



Scottish Canoe Association
Comann Curach na h-Alba

Whistleblowing Policy

Last approved by Board: 7th December 2021

Effective from: 8th December 2021

Purpose of policy: It is important to the SCA that any fraud, misconduct or wrongdoing by workers, volunteers, members or officers of the organisation is reported and properly dealt with. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the organisation business or the way in which the SCA business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

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Introduction

It is important to the SCA that any fraud, misconduct or wrongdoing by workers, volunteers, members or officers of the organisation is reported and properly dealt with. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which the SCA is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Anyone might find themselves in a position where they notice concerns about the conduct of others in the organisation or the way in which the SCA is run. 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 or victimisation. In these circumstances it may be easier for them to ignore the concern rather than report what may just be a suspicion of poor practice.

The SCA is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, individuals are encouraged to report any serious concerns they might have about the conduct of others in the organisation or the way in which the SCA is run.

This policy makes it clear that individuals can raise a matter of concern without fear of victimisation, subsequent discrimination or disadvantage. The policy is intended to encourage and enable individuals to raise serious concerns within the SCA rather than overlooking a problem or blowing the whistle outside of the sport. It is in the interest of all concerned that concerns are dealt with properly, quickly and discreetly. This includes the interests of the SCA, its employees, all persons registered as members of the SCA and any persons who are the subject of any complaint, as well as the person making the complaint.

Purpose

The purpose of this policy is to:

- Encourage individuals to feel confident in raising concerns that they may have about the conduct of others in the organisation or the way in which the SCA is run.
- To provide a method of raising concerns and to receive feedback on any action taken.
- To ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
- To reassure individuals that they will be protected from reprisals or victimisation for whistle blowing in good faith.

Scope

This policy applies to all employees, volunteers, members and officers of the organisation. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, are encouraged to use it.

This policy will apply in cases where an individual genuinely believes that one (or more) of the following sets of circumstances is occurring, has occurred or may occur within the organisation and that it is in the public interest for the individual to disclose it. The matters that may be disclosed in this way are those that relate to:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act that risks adversely affects paddlesport in Scotland or the SCA,
- malpractice or maladministration of BCAB awards;
- an act causing damage to the environment;
- a breach of any other legal obligation;
- a breach of SCA policy or procedure*; or
- concealment of any of the above.

* Note that this policy does not apply to matters relating to child welfare or safeguarding. For all matters relating to child welfare and safeguarding refer to the relevant [safeguarding policies](#), in particular the *Guidance on Responding to Concerns or Allegations*.

Note that SCA Employees should also refer to the SCA Employee Handbook.

The SCA Whistleblowing Policy is complementary to all other policies that relate to the conduct of others within the organisation or the way in which the SCA is run. Where these other policies have identified reporting procedures these take priority over this Whistleblowing policy, although the principles outlined overleaf should still apply. This is far reaching and includes (but is not limited to);

- Anti Bullying and Anti Harassment Policy
- Anti Fraud Anti Bribery and Corruption Policy
- Code of Conduct
- Complaints Policy
- Conflicts of Interest Policy
- Data Protection Requirements
- Director Code of Conduct
- Disciplinary Procedures
- Equality Policy
- HR Policies
- Malpractice and Maladministration Policy
- Safeguarding Policies

The SCA Complaints Policy covers the procedures regarding complaints. There can be a significant cross over between whistleblowing and raising a complaint. If this is the case the Complaints Policy takes priority over this Whistleblowing policy. The reporting procedure for complaints differs, however the principles outlined overleaf should still apply.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing within the organisation. Employees, volunteers, members and officers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the whistleblower.
- No one will be victimised for raising a matter under this procedure. The SCA will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect individuals when they raise a concern in good faith.
- Victimisation of an employee, volunteer, member or officer for raising a concern is a disciplinary offence.
- 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.
- Maliciously making a false allegation is a disciplinary offence.
- 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, the employee, volunteer, member or officer should not agree to remain silent. They should report the matter following the procedures below.

Procedure

(1) Report

If an individual wishes to raise or discuss any issues which might fall into scope of this policy, they should contact the [SCA Chief Executive, Head of Coaching and Development or Head of Performance and Pathways](#).

If it is inappropriate to report via these routes, because the person identified is believed to be involved in the wrongdoing, or for any other reason, the concern should be reported to an [SCA Board member](#).

