymous complaints cannot be covered by this procedure but may be reported, investigated or acted upon as the person receiving the complaint decides.
11. Sometimes despite all the necessary steps being followed the identity of the “the whistle-blower” or “discloser” might be realised due to the nature of the malpractice, therefore although unfortunate confidentiality cannot be guaranteed.

12. If, despite the WSMBA policy stating that unfair treatment or harassment is not tolerated, you feel that you have suffered adverse treatment as a result of making a malpractice disclosure, you should submit a formal complaint under the WSMBA Grievance Procedure.
13. Once the investigation has taken place if the investigating officer has found that there is likely to be some form of malpractice concerned they will confirm the action to be taken to the “the whistle-blower” or “discloser” this might include:
- a) the matter is to be reported to the Police
  - b) the matter is to be investigated further internally by WSMBA, or by external auditors or other specialised investigators appointed by WSMBA
14. Following investigation, the investigating officer may find that there is no further action required if they are:
- satisfied that malpractice has not occurred or is not likely to occur;
  - aware that the matter is already subject to legal proceedings, or has already been referred to the police or to the relevant “Prescribed Persons”, i.e. someone identified by the Secretary of State as prescribed regulators;
  - aware that the matter is already, or has already been, the subject of proceedings, under one of WSMBA’s other procedures;
  - satisfied that “the whistle-blower” or “discloser” does not have reasonable belief that malpractice within the meaning of the policy/procedure has taken place, is taking place or is likely to occur; or is raising a personal grievance or similar.
15. Depending on the circumstances of the malpractice the person(s) against whom allegations have been made may be suspended from the sport during the investigation and/or may be supported in an appropriate manner
16. The “whistle-blower” or “discloser” will be advised of the outcome of the investigation and subsequent action or no action to be taken.
17. If the “whistle-blower” or “discloser” having followed this procedure is not satisfied with the action taken, they may raise the matter confidentially with the Police or a relevant prescribed regulator. The relevant prescribed regulator will depend on the nature of the concern but may include the Environment Agency, the Health & Safety Executive or the Information Commissioner.
18. If the prescribed regulator or similar becomes involved at any stage of the process, then the WSMBA will comply with their requests; at this stage the WSMBA shall normally take legal advice on the matter.

19. Depending on the outcome of the investigation at 13b recommendations might arise for a change or changes to the way that the WSMBA works and/or manages the processes that gave rise to the malpractice concern. These recommended changes must be implemented as soon as possible unless the changes themselves might cause future concerns.