

SPORT



“WHISTLEBLOWING” POLICY

The Guernsey Sports Commission is committed to the highest standards of openness, probity and accountability. To ensure these standards are maintained, a mechanism to enable staff to voice concerns outside of line management has been developed. This policy is intended to assist individuals who believe they have discovered malpractice or incompetence, to raise their concerns at an early stage and without fear of victimisation, subsequent discrimination or disadvantage. The concerns covered in this policy may include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statute
- Dangers to Health & Safety or the environment
- Criminal activity
- Miscarriage of justice
- Improper or unethical conduct
- Failure to investigate allegations of abuse or sexual assault
- Failure to comply with formal procedures

For individual grievances relating to an employee’s own employment, this policy is not suitable and the relevant Grievance policy should be used.

SAFEGUARDS:-

This policy is designed to offer protection to employees who disclose concerns, provided the disclosure is made in good faith and in the reasonable belief that the concern indicates malpractice or incompetence.

The Sports Commission will treat all disclosures in a confidential and sensitive manner. If the situation arises where the concern cannot be resolved without revealing the identity of the employee who raised the concern, this will be discussed with the individual prior to any disclosures being made.

This policy encourages individuals to put a name to any disclosure they make. Concerns expressed anonymously are much less credible, but they may be considered at the Sports Commission's discretion by considering factors such as the seriousness of the issue raised and the credibility of the concern.

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. If, however, an individual makes malicious or vexatious allegations, disciplinary action may be taken against that individual. It is also a disciplinary matter to victimise or harass a bona fide whistleblower.

PROCEDURE FOR MAKING A DISCLOSURE:-

If the employee feels able to raise their concern with their line manager, or a member of the senior management team, this is preferable. If, however, the employee would prefer to raise this concern away from direct line management, they should contact the Chairman of the Sports Commission. The employee can raise their concern either orally or in writing. However, staff should not send a report by email, nor type it on a Sports Commission computer as this could compromise the confidentiality of the report.

On receipt of a complaint of malpractice, the line manager or Chairman will ensure the investigation is undertaken as quickly as possible without affecting the quality and depth of the investigation. The complainant will be sent a copy of this policy.

A written acknowledgement of the concern will be given to the complainant outlining who is handling the matter (the investigating officer), how they can be contacted if required, whether further investigations will take place and estimated timeframes to deal with these issues. This will be provided no later than 10 days after the initial disclosure has been received. A written report outlining the outcome of the investigation and the action that is proposed will also be provided. If the investigation is prolonged, the investigating officer will keep the complainant informed, in writing, of the investigation and as to when it is likely to be concluded.

Some concerns may be resolved informally at the first stage of the complaints process without the need for formal action.

The following steps will be followed by the line manager or Chairman –

- Full details and clarifications of the complaint will be obtained. The employee that raised the concern may choose to have a representative at any relevant meetings.
- Where a complaint is made against a member of staff, they will be informed as soon as is practically possible. They will be informed of their right to be

accompanied by a representative at any future interviews or hearings relating to this complaint. For complaints of a more general nature the relevant management will be informed.

- The allegations will be fully investigated with the assistance, where appropriate, of other individuals/bodies. This may include referring these concerns to external agencies such as external auditors or the Police.
- A judgement concerning the complaint will be made by the investigating officer and detailed in a written report. This report will be passed to the full Board of the Sports Commission (the Commissioners).
- The full Board of the Sports Commission (the Commissioners) will decide what action is appropriate.
- The complainant will be kept informed of the progress of the investigation and, if appropriate, the final outcome.

If the complainant is not satisfied that their concern is being properly investigated, they have the right to raise it, in confidence, with the Chairman of the Sports Commission directly, unless the concern was raised initially with the Chairman, in which case they can raise it with another Commissioner.

If an employee is still not satisfied with the process after this stage, they may choose to raise this with the following contacts –

- The full Board of the Sports Commission (the Commissioners)
- Independent States Member
- Advice Agencies (e.g. Citizens Advice Bureau)
- Their advocate

If an employee does take their concerns outside of the Sports Commission, they need to be advised to be careful in regards to disclosure of possible confidential information.