



**commonwealth
sport**

Commonwealth Games Federation

**PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWING)
POLICY**

MARCH 2022

1. Public Interest Disclosure ('Whistleblowing')

1.1 Purpose - What this policy covers

In this policy 'Whistleblowing' means the reporting by employees, workers, contractors, consultants, agency workers and volunteers of suspected misconduct, illegal acts or failure to act within the Commonwealth Games Federation (the CGF).

1.2 The aim of this Policy is to encourage any individuals engaged with the CGF to report that which is not right, for example, in relation to financial practice, compliance with legislation or variation from standards of good governance and ethical practice. The CCF encourages individuals to raise such concerns without fear that their own position within the CGF may be jeopardised.

1.3 Employees, workers, contractors, consultants, agency workers and volunteers are often the first to realise that there may be something seriously wrong within the CGF. 'Whistleblowing' is viewed by the CGF as a positive act that can make a valuable contribution to the CGF's efficiency and long-term success. The CGF constantly strives to safeguard and act in the interest of the public and its employees and stakeholders. It is important to the CGF that any fraud, misconduct or wrongdoing, by employees or other agents, paid or volunteer, is reported and properly addressed.

1.4 This policy applies to all employees, workers, contractors, consultants, agency workers and volunteers, who are encouraged to raise concerns in a responsible manner. The CGF prefers that a concern is raised and dealt with properly, rather than kept quiet.

2. Background

2.1 The Public Interest Disclosure Act 1998 provides the legal framework for the protection of individuals who make a 'protected disclosure' from any form of detriment, discrimination or victimisation.

2.2 The Public Interest Disclosure Act 1998 applies to all individuals who are designated as 'workers' under the Employment Rights Act 1996 and extends to workers employed by any organisation engaged by the CCF.

2.3 Whilst some contractors, consultants, agency workers and volunteers are not designated as "workers", the CGF extends the principles of this policy to cover disclosures made by these individuals in respect to 2.4 below.

2.4 A protected disclosure is one made in good faith by an individual who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating serious risk to health and safety;

- an act causing serious damage to the environment;
- a breach of any other legal obligation (other than employment contract); or
- concealment of any of the above;

is being, has been, or is likely to be, committed.

- 2.5 If you make a protected disclosure, you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. The CGF will take all reasonable steps to ensure that confidentiality is maintained in such cases, and that those making allegations are not disadvantaged in any way by doing so.
- 2.6 Personal grievances (for example management decisions, terms and conditions of employment, bullying, harassment, discrimination) are not covered by UK Whistleblowing Law unless your particular case is in the public interest. These should be reported under the CGF Employee Handbook relevant policy such as the Grievance Policy.

3. Procedure

- 3.1 You should raise any concerns you have with the CGF's Ethics Officer who is completely independent of the CGF via the email ethics@thecgf.com
- 3.2 Any matter raised under 3.1 of this policy will be investigated promptly and confidentially. The outcome of the investigation, as well as any necessary remedial action to be taken, will be confirmed to you. If no action is to be taken, the reason for this will be explained to you and reference back to Section 4.
- 3.3 If you raise any concerns under this policy, the CGF is committed to ensuring that you are protected from victimisation, harassment or less favourable treatment.
- 3.4 If misconduct is discovered as a result of any investigation under this policy, disciplinary procedures under the CGF's policies will be used. These policies include, but are not limited to, the Employee Disciplinary Procedures, the CGF's Code of Ethics and Conduct, Ethics Commission Procedural Rules and the CGF's constitution. This will be in addition to any appropriate external measures.
- 3.5 Maliciously making a false allegation is a disciplinary offence.
- 3.6 An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter in accordance with 3.1.

- 3.9 Provision to safeguard reputational damage. Where an individual has strongly held concerns regarding management action and potential serious damage that action might have to the CGF's reputation, and where that individual has exhausted the relevant grievance procedure, they should raise their concern with the Ethics Officer ethics@thecgf.com Any individual raising such concerns genuinely and sincerely will not be subject to disciplinary procedure if raised in this way
- 3.10 Reporting fraud, bribery and corruption. For any suspicions or allegations of fraud, bribery or corruption related to the activities of the CCF please refer to the CGF Anti-Fraud, Bribery and Corruption Policy.
- 3.11 Reporting Safeguarding incidents. To report any safeguarding incidents related to activities of the CGF, please refer to the CGF Safeguarding Policy. safeguarding@thecgf.com

4. Escalating your concern

- 4.1 If you are dissatisfied with the response under 3.4, you should raise your concerns in writing directly with the CGFs Executive Board. Any matter raised under 4.1. will be investigated promptly and confidentially. The outcome of the investigation, as well as any necessary remedial action to be taken, will be confirmed to you. If no action is to be taken, the reason for this will be explained to you and then reference 4.2.
- 4.2 If, after escalating your concerns under 4.1. you believe that the appropriate remedial action has not been taken, you should then report the matter to the proper UK authority. These authorities include:
- HM Revenue & Customs
 - the Financial Conduct Authority
 - the Health and Safety Executive
 - the Environment Agency
 - the Information Commissioner

This list is not intended to be exhaustive, and you must take care to ensure you contact the proper authority in relation to the particular concerns you have.

- 4.3 If you are unsure as to the appropriate authority, advice can be sought from Protect (formerly Public Concern at Work) which is an independent Whistleblowing Charity. Their contact details are at the end of this policy.

5. Confidentiality

- 5.1 The CGF will treat all disclosures made in line with this policy in a confidential and sensitive manner. The identity of the individual making the disclosure will be kept confidential as far as possible under the terms of any investigation.

6. External Reports

- 6.1 The CGF recommends that concerns are raised internally in the first instance. This policy and the procedure and protection it provides are intended to support individuals to do so. However, there may be occasions where individuals feel they need to report matters outside of the CGF. To retain whistleblowing legal rights, these disclosures must be made to a prescribed person. A complete list of prescribed persons can be found here:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

- 6.2 If disclosures are made publicly to the media, in most cases the individual will lose their whistleblowing legal rights.

7. Independent advice

Independent advice and support can be obtained from Protect (formerly Public Concern at Work) an independent UK Whistleblowing Charity:

Email address	whistle@protect-advice.org.uk
Tel	Tel: 020 3117 2520
Website	https://protect-advice.org.uk/

8. Ownership and Responsibility

- 8.1 The Ethics Officer will monitor the implementation of this policy and any subsequent revisions. This will include:
- 8.1.1 Monitoring incidents of internal reports of whistleblowing with a view to making any necessary amendments to the content of this or other related policies and procedures; and

8.1.2 Monitoring whistleblowing concerns made by individuals to external bodies of which the Ethics Officer has been made aware.

9. Review

9.1 This policy will be subject to review biannually after its date of approval. Earlier review may be required if any of the following occur:

9.1.1 The adoption of the policy highlights any errors or omissions in its content.

9.1.2 Following monitoring of whistleblowing incidents by the Ethics Officer, amendments are required to the content of the policy.

9.1.3 Where relevant changes in UK legislation or national guidance impact upon the content of this policy.

Approved March 2022

Review Date March 2024