

BASKETBALL ENGLAND

WHISTLEBLOWING POLICY

EFFECTIVE FROM MARCH 2023



01.

INTRODUCTION



- 1.1 Basketball England is committed to the highest possible standards of integrity, transparency, and accountability. In line with this commitment, we encourage our employees, members, elite athletes, and other key stakeholders to come forward and voice any concerns they may have about any aspect of the organisation.
- 1.2 'Whistleblowing' is viewed by Basketball England as a positive act that can make a valuable contribution to the Basketball England's efficiency and long-term success and safety of all participants.
- 1.3 This policy provides guidance on how concerns should be raised and investigated.
- 1.4 The definitions which apply to this policy, are outlined at the back of this document.

02. POLICY OBJECTIVES & AIMS



2.1. The aim of this strategy is to:

- Actively promote the process of whistleblowing
- Provide clear guidance on the roles and responsibilities of all staff, board, volunteers and members.
- Embed a positive culture where people feel comfortable reporting concerns.
- Identify a clear pathway for reporting and investigation.
- Outline the protection of the whistleblower.

03.

DEFINITION & SCOPE



3.1 Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to the activities of an organisation or its staff. This includes bribery, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment and any breach of legal or professional obligations.

3.2 The term 'Whistleblowing' is used to describe a formal disclosure of alleged corruption, malpractice or wrongdoing made to the appropriate person in authority.

3.3 This policy applies to all Basketball England members, volunteers, staff, talent pathway athletes, National Team athletes, Non-Executive Directors, suppliers, contractors, and all other stakeholders.

3.4 If your concern is safeguarding-related, then please refer to the **BASKETBALL ENGLAND SAFEGUARDING POLICY**.

3.5 Examples of whistleblowing include, but are not limited to:

- Serious concerns about the conduct of an employee
- Any form of direct or indirect discrimination, harassment or victimisation as defined by the Equality Act 2010
- Any unlawful acts
- Health and safety of the public and/or other employees
- Damage to the environment
- Unauthorised use of public funds including fraud, money
- Laundering and bribery concerns
- Neglect or abuse of Basketball England members, volunteers, or staff
- Any other unethical conduct



04.

ROLES & RESPONSIBILITIES

4.1 The Board of Directors has overall responsibility for ensuring Basketball England has a robust whistleblowing policy and process for reporting. They also have the responsibility for fostering a culture where whistleblowing is promoted.

Audit Finance and Risk Subcommittee has responsibility for overseeing and approving the organisation's policy on whistleblowing. The committee should review and make recommendations to the full board on this subject.

The Director of Finance has responsibility for the organisation's approach to whistleblowing. They should remain informed of any emerging developments in this field.

The Head of HR and Governance has responsibility to support departments in undertaking any necessary investigative and where applicable, disciplinary processes arising as a result of whistleblowing. They should also make staff aware of the Whistleblowing Policy as part of inductions, and on an annual basis.

The Safeguarding and Integrity Senior Manager, as the organisation's Designated Safeguarding Lead, has the responsibility for ensuring concerns raised are handled sensitively and appropriately.

All Managers have the responsibility to foster a culture where whistleblowing is promoted.

All staff, volunteers, members and other related third parties are responsible for reporting details of any concerns with Basketball England under the jurisdiction of this policy and should assist in any investigation when required to do so.

05.

WHISTLEBLOWING ARRANGEMENTS



5.1 CULTURE

Basketball England will promote a culture whereby all staff, board directors, volunteers and members are positively encouraged to report any concerns.

5.2 PROTECTING THE WHISTLEBLOWER

This policy has been written in line with the Public Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made for public interest.

Basketball England recognises that the decision to report a concern can be a difficult one to make. If you honestly and reasonably believe what you are saying is true, you should have nothing to fear. Basketball

England recognise that within sports, athletes often find it particularly difficult come forward and report their concerns, because of any adverse impact to their career or person. Basketball England will not tolerate any harassment or victimisation of a whistleblower and will take appropriate action to protect the whistleblower when a concern is raised in good faith. Basketball also has a zero-tolerance approach to poor practice, abuse and neglect. Any investigation into allegations of potential malpractice will not influence or be influenced by any selection, disciplinary or redundancy procedures that may be affecting you

5.3 CONFIDENTIALITY

All concerns will be treated in confidence and during the process of investigating the matter, every effort will be made not to reveal your identity if you so wish.

5.4 UNTRUE ALLEGATIONS

If you make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, Basketball England will recognise your concern and you have nothing to fear.

06.

REPORTING A CONCERN



6.1 WHO TO REPORT A CONCERN TO

If you are an employee, you should report your concern to your Line Manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. If you do not think this is appropriate, then you should contact:

The Head of HR and Governance
Antony.Platt@BasketballEngland.co.uk

Or;

The Chief Operating Officer
Duncan.Whalley@BasketballEngland.co.uk

If you are a volunteer, member, or other key stakeholder, you should report your concern to:

The Safeguarding and Integrity Manager
Laura.Middleton@BasketballEngland.co.uk

If your concern involves the Safeguarding and Integrity Manager, then the concern should be raised to:

The Chief Operating Officer
Duncan.Whalley@BasketballEngland.co.uk

If you are an athlete, you should report your concern to:

The Safeguarding and Integrity Manager
Laura.Middleton@BasketballEngland.co.uk

If you do not believe these reporting lines are appropriate, then you should refer your concerns to the CEO (Chief Executive Officer) or Chair of Basketball England. If you believe these individuals are involved in the matter which you are raising, then please refer to the section in this policy called 'Further Concern Reporting'.

