

AFC Wimbledon Whistleblowing Policy

Approved by the PLC Board 18th April 2024

Policy Statement

AFC Wimbledon is committed to conducting business with honesty and integrity and expect all staff to maintain high standards. We expect openness and inclusiveness, accountability, and integrity in line with those commitments. A culture of openness and accountability is essential to prevent negative situations occurring and to address them swiftly when they do.

The purpose of this policy is to:

- Encourage those working or associated with AFC Wimbledon, to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide those working or associated with AFC Wimbledon with guidance as to how to raise those concerns.
- To reassure those working or associated with AFC Wimbledon, that they should be able to raise genuine concerns without fear of reprisal, even if they turn out to be mistaken.

What Is 'Whistleblowing'?

Whistleblowing is defined as 'raising concerns about misconduct within an organisation or within an independent structure associated with it' (Nolan Committee on Standards in Public Life). In the legislation it is called a protected disclosure. The Public Interest Disclosure Act 1998 protects employees from suffering a detriment in their employment or being dismissed by their employer if they make disclosures in accordance with the legislation. An employee has certain common law confidentiality obligations to their employer.

However, in a limited set of circumstances, whistleblowing may override these obligations if an employee reveals information about their employment or the work of AFC Wimbledon. This guidance sets out the circumstances under which these disclosures may lawfully be made.

A concern must relate to something which:

- Is a breach of AFC Wimbledon policies.
- Falls below established AFC Wimbledon or EFL standards and practices; or
- Amounts to improper conduct, including something that may be:
 - A breach of the law
 - A failure to comply with a legal obligation
 - A possible miscarriage of justice
 - A Health & Safety risk

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- Placing young people and vulnerable adults at risk
- Damaging the environment
- Misuse of AFC Wimbledon or public money
- Corruption or unethical conduct
- Abuse of, or suspicion of causing harm to children, employees, casual workers, or other users - Deliberate concealment of any of these matters
- Any other substantial and relevant concern

These concerns may have arisen in the past, be currently happening, or likely to happen in the future. The law does not protect an employee who would be breaking the law in making the disclosure. AFC Wimbledon will provide all reasonable protection for those who raise concerns.

AFC Wimbledon will be responsible for ensuring that appropriate personal support is offered both to the individual raising a concern and to the person against whom the allegations have been made under this procedure.

This policy sets out how individuals can raise concerns about the safety and welfare of children, young people and vulnerable adults involved at AFC Wimbledon. It will also provide guidance on how they can receive feedback on any action taken.

AFC Wimbledon will ensure that individuals will:

- Receive a response to their concerns
- Be made aware of how to pursue the concern further if they are not satisfied with the response
- Be re-assured that individuals will be protected from reprisals or victimisation for whistleblowing in good faith.

Everyone involved in activity carried out under the jurisdiction of AFC Wimbledon is covered by this policy.

Underpinning Legislation

- Childrens Act 1989
- Childrens Act 2004
- Children and Families Act 2014
- Criminal Justice Act 1988
- Education Act 2002
- UN Convention on the Rights of the Child

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- The Human Rights Act 1998
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Serious Crime Act 2015
- Counter Terrorism and Security Act 2015
- Protection of Freedoms Act 2012
- Working Together to Safeguard Children 2018
- Keeping Children Safe in Education 2023
- What to do if you're worried a child is being abused 2015
- Special Educational Needs (SEN) Code of Practice 2015
- Rights, Respect and Equality (Wales) 2020

AFC Wimbledon realise that raising a concern and reporting allegations are often difficult to make through fear of reprisals from those responsible for the alleged poor practice. If the individual believes what they say to be true and are not deemed to be malicious, AFC Wimbledon will fully support the whistle-blower and will not tolerate any bullying, harassment, or victimisation whatsoever. If this does occur, any perpetrators will be dealt with under AFC Wimbledon's disciplinary and grievance policy, resulting in possible suspension and termination of employment from the club.

Players, coaches, officials, parents, or team followers are often the first to realise that an individual's safety and welfare is under threat. However, they may not express their concerns because they feel that speaking up would be too difficult to handle. It may also be that they fear harassment, victimisation, or losing their place or employment in doing so. In these circumstances, it may be easier for them to ignore the concern rather than report what may be just a suspicion of poor practice. AFC Wimbledon would urge anyone to come forward and voice those concerns.

AFC Wimbledon would like to state, that in no circumstances is anyone's place at our Club, at risk, for speaking up about a concern that they are sharing in good faith.

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Confidentiality

All efforts will be treated sensitively and with due regard to confidentiality. Where possible, every effort will be made to protect your identity if you so wish. Nevertheless, this information will need to be shared with those with a legitimate need, and it may be necessary for you to provide a written statement, or act as a witness in any subsequent disciplinary proceedings or enquiry.

