

PENTATHLON GB⁺

WHISTLE BLOWING POLICY AND PROCEDURE

Definition

Whistleblowing is when an individual knows, or suspects, that there is some wrongdoing occurring within the organisation and alerts the employer or the relevant authority accordingly. The Public Interest Disclosure Act 1998 gives protection to individuals who make a qualifying disclosure when they reasonably believe it is in the public interest for them to do so. It makes provision about the kinds of disclosure that may be protected and the circumstances in which disclosures are protected. This policy is therefore intended to comply with the Act by encouraging everyone involved in Modern Pentathlon to make disclosures about fraud, misconduct or wrongdoing in the sport and anyone within it, without fear of reprisal, so that problems can be identified, dealt with and resolved quickly.

Purpose

To assist Pentathlon GB to achieve high standards of conduct staff, volunteers, members and contracted partners need to be able to raise concerns about fraud, crime, breaches of policies and serious risks that undermine the reputation of Modern Pentathlon. We know that sometimes things may go wrong or that someone may ignore our policies, procedures or the law resulting in serious consequences. Experience shows that staff, volunteers, members and contracted partners or others who work on behalf of the organisation sometimes have worries or suspicions. By reporting their concerns at an early stage, they can help to put things right or identify and stop potential wrongdoing. Whistleblowing does not replace current Pentathlon GB policies and procedures. It is different from the grievance procedure which refers to an individual's personal employment relationship with their employer.

Possible Situations

Although this list is not exhaustive, examples of situations in which it might be appropriate for an individual to report a wrongdoing include:

- A breach, or potential breach, of health and safety legislation.
- Financial irregularities.
- Harassment or bullying of a colleague, or other individual.
- Damage to the environment.
- The committing of a criminal offence.
- An act of bribery.
- Deliberate concealment of any of the above.

Scope

- All those involved in activity carried out under the jurisdiction of Pentathlon GB and its home nation associations are covered by this policy.
- This policy applies to all those who work for Pentathlon GB whether full time or part time, self-employed, employed through an agency or as a volunteer. Our policy also applies to those supplying services to or on behalf of Pentathlon GB.
- This policy is intended to cover concerns that fall outside the scope of existing procedures. Pentathlon GB also has a range of policies, codes, manuals and procedures, which set out the standards of behaviour expected of members, staff and volunteers. If you have a complaint about Pentathlon GB services, policies, practices or disciplinary regulations please refer to these policies and procedures.

Raising a Concern

If an individual knows or suspects that some wrongdoing is occurring within the organisation, s/he should raise the matter immediately with the relevant manager/person. If the individual does not know who to approach, s/he should, in the first instance, talk to his or her line manager or the Chief Executive Officer.

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Action to be Taken by the Line Manager

Any manager who is informed by an individual of potential wrongdoing will take immediate action to investigate the situation. In doing so, the manager will take every possible step to maintain the anonymity of the individual who has made the allegation of wrongdoing. The individual who has raised the issue will be kept informed of any investigation that is taking place. The individual will also be informed of the outcome of the investigation. It might not always be appropriate to tell the individual the detail of any action that is taken, but s/he will be informed if action is taken. Guidance on what managers should do if they receive a concern which falls under the Whistleblowing Policy is contained in Appendix A.

How your concern will be handled

Once you have informed us of your concern, it will be assessed to see what further action may be needed. The manager or Chief Executive Officer will listen carefully to your concern/complaint and not prejudge the issue. It is helpful if the manager or Chief Executive Officer can establish the following information:

- When the concern first arose and where relevant, what prompted the decision to speak up.
- Whether the information is first-hand or hearsay.
- When the approach is to the Chief Executive Officer whether the employee or volunteer has raised the issue with their line manager. If not, why they did not feel able to and if they did what was the outcome?
- Whether confidentiality is sought. If so the extent and practicality.
- If the employee or volunteer is anxious about reprisals.

The recipient of the concern or allegation will be acknowledged in writing within 10 working days that the concern has been received. If the issue has been raised with a line manager, they must send a copy of the concern raised to the Chief Executive Officer. It may be necessary to remove the names to make it anonymous, if requested.

