



Basketball Wales

Whistleblowing Policy

Board Review & adoption January 2016
Review Date: January 2019



Basketball Wales encourages you to bring to its attention alleged wrongdoing and ethical or legal concerns which may impact on the work that we do, and anyone involved.

You have a duty to be vigilant and to keep Basketball Wales informed of any such matters. This policy is to provide you with a formal channel through which employees and workers of Basketball Wales can raise matters of a serious nature relating to Basketball Wales. Such matters cannot be raised informally.

We encourage you to disclose information which tends to show one or more of the following where such disclosure relates in some way to Basketball Wales:

- That a criminal offence has been committed is being committed or is likely to be committed.
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject.
- That a miscarriage of justice has occurred is occurring or is likely to occur.
- That the health and safety of any individual has been is being or is likely to be endangered.
- That information tending to show any of the above has been is being or is likely to be deliberately concealed.

Such disclosures are referred to in this policy as “Disclosures”.

When considering whether a matter falls into any of the above categories, you should bear in mind the rules and regulations to which Basketball Wales and its staff are subject. If you make a Disclosure, you must have a reasonable belief that the information you are disclosing is true and you must make the Disclosure in good faith.

Matters not covered by this Policy

If you are unsure whether your concern is covered by this Policy, you should seek advice from the Appointed Person, whose contact details are set out below. He/she will be able to advise you accordingly

Method of Disclosure

Disclosures cannot be made informally or anonymously, and you should not discuss or raise such matters with your colleagues or your Manager. If you wish to make a Disclosure you must make it through the formal channel set out in this policy. Basketball Wales has a specified individual to whom Disclosures should be made the current Appointed Person is *the* Basketball Wales Welfare Director, **welfare@basketballwales.com**. They will act as a co-ordinator to ensure that any Disclosure is referred to an appropriate party for investigation.

As stated above, if you wish to make a Disclosure, you must make it in writing to the Appointed Person unless: -

The Appointed Person is absent, and you reasonably consider that the Disclosure cannot wait until his/her return. In this instance you should make the Disclosure in writing to The Chair of Basketball Wales instead, **chairman@basketballwales.com** The Disclosure relates to or involves the Appointed Person in any way, in which case you should make the Disclosure in writing to **The Chairman** instead. **chairman@basketballwales.com**

Procedure following Disclosure

After you have made a written Disclosure, the Appointed Person will write to you acknowledging receipt of the Disclosure and to arrange a meeting with you. The written acknowledgement will normally be sent to you within 2 working days of the Disclosure and the meeting will usually take place within 5 working days of the Disclosure.

The purpose of the meeting will be to enable the Appointed Person to obtain full details of the matter to enable him/her to conduct a preliminary investigation to establish whether the Disclosure is well founded and, if so, to whom the Disclosure should be referred for investigation. At this meeting you will be asked to identify any other individuals with knowledge of the matter, who may also need to be interviewed.

Your role is to raise a matter which may be of concern to *Basketball Wales*. The scope of the preliminary investigation carried out by the Appointed Person is to be determined by the Appointed Person him/herself. At the end of the preliminary investigation, the Appointed Person will have a further meeting with you to inform you of the outcome and whether any further investigations are to be undertaken and by whom. If the Appointed Person concludes that your Disclosure is not well founded, no further investigation will be carried out under this procedure. This decision will be final and will not be reviewed unless further evidence is produced in relation to the Disclosure. If the Appointed Person considers that your Disclosure is well founded, he/she will assess who is best placed to carry out further investigations and will refer the matter accordingly.

Further Investigations

If the Appointed Person considers that further investigations are required, the matter will be referred to the most appropriate and relevant person to conduct the investigations (the "Investigator"). Once again, the Investigator will not be investigating the Disclosure on your behalf, but on behalf of Basketball Wales. The Investigator will determine the method and scope of the investigations. The Investigator may need to meet with you to obtain further information.

The Investigator will prepare a written report outlining the extent of the investigations and setting out his/her conclusions and/or any recommendations. A copy of this report will be provided to the Appointed Person. The Appointed Person and the Investigator will have a meeting with you, after the report has been finalised, to inform you of the outcome of the further investigations. You will not be entitled to keep a copy of the report. The conclusion of the Investigator is final. You have no right of appeal. The Investigator, with assistance from the Appointed Person, will be responsible for ensuring that any recommendations in the report are referred to the correct channels for implementation.

Time Periods

All or any of the time periods set out in this policy may need to be varied in certain circumstances. If this is the case, the Appointed Person will inform you of this during the procedure and advise you of the revised timescale.

Confidentiality

The Appointed Person and the Investigator will keep your Disclosure, and the fact that you are the source of the Disclosure, as confidential as possible and will only inform individuals that need to know. These individuals may include, but will not necessarily be limited to, the alleged wrongdoer(s), others named by you when making the Disclosure and any witnesses or other individuals who can provide further information in relation to the Disclosure.

You must treat the Disclosure with the utmost confidence. You must not discuss the Disclosure with any third party other than the Appointed Person, the Investigator and, if you have one and consider it appropriate to consult him or her, your legal advisor. You must not attempt to carry out your own investigation.

Victimisation and/or Malicious Disclosures

Basketball Wales will make every effort to ensure that you suffer no adverse repercussions because of making a Disclosure. Any allegation of victimisation of an individual who has made a Disclosure will be taken very seriously and anyone found to be victimising such a person will be subject to disciplinary action, up to and including dismissal.

Any individual who is found to be making a Disclosure in bad faith or maliciously however will be subject to disciplinary action, up to and including dismissal.

Records

The Appointed Person will maintain notes of meetings, reports, recommendations and all other documents relating to Disclosures made under this policy. Such documents will be kept confidentially.

Revision of Policy

This policy is not intended to be contractually binding. Basketball Wales reserves the right to amend and/or withdraw this policy from time to time for any reason, including without limitation, to take account of changes in the law, best practice and/or operational requirements.