



Whistle-blowing Policy

1. Netball Portugal is committed to setting and upholding the highest possible standards with regard to our corporate governance, behaviour at work, service to members and the general public **Policy** and in all our working practices.
2. To ensure this, Netball Portugal encourages employees/volunteers to report their concerns about poor or dishonest practice, illegal acts or failures to comply with our required standards of work, without fear of reprisals or victimisation.
 - a. Malpractice includes: who can raise a malpractice concern
 - b. how a concern should be raised and with whom
 - c. the requirement that the person believes the concern to be true
 - d. what actions follow the raising of a concern
 - e. that the person raising the concern does not have any influence on the way the malpractice is investigated
 - f. how procedures allow proportionate and independent investigation
 - g. whether or not confidentially can be assured throughout the process
3. This policy has a procedure that should be followed when reporting such concerns (or 'blowing the whistle on concerns'). This policy is not contractual but is intended as a statement of Netball Portugal policy which can be amended from time to time.
4. Netball Portugal does not tolerate unfair treatment, harassment, or victimisation of a whistle-blower and shall consider such conduct by an employee or member as gross misconduct which (if proven, may) result in dismissal without notice or payment in lieu of notice or disciplinary procedures for a member.
5. Netball Portugal encourages employees and members who have genuine concerns about malpractice to raise them at the earliest opportunity. Malpractice within Netball Portugal is taken very seriously.
6. Employees or key volunteers can often be the first to realise that there may be something wrong within Netball Portugal practices; however, individuals may be very reluctant to express their concerns for fear of appearing disloyal or for fear of subsequent harassment or victimisation.
7. Netball Portugal whistle-blowing policy and procedures are intended to provide a safety net to enable individuals to raise their concerns. The policy aims to provide a rapid mechanism under which genuine concerns can be raised internally without fear of repercussions or the need to pursue external disclosure (although the latter cannot be prevented by this policy).
8. Netball Portugal seeks to balance; the need to provide safeguards for individuals who raise genuine concerns about malpractice; the need to protect other members of staff and/or key volunteers, and Netball Portugal; with potential uninformed or vexatious allegations which could cause serious difficulties for innocent parties.

Procedure

1. Any employee, key volunteer or member may raise a malpractice concern under the “whistle-blowing policy”. This person shall be identified in this procedure as “the whistleblower”.
2. Any malpractice concern should be raised as soon as practicable with Netball Portugal at info@netballportugal.com
3. The raised concern must not be made for purposes of personal gain and malicious or false allegations shall be regarded as a serious disciplinary offence.
4. Following the raising of a malpractice concern a full investigation shall be carried out in line with Netball Portugal Complaints Policy. The person undertaking the investigation shall be considered “the investigating officer” as far as this procedure is concerned and wherever possible should complete the investigation within 10 working days.
5. A full written record must be kept at each stage of these procedures securely. At the end of the process the record shall be retained by Netball Portugal for 10 years in line with the Netball Portugal data management process.
6. The investigating officer shall carry out an initial investigation which shall, in the first instance, include a meeting with the person or persons who raised the malpractice concern. If an employee has raised the concern, then they shall be entitled to be accompanied by a work colleague (co-worker) at the meeting.
7. Usually the identity of the “the whistle-blower” shall be kept confidential unless they confirm in writing otherwise, or if any of the following apply:
 - a. it is a legal obligation to advise their name;
 - b. the information is already in the public domain;
 - c. identification is to a qualified lawyer for the purposes of obtaining legal advice, or
 - d. where it is necessary as part of the proper investigation
8. Legal advice may be taken by “the whistle-blower” at their own expense at any time prior or during the process.
9. Individuals raising a concern, may do so anonymously but it is preferable that the individual puts their name to any disclosure. Their identity shall be kept confidential, if so requested, for as long as possible provided that this is compatible with a proper investigation.
10. Anonymous complaints cannot be covered by this procedure but may be reported, investigated or acted upon as the person receiving the complaint decides.
11. Sometimes despite all the necessary steps being followed the identity of the “the whistleblower” might be realised due to the nature of the malpractice, therefore although unfortunate confidentiality cannot be guaranteed.
12. If, despite the Netball Portugal policy stating that unfair treatment or harassment is not tolerated, you feel that you have suffered adverse treatment as a result of making a malpractice disclosure, you should submit a formal complaint under the Netball Portugal Grievance Procedure.
13. Once the investigation has taken place if the investigating officer has found that there is likely to be some form of malpractice concerned, they shall confirm the action to be taken to the “the whistle-blower” or this might include:
 - a. the matter is to be reported to the Police
 - b. the matter is to be investigated further internally by Wales Netball, or by external auditors or other specialised investigators appointed by Wales Netball

14. Following investigation, the investigating officer may find that there is no further action required if they are:
 - satisfied that malpractice has not occurred or is not likely to occur;
 - aware that the matter is already subject to legal proceedings, or has already been referred to the police or to the relevant “Prescribed Persons”, i.e., someone identified by the Secretary of State as prescribed regulators;
 - aware that the matter is already, or has already been, the subject of proceedings, under one of Netball Portugal other procedures;
 - satisfied that “the whistle-blower” does not have reasonable belief that malpractice within the meaning of the policy/procedure has taken place, is taking place or is likely to occur; or is raising a personal grievance or similar.
15. Depending on the circumstances of the malpractice the person(s) against whom allegations have been made, if an employee, may be suspended during the investigation and/or may be supported in an appropriate manner.
16. The “the whistle-blower” shall be advised of the outcome of the investigation and subsequent action or no action to be taken.
17. If the “the whistle-blower” if having followed this procedure is not satisfied with the action taken, they may raise the matter confidentially with the Police or a relevant prescribed regulator. The relevant prescribed regulator shall depend on the nature of the concern but may include the Environment Agency, the Health & Safety Executive, and the Information Commissioner.
18. If the prescribed regulator or similar becomes involved at any stage of the process then Netball Portugal shall comply with their requests; at this stage Netball Portugal shall normally take legal advice on the matter.
19. Depending on the outcome of the investigation at 13b, recommendations might arise for a change or changes to the way that Netball Portugal works and/or manages the processes that gave rise to the malpractice concern. These recommended changes must be implemented as soon as possible unless the changes themselves might cause future concerns.