

Mr.Child Complaints, Investigating & Escalation incl. Whistleblowing policy

What is a Protected Disclosure

A protected disclosure occurs when a member, volunteer, or employee, raises a concern or discloses information which relates to wrongdoing, illegal practices, or unethical conduct, which has come to his or her attention through membership of, or employment or volunteering with, Mr.Child (hereafter 'the club').

The club encourages volunteers, or employees, to raise concerns within the club rather than ignoring a problem or reporting the matter externally in the first instance. Under this policy a member, volunteer, or employee, is entitled to raise concerns or disclose information without fear of penalisation or threat of less favourable treatment, discrimination or disadvantage.

Mr.Child's Commitment

The club commits to maintaining an open culture with the highest standards of honesty and accountability where a member, volunteer, or employee, may report any concerns in confidence.

To whom does the policy apply?

This policy applies to all members, volunteers, or employees of the club.

Any problems which arise for members, volunteers, or employees, relating to employment, the workplace, training, competitions, or the management of the activities of the club in general, should be raised through with club's hierarchy.

It is also important to note that this policy does not replace any legal reporting or disclosure requirements under other legislation. Where statutory reporting requirements and procedures exist these must be fulfilled.

Purpose of the Protected Disclosure Policy

- To encourage members, volunteers, or employees, to feel confident and safe in raising concerns and disclosing information;
- To provide methods to raise concerns in confidence and receive a response on any action taken;
- To ensure that a response issues, where possible, addressing the concerns raised and information disclosed;
- To reassure the Discloser that he or she will be protected from penalisation or any threat of penalisation.

What types of concerns can be raised?

A concern or disclosure should relate to a relevant wrongdoing such as possible fraud, crime, danger or failure to comply with any legal obligation which has come to your attention in connection with your employment, your membership, or volunteering with the club.

It is important to understand the Discloser must have a reasonable belief in the truth of the matter which is disclosed.

What types of concerns should not be raised under this Procedure?

A personal concern, for example a grievance around a contract of employment, would not be regarded as a concern requiring protected disclosure and would be more appropriately processed through engaging with the club directly.

Concerns regarding regional, or national issues (as distinct from club specific issues) should be addressed with Fencing Ireland as our National Governing Body through their reporting processes. See their website for policies and reporting procedures.

Safeguards and Penalisation

A member, volunteer, or employee, who makes a disclosure and has a reasonable belief of wrongdoing will not be penalised by the club, even if the concerns or disclosure turn out to be unfounded.

Penalisation includes suspension/dismissal, disciplinary action, demotion, discrimination, threats or other unfavourable treatment arising from raising a concern or making a disclosure on the basis of reasonable belief for doing so.

If you believe that you are being subjected to penalisation as a result of making a disclosure under this procedure, you should inform the Chairman or Secretary of the club immediately. Should you believe that the penalisation comes from the Board or any member of the board, you should inform Fencing Ireland.

Members, volunteers, or employees who are demonstrated to have penalised or retaliated against those who have raised concerns under this policy will be subject to disciplinary action.

Member, volunteer, or employees must have a reasonable belief that there are grounds for their concern. It should be noted that appropriate disciplinary action will be taken against any member, volunteer, or employee, who is found to have raised a concern or raised a disclosure with malicious intent.

Confidentiality

The club is committed to protecting the identity of the member, volunteer, or employee, raising a concern and ensures that relevant disclosures are treated in confidence.

However, there are circumstances, as outlined in the Act, where confidentiality cannot be maintained particularly in a situation where the member, volunteer, or employee, is participating in an investigation into the matter being disclosed. Should such a situation arise, the club will make every effort to inform the member, volunteer, or employee, that his or her identity may be disclosed.

Raising a Concern Anonymously

A concern may be raised anonymously. However, it will be difficult to investigate such a concern, and such allegations give rise to the possibility of grave injustice to third parties. The club requires a member, volunteer, or employee, to identify himself or herself when raising a concern in order to facilitate appropriate investigation of the disclosure. This will make it easier for the club to assess the disclosure and take appropriate action including an investigation if necessary.

If a member, volunteer, or employee believes that he or she cannot make an open disclosure to the club, the member, volunteer, or employee should make it to their solicitor or other suitable third party in confidence. Once their solicitor or other suitable

third party has satisfied itself that a protected disclosure has been made, he should make the disclosure to the club on their behalf.

Procedure

Raising a Concern

As a first step, appropriate concerns should be raised with the Board of the club through the Secretary or Chairperson for the time being in office.

Members, volunteers, and employees, should be aware that should the disclosure relate to the conduct of clubs, the disclosure should be made in the first instance to the club.

How to raise a concern

Concerns must be raised in writing. Should you raise a concern verbally we will keep a written record of the conversation and provide you with a copy after our meeting.

The club asks you to give the background and history of the concern, giving relevant details, insofar as is possible, such as dates, sequence of events and description of circumstances.

The earlier you express the concern the easier it will be for the club to deal with the matter quickly.

Having raised your concern, the club will arrange a meeting to discuss the matter with you on a strictly confidential basis. The club will need to clarify at this point if the concern is appropriate to this procedure or is a matter more appropriate to its other procedures. You can choose whether or not you want to be accompanied by a representative. In regard to confidentiality, it is important that there should be an awareness of respecting sensitive information, which, while unrelated to the disclosure, may be disclosed in the course of a consultation or investigation process.

How the club will deal with your disclosure

Having met you in regard to your concern and clarified that the matter is in fact appropriate to this procedure, The club will assess and examine the allegations. This may involve simply clarifying certain matters, clearing up misunderstandings or resolving the matter by agreed action without the need for an investigation.

If the club concludes that there are grounds for concern that cannot be dealt with at this point, it will conduct an investigation which will be carried out fairly and objectively. The form and scope of the investigation will depend on the subject matter of the disclosure.

Disclosures may, in the light of the seriousness of the matters raised, be referred immediately to the appropriate authorities. If urgent action is required (for example to remove a health and safety hazard), this action will be taken.

The club assures you that any disclosure made by you under this policy will be taken seriously and you will be kept informed of steps being taken in response your disclosure. In this regard the club undertakes to communicate with you as follows:

1. The club will acknowledge receipt of your disclosure and arrange to meet you as outlined above;
2. The club will outline the investigation procedure to you.

3. As far as possible you will be informed of progress. However, sometimes the need for confidentiality and legal obligation may require the club to maintain confidentiality.
4. The club will inform you of the indicative time scales in regard to each of the steps being taken.
5. Should further consultation be required of you, the club expects that you will co-operate with it.
6. Where a concern is raised or a disclosure is made in accordance with this policy, but the allegation is subsequently not upheld by an investigation, no action will be taken against the member, volunteer, or employee, making the disclosure and the member, volunteer, or employee, will be protected against any penalisation.
7. It is important to note that if an unfounded allegation is found to have been made with malicious intent, then disciplinary action may be taken.

How the matter can be taken further

The aim of this Policy is to provide an avenue to deal with concerns or disclosures in regard to wrongdoing. The club hopes that any disclosures may be dealt with internally and it encourages members, volunteers, or employees, to report such concerns internally.

Where relevant concerns can be escalated to Fencing Ireland as our National Governing Body through their reporting processes. See their website for policies and reporting procedures.

There may be circumstances where any members, volunteers, or employees, want to make a disclosure externally, and the legislation governing disclosures, The Protected Disclosures Act 2014, provides for this eventuality.

It is important to note however that while you need only have a reasonable belief as to wrongdoing to make a disclosure internally, the standard for making an external disclosure may not be the same.