Whistleblowing Policy

Applicability Statement

This policy applies equally to all those undertaking work on behalf of both Sussex Cricket Limited and its wholly owned subsidiaries, Sussex Cricket Foundation and Sussex Cricket Estates Limited, hereafter collectively referred to as "the Organisation".

This policy applies to:

- Employees
- Workers
- Casual and zero-hours workers
- Agency workers
- Contractors and consultants
- Volunteers
- Apprentices and interns
- Board Directors and Non-Executive Directors
- Elected Members
- Former employees and workers

Policy Statement

The Organisation is committed to conducting its activities with honesty, integrity, openness and accountability. We encourage a culture where people feel confident and safe to raise concerns about wrongdoing, malpractice, unethical behaviour or risks to others.

Whistleblowing is the reporting of information relating to suspected wrongdoing or dangers at work where the disclosure is made in the public interest and the individual reasonably believes the information to be true.

The Organisation recognises its obligations under the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998), which protects workers who make qualifying protected disclosures.

No individual who raises a genuine concern under this policy will suffer dismissal, victimisation, retaliation, disadvantage or any other detriment because they have spoken up.

The Organisation encourages concerns to be raised as early as possible so that issues can be properly investigated and addressed.

Purpose and Scope

This policy provides a framework for raising concerns about suspected wrongdoing within the Organisation.

A whistleblowing concern will generally relate to matters that affect:

- The Organisation;
- Employees, workers, volunteers or participants;
- Members, spectators or customers;
- Children, young people or adults at risk;
- The wider public; or
- The integrity and reputation of cricket.

Whistleblowing is distinct from a personal employment grievance.

Concerns about an individual's own employment, treatment, terms and conditions, relationships at work or working environment should normally be raised through the Grievance Policy.

Qualifying Disclosures

A qualifying disclosure is a disclosure made in the public interest where the individual reasonably believes that one or more of the following has occurred, is occurring, or is likely to occur:

- Criminal activity;
- Fraud, theft, bribery or financial malpractice;
- Failure to comply with legal or regulatory obligations;
- Breach of ECB regulations, codes or governance requirements;
- Match-fixing, betting-related corruption or other integrity matters;
- Misuse of organisation funds or resources;
- Safeguarding concerns involving children, young people or adults at risk;

- Serious health and safety risks;
- Environmental damage;
- Serious breaches of equality, diversity and inclusion standards;
- Improper conduct or unethical behaviour;
- Deliberate concealment of any of the above.

Principles

The Organisation is committed to ensuring that:

- Everyone understands the importance of reporting wrongdoing.
- Concerns are investigated fairly, impartially and without undue delay.
- Individuals raising concerns are treated respectfully and protected from retaliation.
- Victimisation, detriment, harassment or discrimination against a whistleblower will constitute a disciplinary matter.
- Managers who discourage reporting or attempt to conceal wrongdoing may be subject to disciplinary action.
- Concerns raised honestly and with a reasonable belief that wrongdoing has occurred will be taken seriously, even where investigations do not substantiate the concern.
- Confidentiality will be respected wherever possible.
- Appropriate action will be taken where wrongdoing is identified.

Protection from Detriment

No worker or other individual covered by this policy will suffer any detriment because they have raised a concern in good faith or with a reasonable belief that wrongdoing has occurred.

Examples of detriment include:

- Dismissal or selection for redundancy;
- Unjustified disciplinary action;
- Exclusion from meetings or activities;
- Denial of promotion or development opportunities;

- Harassment or bullying;
- Damage to reputation;
- Loss of work opportunities or responsibilities.

Any employee who subjects another person to detriment because of a protected disclosure may be subject to disciplinary action up to and including dismissal.

Confidentiality

The Organisation will make every reasonable effort to protect the identity of an individual who raises a concern.

However, there may be circumstances where:

- Disclosure is required by law;
- Disclosure is necessary for a fair investigation;
- Disclosure is required as part of legal proceedings;
- The concern involves safeguarding or criminal matters requiring referral to external agencies.

Where possible, the Organisation will discuss this with the individual before their identity is disclosed.

Anonymous Concerns

Concerns may be raised anonymously.

However, anonymous concerns can be more difficult to investigate effectively.

The Organisation will consider anonymous disclosures having regard to:

- The seriousness of the concerns;
- The credibility of the information provided;
- The likelihood of confirming the allegations from other sources.

Untrue Allegations

No action will be taken against an individual who raises a concern honestly and in the reasonable belief that it is true, even where the concern is not substantiated following investigation.

However, allegations raised maliciously, knowingly false, or for personal gain may result in disciplinary action.

Reporting a Concern

Individuals are encouraged to raise concerns through one of the following channels:

Operational Reporting

- Line Manager
- Head of Department
- Chief Executive Officer
- People Director

Independent Reporting

Where the concern involves senior management or the usual management structure is not appropriate, concerns may be raised directly with:

- Chair of the Sussex Cricket Board
- Chair of the Audit & Risk Committee
- Lead Independent Director (where appointed)
- Chair of the Nominations & Elections Committee

Safeguarding Matters

Any safeguarding concern involving a child or adult at risk should also be reported immediately to the County Safeguarding Officer in accordance with safeguarding procedures.

Investigation Process

The investigating officer will:

1. Acknowledge receipt of the concern.
2. Conduct an initial assessment.
3. Determine whether a formal investigation is required.
4. Appoint an appropriate investigator where necessary.
5. Take any immediate action required to protect individuals or the Organisation.

Where criminal conduct may have occurred, the matter may be referred to the police or other appropriate authority.

The Organisation will seek to ensure that internal investigations do not compromise criminal or regulatory investigations.

Timescales

While investigations vary in complexity, the Organisation aims to:

- Acknowledge receipt of concerns within 5 working days.
- Complete an initial assessment within 10 working days.
- Provide updates at least every 20 working days where investigations remain ongoing.
- Communicate the outcome as soon as reasonably practicable.

There may be circumstances where confidentiality, legal obligations or the rights of other individuals limit the information that can be shared.

Data Protection

Any personal information collected as part of a whistleblowing disclosure or investigation will be processed in accordance with UK data protection legislation and the Organisation's Data Protection Policy.

Information will only be shared where necessary for the purpose of investigating and resolving concerns.

Record Keeping

The Organisation will maintain a confidential register of whistleblowing concerns.

Records will include:

- Nature of the concern;
- Date raised;
- Investigation undertaken;
- Outcome reached;
- Any resulting actions.

Access to these records will be restricted to authorised individuals.

Board Oversight

The Board and/or Audit & Risk Committee will receive periodic anonymised reports regarding:

- Number of whistleblowing concerns raised;
- Themes and trends identified;
- Outcomes and actions taken;
- Any organisational learning arising from concerns.

This oversight helps ensure an open and transparent organisational culture.

External Disclosures

The Organisation hopes that concerns can be raised and resolved internally. However, the law recognises circumstances where disclosures may properly be made externally.

Individuals may make protected disclosures to prescribed bodies such as:

- Health and Safety Executive (HSE);
- Information Commissioner's Office (ICO);
- Charity Commission;
- Police;
- England and Wales Cricket Board (ECB);
- Other relevant regulators.

The Organisation encourages individuals to seek advice before making an external disclosure.

Independent Advice

Protect (Independent Whistleblowing Charity)

Website: www.protect-advice.org.uk
Helpline: 020 3117 2520
Email: whistle@protect-advice.org.uk