The law recognises that in some circumstances, it may be appropriate for you to report your concerns to an external body or regulator. For example;

- HM Revenue & Customs;
- the Financial Conduct Authority (formerly the Financial Services Authority);
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Police Complaints Commission; and
- the Serious Fraud Office.

The regulator for the SCA as a Delivery Centre of British Canoeing Awarding Body Qualifications is British Canoeing Awarding Body (BCAB), the regulator for BCAB is OfQual.

Concerns may be made verbally or in writing. The individual should set out the background and history of the concern, giving names, dates and places where possible and the reason why they are particularly concerned about the situation. The earlier the individual expresses concern, the easier it is for someone to take action. Although the whistleblower is not expected to prove the truth of an allegation, they will need to demonstrate that there are sufficient grounds for their concern.

(2) Investigate

The person to whom the matter has been reported will initiate an investigation into the matter (either by investigating the matter themselves, immediately passing the issue to someone in a more senior/suitable position, or establishing a team to be involved in the investigation).

The action taken will depend on the nature of the concern. If the concern raised falls within the scope of another SCA policy, the procedures therein will be followed.

Receipt of the individuals concern will be acknowledged immediately and, within five working days of the concern being received, the person leading the investigation will write to them:

- indicating how the matter will be dealt with;
- giving an estimate of how long it will take to provide a final response;
- tell them whether any initial enquiries have been made;
- tell them whether further investigations will take place, and if not, why not.

The investigation may involve the whistleblower and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above.

If a matter raised results in any disciplinary action, SCA disciplinary procedures will apply. If the matter raised does not fall within the scope of any SCA Policy or Procedure, the person who carried out the investigation must report to the board, who will take any necessary action.

(3) Conclude

The SCA accepts that the whistleblower needs to be assured that the matter has been properly addressed. Subject to legal constraints, they will receive information about the outcomes of any investigations, and the action that is to be taken against those whose actions caused them concern. Also, if appropriate, what policy changes are to be made to minimise the possibility of a similar concern being raised in the future. If no action is to be taken, the reason for this will be explained.

Appeals

If the personal reporting the concern believes that the person responsible for investigating the matter has failed to make a proper investigation, or has failed to follow protocol, they should inform a director of the organisation, who will arrange for another suitable person to

review the investigation carried out, make any necessary enquiries and make their own report as in stage 2 above.

If, following reinvestigation, the whistleblower reasonably believes that the appropriate action has not been taken, they should 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 Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Police Complaints Commission; and
- the Serious Fraud Office.

The regulator for the SCA as a delivery centre of British Canoeing Awarding Body Qualifications is British Canoeing Awarding Body (BCAB), the regulator for BCAB is OfQual.

Confidentiality

The SCA will do its best to protect the identity of the whistleblower when they raise a concern and do not want their name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and a statement by the whistleblower may be required as part of the evidence. They will be given prior notice of this and a chance to discuss the consequences.

The amount of contact between the people considering the issues and the whistleblower will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the whistleblower as part of the investigation process.

When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a friend or a person of their choice who is not involved in the matter to which the concern relates.

The SCA will take steps to minimise any difficulties which individuals may experience as a result of raising a concern. For instance, if the whistleblower is required to give evidence in criminal or disciplinary proceedings, the SCA will advise them about the procedure.

Anonymous Allegations

The whistleblower is encouraged to put their name to their allegation. Concerns expressed anonymously are much less powerful, but they will be considered (at the discretion of the relevant person leading the investigation). In exercising the discretion, the factors to be taken into account would include:

- The seriousness of the issues raised.
- The credibility of the concern.

- The likelihood of confirming the allegation from attributable sources or factual records.

Untrue Allegations

If an individual makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, it is established that they have made malicious or frivolous allegations, or for personal gain, disciplinary action may be taken against them. In such cases, the SCA disciplinary procedure will apply.

Responding to Allegations

If someone reports a concern to you that you believe falls within the scope of this Whistleblowing Policy you have a responsibility to respond.

For example, a candidate on a Coach Assessment tells you that one of the other candidates is cheating. Or, some-one tells you that they have seen a group of paddlers cutting down a tree for firewood.

1. It is preferable that the person who has witnessed the incident reports it following the reporting procedures identified above. Encourage and support them through this process.
2. Do not promise to keep their concerns to yourself, you have a responsibility to report concerns that fall within the scope of this policy, following the reporting procedures identified above. Concerns expressed third-hand are much less powerful, but they will be considered (at the discretion of the relevant person leading the investigation).