6.2 HOW TO REPORT A CONCERN

You may raise your concern by telephone, in person or in writing. The earlier you express your concern, the easier it is for Basketball England to act. You will need to provide the following information:

- The nature of your concern and why you believe it to be true.
- The background and history of the concern (giving relevant dates)
- Any action already taken to raise your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. You may wish to invite a representative or friend to be present for support during any meetings or interviews in connection with the concerns you have raised.

6.3 HOW BASKETBALL ENGLAND WILL RESPOND

Basketball England will respond to your concerns.

Where appropriate, the matters raised may:

- Be investigated by the Head of HR and Governance
- Be investigated by the Safeguarding Team, or an externally appointed investigator.
- Be referred to the Police (where appropriate).
- Form the subject of an independent enquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Within 48 hours (working) of a concern being raised, the person receiving your concerns will write to you and:

- Acknowledging that the concern has been received.
- Indicating how we propose to deal with the matter and whether the concern falls under one of our other policies
- Giving an estimate of how long it will take to provide a full response.
- Telling you whether any initial enquiries have been made.
- Telling you whether further investigations will take place and if not, why not.

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided.

Where any meeting is arranged, virtually or in-person as appropriate, professional association representative or a friend can accompany you.

Basketball England will take steps to minimise any difficulties that you may experience because of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, Basketball England will arrange for you to receive advice about the procedure.

Basketball England accepts that you need to be informed that the matter has been properly addressed. We will inform you of the action we have taken but may be unable to provide full details if we have to keep the confidence of other people.



6.4 SUPPORT FOR WHISTLEBLOWERS

A person raising a concern under this policy, can be provided with support and signposting to help them through this process.

Support is available from the Safeguarding and Integrity Team, and through partner agencies, as detailed [HERE](#).

6.5 DATA PROTECTION

This policy is intended to provide you with an avenue within Basketball England to raise concerns. If you do take the matter outside the organisation, you should ensure that you do not disclose confidential information.

The Public Interest Disclosure Act does not provide blanket protection and you could leave yourself vulnerable to disciplinary action if you disclose confidential information.

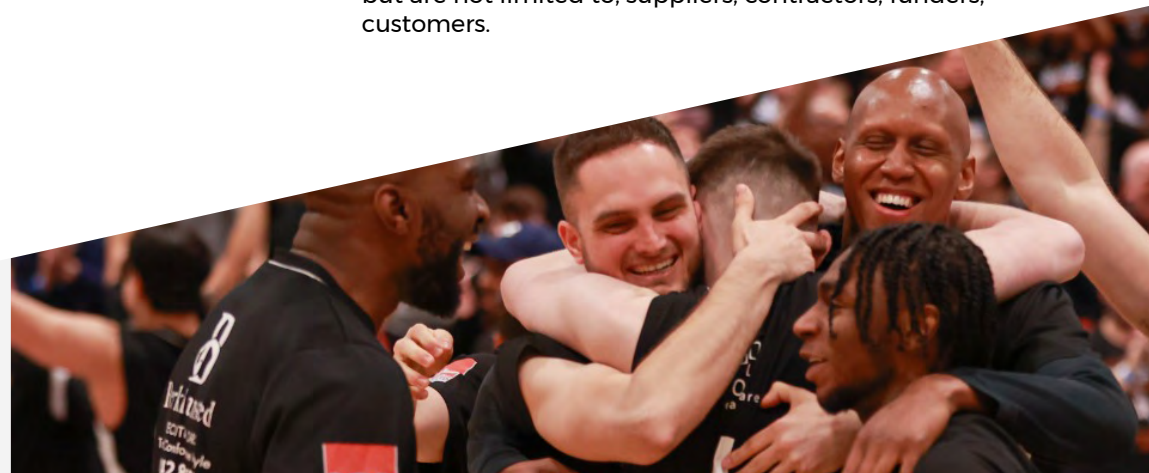
6.6 FURTHER CONCERN REPORTING

Basketball England hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside Basketball England, the following are possible contact points:

- Sport England
- The British Basketball Federation or FIBA
- The whistleblowing charity Protect
- The National Audit Office
- Your Trade Union
- Your local Citizens Advice Bureau
- Relevant Professional bodies or regulatory organisations.
- The Police

6.7 DEFINITIONS

BE	Basketball England
EMPLOYEE	An individual holding a contract of employment with Basketball England.
VOLUNTEER	An individual undertaking work for Basketball England on a voluntary basis
MEMBERS	Individuals registered with Basketball England in accordance with our Membership Terms and Conditions. Licenced members including but not limited to a player, coach, referee, table official, team follower, bench personnel and/or statistician). An individual who holds a free membership with Basketball England. Basketball clubs affiliated with Basketball England Basketball leagues affiliated with Basketball England All basketball players who are members of Basketball England All members, clubs and leagues who participate in any basketball activity authorised by Basketball England.
ELITE ATHLETES	An athlete that competes under Basketball England's talent pathway at national level.
KEY STAKEHOLDERS	An individual or organisation that has an interest in business activity and outcomes. Examples include, but are not limited to, suppliers, contractors, funders, customers.



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