**Whistle Blowing**

**Policy and Procedures**

Master Kindred Martial Arts (MKMA Karate)

Written: 8th April 2021

Latest Review Date: July 2024

To Be Reviewed with Intervals No Greater Than 2 Years

**Reviewed last**: 30/07/2024

**Reviewed By:** J. Rowberry

**Signature:**

****

**Whistle Blowing Policy**

**What is Whistle Blowing?**

Whistle Blowing is the mechanism by which instructors can voice their concerns, made in good faith, without the fear of repercussion. Instructors should report any behaviour which causes concern to the Chief Instructor, Assistant Chief Instructor, Chief Administrator or the Club Welfare Officer.

Under the Public Interest Disclosure Act 1998, which came into force in July 1999, workers who speak out against corruption and malpractice at work have statutory protection against victimisation and dismissal, and this will be transferred to MKMA members by MKMA Karate.

MKMA Karate recognises that legal protection is very important if staff or instructors are to be encouraged to raise concerns. Therefore, a more open culture also needs to develop, which recognises the potential of staff and instructors to make a valuable contribution to the running of MKMA Karate, and the protection of MKMA Karate membership interest.

**Whistle Blowing Within MKMA Karate**

MKMA Karate understand the need to maintain a safe and secure environment where instructors and other staff members feel able to communicate any concerns. The MKMA Karate whistle blowing policy outlines the processes that should be followed to raise any concerns.

MKMA Karate promises to listen to all concerns raised. Issues raised will not affect the rights, privileges or standing of the reporter. Any issues raised will be kept confidential unless reported concerns are of a criminal nature. In such circumstances, relevant authorities will be contacted and informed.

There are multiple ways in which concerns can be raised, please see below for more details.

* Concern made in writing addressed to: MKMA Karate (Club Welfare Officer)

2 Cadle Pool Farm Cottages

The Ridgeway

Stratford Upon Avon

Warwickshire

CV37 9RE

* Concern made in writing and emailed to: mkmakarate@gmail.com
* Concern made in writing and submitted via the online contact form accessible
* through the MKMA Karate website: [www.mkmakarate.co.uk](http://www.mkmakarate.co.uk)
* Concern made in person and recorded using the appropriate whistle blowing report form found in appendix 1

**Designated officer**

MKMA Karate has a designated officer who is the point of contact for concerns raised under the Whistle blowing procedure. He/she usually holds the Chief Administrator Role and will report directly to the Chief/Assistant Chief instructor. The designated officer should be impartial and capable of taking an independent view on the concern raised.

The Current MKMA Whistle Blowing Designated officer is:

**Name**: James Rowberry

**Position**: Chief Administrator/Club Welfare Officer & Designated Safeguarding Lead

**Phone**: 07483834447

**Email**: jrrowberry@yahoo.co.uk

**What to Expect**

When an issue is raised through the Whistle Blowing procedure, MKMA Karate is duty bound to investigate the issue without any prejudice or judgement.

The raised issue should be submitted in whichever form the individual wishes to the MKMA Administration team. Where concerns are made in person, the Whistle Blowing Report form should be hand delivered to the Chief Administrator or sealed in an envelope and sent to the address for concerns made in writing.

Once the core MKMA Karate team has received the complaint/Issue it should be read and acted on appropriately. MKMA Karate should provide a response within 14 days of receiving a complaint/issue. Instructors may receive responses in form such as; a telephone call, an email, a face to face meeting, or a postal letter.

**I am not happy with the response I received**

If you are not happy with the response you receive, you should reply to the response from MKMA Karate within one week. You may request to have the response reviewed and supply additional information or you can request a face to face / online meeting to be organised.

**WHISTLEBLOWER’S RIGHTS**

The Public Interest Disclosure Act 1998 aims to protect whistle blowers from victimisation and dismissal, where they raise genuine concerns about a range of misconduct and malpractice. It covers virtually all employees in the public, private and voluntary sectors, and certain other workers. The usual employment law restrictions on minimum qualifying period and age do not apply.

An Instructor/staff member who blows the whistle will be protected if the disclosure is made in good faith and is about:

* A criminal act
* A failure to comply with a legal obligation
* A miscarriage of justice
* Danger to health and safety
* Any damage to the environment
* An attempt to cover up any of these.

The Act extends protection given to health and safety representatives to individuals who raise genuine concerns about health, safety or environmental risks. (The Employment Rights Act 1996 already gives some legal protection to employees who take action over, or raise concerns about, health and safety at work.) Whistle-blowers will be protected when in good faith they:

* Raise concerns internally
* Raise concerns with the relevant Government minister
* Make disclosures to prescribed persons, such as the Inland Revenue, the Audit Commission and the utility regulators
* Make wider disclosures (which could include to the media, MPs or the police), where the matter:
	+ Is exceptionally serious;
	+ Is not raised internally or with a prescribed regulator, because the worker reasonably feared that he/she would be victimised
	+ Is not raised internally because the worker reasonably believed that there would be a cover-up
	+ Was raised internally but was not dealt with properly.
* Such wider disclosures must be reasonable in all circumstances.

Where a whistle-blower is victimised following a protected disclosure, he/she can take a claim to an employment tribunal for compensation (if employed by MKMA Karate). If a whistle-blower is dismissed, he/she can request a full hearing from the MKMA Core Team (MKMA Chief Instructor, MKMA Assistant Chief Instructor, MKMA Chief Administrator). There is no qualifying period for bringing an unfair dismissal claim under this Act and awards made under it are unlimited.

The designated officer will give regular feedback on the outcome of the investigation to the whistle-blower except for child protection issues where confidentiality requires to be maintained.

If the investigation shows there is a case to be answered, the disciplinary rules and procedures shall be used. If there were no case to answer, the designated officer will ensure the employee is protected, provided the disclosure was made in good faith. Disciplinary action will only be taken where a false allegation is made maliciously.

Appendix 1

**Whistle Blowing Report Form**

|  |  |  |  |
| --- | --- | --- | --- |
| Date of report |  | Time of Report |  |
|  |
| Informant Details: |
| Name |  |
| Contact Number |  |
| Email address |  |
| Position Held |  |
|  |
| Reported to: |
| Name |  |
| Contact Number |  |
| Email Address |  |
| Position held |  |
|  |
| Details of Concern/Issue |
|  |
| Declaration |
| I confirm the information provided is true to the best of my knowledge and I submit this information free from coercion or pressure to alter my views on the issue/concern raised |
| Print Name |
| Signed |  | Date |  |

Appendix 2

**PRESCRIBED PERSONS**

Disclosures of information may be made to the following persons, who have been prescribed by the Government:

* Health & Safety risks: HSE and local authority
* Environmental issues: the Environment Agency
* Utilities: OFTEL, OFFER, OFWAT, OFGAS, Rail Regulator
* Financial Services & the City: Financial Services Authority (and pending its full operation, its predecessor bodies); HM Treasury (insurance)
* Fraud & fiscal irregularities: Serious Fraud Office, Inland Revenue, Customs & Excise
* Public sector finance: NAO, Audit Commission, Accounts Commission for Scotland
* Company law: Department of Trade & Industry
* Consumer law: Office of Fair Trading and local authority

Others:

* Certification Officer (Trade Unions),
* Civil Aviation Authority
* Charity Commission
* Criminal Cases Review Commission
* Data Protection Registrar
* Occupational Pensions Regulatory Authority