The response will depend on the nature of the concern and could be:

- Advice only.
- Resolved by agreed action without the need for an investigation.
- Investigated internally.
- Referred to the safeguarding officer (child protection or adults at risk).
- Referred to the police.
- Referred to the external auditor.
- Subject to an independent inquiry.

The whistleblower will be kept informed in writing on how the Chief Executive Officer intends to deal with the issue raised. This will include:

- An estimate of how long it will take to provide a final response (where known).
- If initial enquiries have been made.
- If further investigation is required. If not, why not (where appropriate).
- Who is investigating the issue or complaint.
- Advised how we will inform you of progress.

Whenever possible, we will give the whistleblower feedback on the outcome of any investigation. Please note however, that we may not be able to tell the individual about the precise actions we have taken where this would infringe a duty of confidence to another person.

The amount of contact between the people considering the issues and the whistleblower will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from the whistleblower as part of the investigation process. When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a friend or a person of their choice who is not involved in the matter to which the concern relates. Pentathlon GB will take steps to minimise any difficulties which individuals may experience as a result of raising a concern. For instance, if the whistleblower is required to give evidence in criminal or disciplinary proceedings, Pentathlon GB will advise them about the procedure. Pentathlon GB accepts that the whistleblower needs to be assured that the matter has been properly addressed. Subject to legal constraints, they will receive information about the outcomes of any investigations, and the action that is to be taken against those whose actions caused them concern. Also, if appropriate, what policy changes are to be made to minimise the possibility of a similar concern being raised in the future.

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Alerting Outside Bodies to a Potential Wrongdoing

An individual should always, in the first instance, talk to a senior manager in Pentathlon GB about a potential wrongdoing. If the individual is not satisfied with the response, s/he is entitled to contact a relevant external body to express the concerns. In doing this the individual should:

- Have a reasonable belief that the allegation is based on correct facts.
- Make the disclosure to a relevant body.
- Have a reasonable belief it is in the public interest to make the disclosure.

A 'relevant body' is likely to be a regulatory body (e.g. the Health and Safety Executive).

Contacting the Media

The media is not a relevant external body. Individuals should not contact the media with allegations about the organisation, except in extraordinary circumstances where neither the organisation nor the relevant regulatory body would be appropriate.

Protection Against Detriment

Any individual who takes action under the Public Interest Disclosure Act 1998 will be protected from suffering any detriment in relation to the allegations that are made, including victimisation by Pentathlon GB or by colleagues. If the individual does not follow the procedure set out, which encompasses the requirements of the Public Disclosure Act 1998, the protection against detriment will not apply. Disclosing information in an inappropriate way (e.g. contacting the media) could result in disciplinary action being taken against the individual, which could include dismissal.

Appendix A

Procedure for Managers Receiving a Concern

These procedures should be used in conjunction with the whistleblowing policy.

- Initial enquiries will be made to decide whether an investigation is appropriate and if so, what form it should take.
- They will be told who is handling the matter and how you can contact them.
- If the concern raised falls more properly within an existing complaint or employment policies or procedures, they will be told.

Appendix B

Whistleblowing Checklist Information Log

Area, Region, Club, League or head office:	
Name of manager receiving the concern:	
Name of employee or volunteer raising concern:	
Date:	
Has confidentiality been requested? If yes, please explain to whistleblower below*	

* We will not disclose your identity, without your consent, unless required by law. Should this situation arise we will discuss with you how the matter can best proceed.

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Questions

Please provide some background and history of the concern, stating where possible: <ul style="list-style-type: none">• Names• Dates• Places hearsay if the concern is on-going	
2. When did the concern arise and where relevant, what prompted the decision to speak up now?	
3. What is the whistleblower concerned about?	
4. Is the whistleblower anxious about reprisals? Please reassure that: If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any reprisals such as harassment, victimisation or bullying. Provided you are acting honestly, it does not matter if you are mistaken or if there is an innocent explanation for your concerns.	
5. Is there anything else relevant the employee wishes to mention?	

SIGNATURE

Manager receiving the concerns

Employee or volunteer reporting concern

The completed checklist information log should be forwarded to the Chief Executive Officer as soon as possible.