



BRITISHROWING

# Whistleblowing Policy

September 2018

TEAMWORK | OPEN TO ALL | COMMITMENT



# WHISTLEBLOWING POLICY

## 1. Contents

Sections 2 to 8 of this document is the British Rowing Whistleblowing Policy as defined under Public Interest Disclosure Act 1998, which came into force on 2 July 1999. The Act protects workers who disclose information about malpractice at their current or former workplace, provided certain conditions are met. For the purposes of this policy the workplace includes that of British Rowing as well as off-site locations related to competition and training.

Section 9 of this document provides guidance to those who wish to disclose information about malpractice within a British Rowing affiliated club or event.

## 2. Scope

The policy applies to all employees, athletes, contractors and volunteers within British Rowing. Personal grievances (e.g. bullying, harassment, discrimination) are not normally covered by this policy, these are covered by British Rowing's Grievance Policies<sup>1</sup>.

## 3. Introduction

All employees, athletes, contractors and volunteers within British Rowing in any capacity, at one time or another may have concerns about what is happening. It is the duty of everyone to speak up about genuine concerns. These concerns are usually best resolved by having a conversation with their line manager or their Director of Performance in respect of an athlete.

When disclosing a concern, an employee, athlete, contractor or volunteer must reasonably believe two things:

1. That they are acting in the public interest; and
2. that the disclosure may fall under one or more of the following headings of malpractice (the list is not exclusive):
  - a criminal offence e.g. fraud;
  - betting, corrupt conduct, inside-information and match fixing;
  - someone's health and safety is in danger e.g. coercion of an athlete to train against medical advice or conducting an unsafe-practice;
  - risk or actual damage to the environment;
  - a miscarriage of justice;
  - an organisation is breaking the law e.g. incorrect or inadequate insurance cover; or

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<sup>1</sup> There are separate grievance policies for employees and others.



- covering up wrong-doing, such as fabricating test results or supporting cheating (sport rule violation, anti-doping rule violation).

Employees, athletes, contractors and volunteers may be worried about raising such issues or may want to keep the concerns to themselves, perhaps feeling that it is none of their business or that it is only a suspicion. They may feel that raising the matter would be disloyal to colleagues, managers or to British Rowing. They may decide to say something but find that they have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

British Rowing takes any form of misconduct seriously and has introduced this policy to enable employees, athletes, contractors and volunteers to raise concerns early and in the right way. We encourage all individuals, where appropriate, to raise the matter as a concern rather than wait for proof.

#### **4. Assurances to employees, athletes, contractors and students**

##### **4.1 Commitment**

The Board of British Rowing is committed to this policy. If a genuine concern is disclosed under it, British Rowing will use all reasonable endeavours to protect the position of the individual concerned, provided they are acting in good faith. This assurance does not apply to someone who maliciously, raises a concern that they know is untrue.

The daily environment for a British Rowing employee, athlete, contractor or volunteer may be challenging following a whistleblowing disclosure, both whilst the disclosure is being investigated and following the conclusion of the process. If the individual feels that his/her environment is not tolerable, discussions should take place with the HR Manager, or the Director of Performance in respect of an athlete. British Rowing will seek to either redeploy that individual, suitably change their environment, or ensure that they are not disadvantaged as a result of making the disclosure.

##### **4.2 Confidence**

British Rowing does not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that someone may wish to raise a concern 'in confidence'. If any individuals ask us to protect their identity we will not disclose it without their consent. If the situation develops and British Rowing is not able to resolve the concern without revealing their identity (for instance because evidence is required in court), we will consult with the employee, athlete, contractor or volunteer on how they would like to proceed.

British Rowing recognises that if we do not know the identity of the person disclosing a concern, it may be more difficult to resolve the matter: however, we will always endeavour to balance this with the needs of the individual raising a concern.



## **5. Procedure**

Once British Rowing has been made aware of a concern we will make an initial assessment in order to decide what action should be taken. This may involve: an internal investigation; or an external review/investigation completed by independent experts who are not involved in the operation of British Rowing. The person disclosing will then be made aware of who is handling the concern and how they can be contacted and whether they will be required to assist in the future. A Panel will then be formed based on the needs of the case, which will be composed of those who have the knowledge required to fairly assess the disclosure.

British Rowing will act as quickly as possible to resolve the matter though the time taken to come to a resolution will depend on the nature of the disclosure. If appropriate and confidentiality allows, the person disclosing may be kept informed though this may not always be possible.

When raising a concern the employee, athlete, contractor or volunteer may be asked how they feel the matter might best be resolved. At this stage, we must be made aware of any personal interest in the matter. If the concern is deemed to be covered more appropriately by the Grievance Procedure we will make the individual aware and direct them to the policy. Records of disclosures will be kept in accordance with applicable law.

## **6. Raising a concern internally**

Those who have a concern about misconduct would ideally raise it in the first instance with their Line Manager, alternatively with their Director or the HR Manager or Director of Performance. This may be done orally or in writing. The person disclosing must state whether they wish to raise the matter in confidence so the appropriate arrangements can be made.

If after following these concerns the person disclosing feels the matter has not been addressed, or if they feel that the matter is so serious that they cannot discuss it with any of the above they should contact the CEO.

If the person disclosing is still not satisfied with the decision making process or the action taken they can go to the other levels of escalation detailed in this policy (see below).

## **7. Raising a concern externally**

Some professions, such as medicine and physiotherapy, have statutory duties to inform certain categories of disclosure externally. In disclosure cases such as criminal misconduct, child or vulnerable adult abuse, all employees, athletes, contractors and volunteers must inform the regulatory authorities without undue delay.

