

**TheFA**



**FOR ALL**

**Whistleblowing Policy  
July 2017**



## **The FA's Whistleblowing Policy**

The FA Group is committed to providing an excellent service and operating all business in a professional and ethical way at all times with due regard to legislation and recognised good practice.

The FA Group recognises that, from time to time there may be situations where employees become aware of inappropriate activity of a serious nature. Suspecting or even knowing that such a scenario exists may cause contradictory feelings. Employees may be worried about raising such issues or wish to keep their concerns to themselves. They may feel that raising the matter would be disloyal to colleagues, to managers or to The FA Group. They may have decided to say something but find that they have spoken to the wrong person or raised the issue in an inappropriate way and feel they still want to pursue it.

The FA Group is committed to providing a framework through which FA Group employees are able to raise a whistleblowing concern made in the public interest. This policy is designed to support employees to raise such concerns at an early stage and in a way which brings about timely and proportionate investigation and action, as required.

The FA Group will investigate any alleged wrong doing with the utmost urgency and discretion, and if proven, will take steps to protect against any such situation arising again, as far as possible. The FA Group will listen to concerns, take them seriously and will protect those who raise issues so that they are not subject to reprisals, victimisation or detrimental treatment (e.g. denial of promotion, facilities or training which the member of staff would have otherwise been offered), provided that such a concern is based on an honest and reasonable suspicion. To that end this policy will be highlighted during induction to all new joiners at all levels of the organisation.

This policy highlights the options available to an employee in reporting legitimate concerns. It is important to note that this policy differs to the Grievance, Disciplinary, Formal Performance Management and Equality and Diversity Policies which should also be considered before raising any concerns.

### **What is whistleblowing?**

The law provides protection for those who raise legitimate concerns about specified matters, known as qualifying disclosures. A qualifying disclosure is one made in the public interest if an employee has a reasonable belief that:

- fraud and/or money laundering;
- a bribe, offered or received;
- a criminal offence;
- a miscarriage of justice;

- an act creating risk to health and safety;
- an act causing damage to the environment;
- breach of any laws, regulations, other legal obligation or The FA Group's policies or procedures; or
- other serious risk that threatens clients, colleagues, the public, the environment or The FA Group's reputation; and
- concealment of any of the above; is being, has been, or is likely to be committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. Please be aware that you have no responsibility for investigating the matter as it is The FA Group's responsibility to ensure that an investigation takes place.

### **Protection for employees**

If you make such a protected disclosure in accordance with this policy you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure.

### **How to raise your concerns**

#### **Procedure**

If you have a whistleblowing concern, write this down immediately, noting all relevant details, such as what was said, either on the phone or during other conversations, the date, time and the names of those involved.

The FA Group welcomes the opportunity to address whistleblowing concerns as early as possible –please do not attempt to investigate your concerns yourself. We hope that you feel that you can raise such concerns promptly with your line manager for whom you work. However, we appreciate that doing so is not always easy; if you have a concern and would like some confidential advice on whether and how to raise this, please speak to a member of the HR team for advice or you can call the Employee Assistance Programme, Health Assured 0800 716 017 (who provide general advice/confidential counselling in relation to personal matters). In the first instance, please speak to your line manager, however where you feel that it is not appropriate for a whistleblowing concern to be raised with your line manager or director (e.g. if that director and/or manager is the object of the concern). In these circumstances, you should discuss the concern with one of the following:

- the person to whom the individual reports
- divisional director
- a member of the HR team
- Chairman of The FA Board



- Chairman of the Group Audit Committee (“GAC”)
- Whistleblowing helpline EXPOLINK (see below).

### **Additional support to raise your concerns - Whistleblowing Helpline EXPOLINK**

Where you feel unable to utilise the internal options available, you can contact EXPOLINK. This is an anonymous, free to call and confidential service to enable you to report your concern.

EXPOLINK is a completely independent organisation with impartial staff to handle these types of calls. You can call in total confidence knowing that your call will not be traced or recorded. The information you give EXPOLINK will be passed on to one of The FA Group’s senior executives who will act on it without compromising you in any way.

You can contact EXPOLINK free from any phone in the UK, 24 hours a day, just dial 0800 374 199, (the free phone numbers are open to mobiles, however, this may depend on your local network, as some will not allow calls from mobiles to Freephone numbers, please check before calling). Or you can email [www.Expolink.co.uk/thefagroup](mailto:www.Expolink.co.uk/thefagroup). If you are abroad then please call reverse charge number steps as follows:

1. Caller dials their country operator
2. Asks for an international collect call or reverse charge to:  
0044 1249 661 808
3. Operator will dial the number and speak to an Expolink Operator who will accept the call and charges
4. Country operator connects caller to Expolink, leaves the call and then the call takes place as normal

Please note that EXPOLINK will assess your concerns and may advise you that your concern falls under an internal FA Group policy eg Grievance. Or, they may refer you to the Employee Assistance Programme who can offer you advice. Prior to contacting this number, you are encouraged to read the Grievance and Disciplinary procedures.

Calls are handled on a strictly confidential basis. EXPOLINK representatives will ask you for your name and contact details and under no circumstances will they pass your information to The FA Group without your express permission. It is beneficial to give your details in case EXPOLINK needs to call you back. Alternatively, they will provide you with a unique reference code in order that you can call back.