Should the whistle-blower need to be identified or it becomes apparent that the whistle-blower will be identified because of any subsequent investigation, notice will be given to the whistle-blower, by the club's Designated Safeguarding Officer to which the persons the identity disclosure will be made, with a chance to discuss any likely consequences.

Please note that AFC Wimbledon, also have a responsibility to ensure the confidentiality, where possible, of the person whom the allegation is being made against. Details of the alleged perpetrator of the offence will only be discussed on a 'need to know' basis, until the enquiry and investigation is complete.

How To Raise a Concern

Step 1

If you wish to raise a concern, you can raise it directly to the safeguarding team, or via your line manager. This can be done in person, or in writing. Please note, that if you are the person receiving the concern, you are then obliged to report the concern within the timescales as set out in the Managing Allegations policy, via My Concern or directly to the safeguarding team. AFC Wimbledon recognises that sometimes it may be inappropriate for you to approach your line manager with your concern. In these circumstances, several alternatives are available depending on the nature of your concern.

You can contact any of the following:

- The AFC Wimbledon Designated Safeguarding Officer
- The EFL Regional Safeguarding Manager
- The FA Safeguarding Team

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable grounds to raise them.

Step 2

The person with whom you have raised your concern will acknowledge its receipt as soon as possible and will write to you within 28 days to let you know how your concern will be dealt with. The information you can then expect to receive is:

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- An indication of how the concern will be dealt with
- An estimate of how long it will take to provide a final response
- Whether any initial enquiries have been made
- Whether further investigations will take place, and if not, why not
- Information about support available to you.

- Please note, that in some instances where an enquiry is raised under section 47 of the Children's Act 1989, we may not be able to disclose any of the above information, until the enquiry and any subsequent investigation, or prosecution is complete. The person with whom you have raised your concern, will at the same time notify the Designated Safeguarding Officer, that a whistleblowing allegation has been made. The Designated Safeguarding Officer will then proceed to manage the allegation.

Step 3

Initial enquiries will be made to decide whether an investigation is appropriate. Where an investigation is necessary, it may take the form of one or more of the following:

- An internal investigation by the Designated Safeguarding Officer, which may, for example, take the form of a disciplinary investigation
- A referral to the EFL/FA/LADO

Step 4

You will be informed of the outcome of any investigation, in writing, and/or of any action taken, subject to the constraints of confidentiality and the law. If you do not feel your concern has been addressed adequately, you may raise it with an independent body such as one of the following as appropriate:

- The EFL
- The FA
- A relevant voluntary organisation
- The police
- The Citizen's Advice Bureau

You must make a disclosure 'in AFC Wimbledon's interest' and in the circumstances it must be reasonable for you to make the disclosure. If there is an issue of an exceptionally serious nature which you believe to be substantially true, then you may disclose the issue to someone other than those listed above. In determining whether it is reasonable for you to have made a disclosure, the identity of the person to whom the disclosure is made will be

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considered. Disclosures to anyone outside of the recognised bodies specified may not be protected disclosures under the Act.

Raising A Concern

Anyone wishing to raise a concern should do so either verbally or in writing via email, or by using the Club safeguarding software – My Concern, which will go directly to the safeguarding team. The concern needs to be as detailed as possible, including any names, dates, locations where possible, using the person alleging the concern's own words.

The burden of proof does not lie with the alerter. Should any concerns or allegations be made, AFC Wimbledon would encourage the whistleblower to put their name to the allegation. Any concerns or allegations that are anonymous are much less powerful and are therefore much harder to prove. Should AFC Wimbledon receive any anonymous allegations, these will be investigated so far as it is possible based on the limited information available.

If, after the course of an investigation, it has been found that the concerns or allegations are untrue or have not been substantiated, then no action will be taken against the whistleblower. If, however, it is established that they have made malicious allegations, disciplinary action may be taken against them. In such cases, AFC Wimbledon's disciplinary and grievance procedure will apply.

For further information regarding complaints, grievance, and confidentiality, please refer to the AFC Wimbledon Complaints Policy, and Disciplinary and Grievance Procedure. Further related details may also be covered in the Equality and Diversity Policy, recruitment and Selection policy and the Anti-Bullying and Harassment Policy.

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Useful Contacts

Club Secretary

John Stanley

- John.Stanley@afcwimbledon.ltd.uk

Academy Manager

Micheal Hamilton

- Michael.Hamilton@afcwimbledon.ltd.uk

EFL

Mark Derrien

- Mark.derrien@efl.com

Merton Council Local Authority Designated Officer (LADO)

Multi Agency Safeguarding Hub (MASH) Team: 020 8545 4226/4227

FA Safeguarding

- Tel: 0800 169 1863
- Email: safeguarding@TheFA.com

NSPCC helpline

- Tel: 0808 800 5000

Police

- Tel: 999 or 101

Childline

- Tel: 0800 1111

Ann Craft Trust

- Tel: 0115 9515400