The disclosure process when dealt with internally by British Rowing may be duty bound to report this externally to statutory bodies.



## 8. Keeping the Board of British Rowing informed

The CEO will notify the Chair of British Rowing when a whistleblowing case has instigated a Panel investigation. Details of the case will not be discussed at that stage. Once the Panel findings are concluded, the Board of British Rowing will be fully informed, in confidence.

## 9. Raising a concern about malpractice at an affiliated club or regatta<sup>2</sup>

British Rowing is committed to encouraging a culture of openness: to protect its members, to uphold the reputation of the sport, and to maintain the public's confidence. This policy provides guidance by which serious concerns may be raised within British Rowing and addressed correctly.

Whistle-blowers are witnesses to a malpractice and will be protected for any disclosure of information, and supported by British Rowing.

Examples of malpractice include:

- Breaches of British Rowing rules, regulations, codes or policies as they may exist from time to time;
- Breaches of Safeguarding and Protecting Children, or Adults at Risk Policies;
- Danger to health and safety;
- Breach of the law;
- Bribery;
- Conduct that would cause reputational damage to rowing;
- Complicity including the deliberate concealment of any of the above.

Anyone approaching British Rowing, in good faith, with information regarding matters of malpractice taking place at a British Rowing affiliated club or event, will be taken seriously, treated fairly and concerns will be properly considered.

It is important that you do report your concerns. British Rowing recognise that this can be difficult, but whistleblowing will prevent the problem from getting worse, it could protect the individual/s from further harm or risk, and will also ensure that you do not become a party to lack of appropriate action being taken.

Concerns should be raised in the first instance with the following:

Type of concern	Who to raise it with	Contact Details
Breaches of Safeguarding and Protecting Children, or Adults at Risk Policies	Lead Safeguarding Officer	Iso@britishrowing.org

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<sup>2</sup> Regatta includes any affiliated event or competition subject to British Rowing rules or regulations



Breach of Anti-Doping Policy or Integrity Policy	Anti-Doping & Integrity Officer	antidoping@britishrowing.org
All other concerns	Governance Officer	governance@britishrowing.org

Individuals are encouraged to put their name to any disclosure. Where possible confidentiality will be maintained, although it must be stressed that in serious cases it will not always be possible to maintain strict confidentiality if the concerns reach the investigation stage. Anonymous complaints may not be investigated or acted upon if there is insufficient information to proceed.

All concerns will be taken seriously. They will initially be considered by the relevant Officer, who will make any preliminary enquiries. The relevant Officer will then decide, on the basis of the information provided:

- Whether or not there is enough evidence to proceed
- Whether to refer for appropriate action under the relevant Policy or Procedure.

The relevant Officer will advise the Whistle-blower of the outcome of any enquiry and any action taken.

In some instances, particularly those involving child safety, doping, or betting, it may be necessary to refer the matter to an external authority, for example the police, NSPCC, UK Anti-Doping or Sports Betting Intelligence Unit. If this is the case both the Whistle-blower and the person against whom the concern has been made will be notified of this, unless British Rowing is prohibited from doing so by law or at the direction of the external authority.

Any person approaching British Rowing with genuine concerns will not be disadvantaged or discriminated against in any way because of the disclosure. However, British Rowing will take a serious view and act accordingly, including taking disciplinary action against appropriate parties, should it be found that the allegations have been raised maliciously.

British Rowing accepts that it has an obligation to protect Whistle-blowers who make a disclosure in good faith from reprisal or victimisation as a result of the complaint. If a Whistle-blower suffers any adverse treatment as a result of reporting a concern they should submit a formal complaint under the Disciplinary & Grievance Procedure. If it is found that a Whistle-blower has suffered adverse treatment, harassment or victimisation as a result of their disclosure disciplinary action will normally be taken against the perpetrator.

## 10. Further Information

For your information some regulatory statutory bodies are listed below:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>



These Regulatory statutory bodies have individual policies and procedures for handling concerns and complaints. Many of their websites contain guidance on issues that you may face which may be helpful in your initial deliberations on whether to make a disclosure.

#### The Information Commissioner

In relation to compliance with the requirement of legislation relating to data protection and to freedom of information. Email: [casework@ico.gsi.gov.uk](mailto:casework@ico.gsi.gov.uk) and the website is [www.ico.gov.uk](http://www.ico.gov.uk)

#### The Health and Safety Executive

This relates to health or safety of individuals at work or the health and safety of the public that is work-related, in connection with those industries and work activities for which HSE is the enforcing authority. Online form: <http://www.hse.gov.uk/contact/raising-your-concern.htm> and the website is [www.hse.gov.uk](http://www.hse.gov.uk)

#### The National Society for the Prevention of Cruelty to Children (NSPCC)

Matters relating to child welfare and protection. Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

#### Care Quality Commission

Matters relating to the provision of health and social care. [www.cqc.org.uk](http://www.cqc.org.uk)

#### General Medical Council

Matters relating to the registration and fitness to practise of a member of the medical profession. [www.gmc-uk.org](http://www.gmc-uk.org)

#### Health and Care Professions Council

Matters relating to the registration and fitness to practise of health and care professional (eg physiotherapy). [www.hpc-uk.org](http://www.hpc-uk.org)

### **Appendices to this policy:**

- Internal Flowchart
- Integrity Flowchart
- Safeguarding Flowchart