When you make a call you will be asked some questions to establish the facts. At the end of the call you may be asked to call back after an agreed period. Following your call, EXPOLINK will formulate a report for The FA Group. If you leave your details, then EXPOLINK may contact you again to ask further questions. If you decide during the call that you do not want your concerns submitted to The FA Group, then EXPOLINK will adhere to your request. The

FA Group will be advised that a call was received; its general nature if permitted by the caller but that the caller did not wish the call to be submitted.

### **Reporting your concerns**

When you report your concerns, please arrange to hand over your notes and any evidence you have gathered to the person to whom you make the report. It is important that you do not undertake any of the following:

- contact the suspected perpetrator in an effort to determine key facts or seek a resolution;
- discuss the case facts, suspicions, or allegations with anyone outside The FA Group (including the press);
- discuss the matter with anyone within The FA Group other than the people listed above or the EXPOLINK helpline, nor
- attempt to conduct investigations or interviews personally or question anyone unless asked to do so by one of the people listed above.

Having pursued one or more of the above routes, if you reasonably believe that the appropriate action has not been taken, you can report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Conduct Authority (formerly the Financial Services Authority);
- the Office of Fair Trading;
- the Health and Safety Executive;
- the Environment Agency;
- the Director of Public Prosecutions; and
- the Serious Fraud Office.

### **What to do if the concern relates to a person / organisation outside of The FA Group?**

As an employee of The FA Group, your role may interact with other elements of the football industry outside of the organisation such as player agents or football clubs. If you have a concern which relates to a person or organisation outside of The FA Group, please raise these concerns in-line with the protocols above.

The FA Group fraud response plan documents how these concerns will be dealt with.

## **What happens once I have raised a whistleblowing concern?**

If you raise a whistleblowing concern you will be notified of the intended timetable for an investigation. The person with whom the concern is raised in conjunction with HR, will appoint an independent senior member of The FA Group to investigate, (as appropriate). The Investigator appointed will be supported by HR during the investigation process. Once the investigation is complete, the Investigator will make recommendations as to how the matter progresses and will ascertain whether there is a case to answer and what procedure to follow. This may include involving an external authority (e.g. the Police) for further investigation.

Alternatively, it may be decided that the matter would be more appropriately handled under another of The FA Group's procedures such as the Equality and Diversity, Disciplinary, Formal Performance Management or Grievance policies. Some concerns may be resolved by action agreed between the person raising the concern and the person to whom it is reported without the need for investigation.

The person against whom a whistleblowing concern is raised will be informed at an appropriate stage and of the evidence supporting it, and they will be allowed to respond. You should not attempt to contact the person against whom you have raised a whistleblowing concern nor discuss your concern with anyone other than the people involved in the investigation.

If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.

The Investigator will keep the person raising the concern advised of the progress of the investigation as appropriate and will confirm when the investigation is complete. It must be noted that The FA Group may not be able to reveal the precise action to be taken as this may infringe the duty of confidence to other individuals or authorities. An official written record will be kept of each stage of the process which will be signed and dated by the person investigating the concern once the investigation has been completed.

## **How individuals are protected**

### **Will I be able to raise my concern in confidence?**

Whilst The FA Group will make every effort to protect a person's identity, it is likely that an Investigator may wish to interview the source of the disclosure or that this person may be required to attend any subsequent disciplinary/legal hearing. Therefore protection of identity cannot be absolutely guaranteed.

If you raise a whistleblowing concern in good faith, your name will not be revealed without your consent, unless required by law. The FA Group will treat all disclosures under this

procedure seriously and will protect the name of the individual who raises concerns where that is possible. It is acknowledged that the names of staff members implicated in the disclosure must be given the opportunity to answer allegations and it may not always be possible to protect the identity of the person making the allegations.

### **Will I suffer detriment if I raise a concern?**

The FA Group will not tolerate reprisals, victimisation or detrimental treatment of someone who has raised a whistleblowing concern. Where it is determined that you have suffered such treatment as a result of having raised a concern, a further investigation may take place and disciplinary action may be taken against the perpetrator in accordance with our Disciplinary and/or Formal Performance Management Policy.

You will not be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training will not be prejudiced because you made a qualifying disclosure. Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

Please be aware that 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, please do not agree to remain silent. You should report the matter in accordance with this policy.

### **Involvement**

Where an employee may have been party themselves to an act of possible wrongdoing on which they are now 'blowing the whistle', this will be considered in mitigation. However, the person will not be exempt from possible action that may be taken as a result of an internal or external (including criminal) investigation.

### **Malicious allegations**

Maliciously making a false allegation is a disciplinary offence. If the investigation concludes that a whistleblowing concern is false and has been raised in bad faith, disciplinary action will be taken against the person raising the concern in accordance with our Disciplinary policy and the protection set out in this policy will not be available.

### **What should I do if someone in my team reports a whistleblowing concern to me?**

If a member of your team reports a whistleblowing concern to you, you should do the following:

- listen to the concerns of your staff member and treat every report you receive seriously and sensitively;



- you should also reassure the individual that they will not suffer because they have told you of their suspicions;
- get as much information as possible from the reporting member of staff, including any notes and evidence which may support the allegation. Do not interfere with any evidence and make sure it is kept in a safe place;
- do not try to carry out an investigation yourself. This may damage any internal or criminal enquiry; and
- report the matter immediately to: either the person to whom the individual reports or a divisional director, or a member of the HR team, or the Chairman of The FA Board, or the Chairman of the GAC, as appropriate. Alternatively, you can call the EXPOLINK helpline.