

# TOTTENHAM HOTSPUR FOOTBALL CLUB

## Whistleblowing Policy

April 2024

### Part 1: Introduction

#### Scope

The Whistleblowing Policy (the “**Policy**”) enables Tottenham Hotspur Football and Athletic Co. Limited (trading as “**Tottenham Hotspur Football Club**”), its Group Companies, Tottenham Hotspur Foundation (a registered charity known as the “**Foundation**”) and Tottenham Hotspur Women Football Club Limited – together the “**Club**” to:

- encourage Employees (as defined below) 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;
- provide Employees with guidance as to how to raise those concerns; and
- reassure Employees that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

The Club is committed to conducting its business with honesty and integrity, and we expect all Employees to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

The Club has a duty to identify such situations and take the appropriate measures to remedy the situation. The Club is committed to the highest standards of transparency, integrity and accountability and encourages a culture of openness to help prevent occurrences of malpractice.

This Policy does not form part of any contract of employment or other contract to provide services, and the Club may amend it at any time.

#### Who does this Policy apply to?

This Policy applies to any person acting for or on behalf of the Club in an official role whether as an employee, volunteer, casual workers or employees, consultant or otherwise, including shareholders and stakeholders of the Club (“**Employees**”).

## Who is responsible for this Policy?

The board of directors (the “**Board**”) has overall responsibility for the effective operation of this Policy but has delegated responsibility for overseeing its implementation to the HR Director. This Policy is reviewed annually by the HR Director.

The HR Department has day-to-day responsibility for this Policy, and any questions about this Policy should be referred to them in the first instance.

All Employees are responsible for the success of this Policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Employees are invited to comment on this Policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the HR Department.

## Part 2: What is Whistleblowing?

“**Whistleblowing**” is the reporting of genuinely-suspected wrongdoing or danger relating to the Club's activities. If any Employee has any genuine concern(s) related to suspected wrongdoing or danger affecting any of the Club's activities, they should report it under this Policy.

It is understandable that Employees may be concerned that by reporting such issues they may be opening themselves up to detrimental treatment, or that they may be risking their job security. However, as set out in Part 5 of this Policy, “**Whistleblowers**” must not suffer any detrimental treatment as a result of raising a genuine concern, and any retaliation against a Whistleblower will be taken seriously by the Club, likely in accordance with the Club's disciplinary policy.

The law also provides protection for workers who raise legitimate concerns about specified matters. These are called “**Qualifying Disclosures**”. A Qualifying Disclosure is one made in good faith by an Employee who has a reasonable belief that any of the below has taken place, is taking place, or is likely to take place:

- a criminal offence, including bribery, tax evasion, financial fraud;
- a miscarriage of justice;
- an act or omission creating risk to health and safety;
- an act or omission causing damage to the environment;
- a breach of any other legal obligation, including, for example, failure to comply with any legal or professional obligation or regulatory requirements, unauthorised disclosure of confidential information, or poor practice in positions of trust; or
- deliberate concealment of any of the above.

In addition to the above, in order for the concern to be a Qualifying Disclosure there must be a disclosure of *information* and the Employee must believe that the disclosure is made in the public interest. In the public interest means it must affect others, for example, other workers, customers or the general public.

It is not necessary for the Employee to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient.

This Policy should not be used for complaints which are limited to the personal circumstances of the individual Employee, such as the way they alone have been treated at work. In those cases, the

Employee should use the Club's Grievance Policy or Anti-harassment and Bullying Policy as appropriate.

If a complaint relates to personal circumstances but there are also wider concerns regarding one of the areas set out at in this Part 2 (for example, a breach of the Club's internal policies), the Employee should discuss with the HR Director in the first instance.

If an Employee is uncertain whether something is within the scope of this Policy, they should seek advice from the Director of Legal or the HR Director, whose contact details are at the end of this Policy.

## Part 3: Raising a Whistleblowing Concern

The below steps are designed to ensure any whistleblowing concern is dealt with in a fair, timely and consistent manner.

### Step 1 – Raising Whistleblowing Concern to Immediate Manager

If an Employee has a genuine concern relating to any type of wrongdoing that is covered under this Policy, they should raise it with their line manager. If the concern relates to the Employee's line manager, or if for any reason the Employee does not wish to approach their line manager, the concern should be raised with a member of the HR Department in the first instance.

Employees can raise their concern verbally, but it is preferable for concerns to be made in writing/by email. In all cases it is important that the Whistleblower sets out clearly:

- (a) the details of the concern/ suspected wrongdoing;
- (b) the names of any individuals involved; and
- (c) what action (if any) an Whistleblower is seeking.

If a whistleblowing concern is raised to a line manager, the line manager should promptly inform the HR Director of this concern.

In some cases, it may be necessary for the Club to require the Whistleblower to attend a meeting to clarify the nature of their concern (i.e. whether the concern meets the criteria to be treated as a Qualifying Disclosure). This will be arranged as soon as reasonably and/or practically possible. Where this is appropriate, a "**Whistleblowing Hearing Officer**" will be appointed and will attend the meeting. A member of the HR Department may also be present at the meeting to support the process.

The Whistleblower may bring a colleague or trade union representative to any meetings under this Policy, but any companion must respect the confidentiality of the disclosure and any subsequent investigation and/or associated process.

The Club will ensure that all communications are available in an accessible format where required.

### Step 2 – Investigations

If the whistleblowing concern was raised to the line manager, the line manager will usually carry out an initial assessment to determine the scope of any investigation and then arrange an investigation of the matter, as appropriate, with the support of HR.

The level/scope of investigation and timescales will vary depending on the nature of the suspected wrongdoing.

Where appropriate, the Investigation Manager (or the HR Department) will then report to the Board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

The Club will aim to keep any Whistleblower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Club from giving the Whistleblower specific details of the investigation, or outcome, or, for example, any disciplinary action taken as a result. The Whistleblower should treat any information about the investigation as confidential.

If the Club concludes that a Whistleblower has made false allegations maliciously, the Whistleblower will be subject to disciplinary action.

### Step 3 – Raising Whistleblowing Concern to HR, Safeguarding and Welfare, or Legal

If the Employee is concerned that their line manager is involved in the wrongdoing, has failed to make a proper investigation following the reporting of a concern, or has failed to report the outcome of the investigations to the Board, the Whistleblower should inform the HR Director, Head of Safeguarding and Welfare, or the Director of Legal, who will, where appropriate, arrange for another manager to review the investigation carried out, make any necessary enquiries and/or make their own report to the Board.

If for any other reason the Employee does not wish to approach their immediate manager, they should also in the first instance contact the HR Director, Head of Safeguarding and Welfare, or the Director of Legal.

The Club hopes that in many cases any concerns will be able to be raised with the Employee's immediate manager as it may be possible to agree a way of resolving the concern quickly and effectively. In some cases, the line manager may refer the matter to the Head of Safeguarding and Welfare or the HR Director.

### Step 4 – The Appeal

The Club will endeavour to deal with all concerns fairly and in an appropriate way.

If, however, the Whistleblower is not happy with the way in which the concern has been handled, it can be raised with one of the other key contacts in Part 6 of this Policy. The Whistleblower may also raise an appeal against any outcome, providing it is done so in writing and within 7 working days of any outcome/feedback being delivered. It is important that the Whistleblower clearly sets out the grounds of their appeal, i.e. the basis on which they assert that their original concern has not been satisfactorily dealt with.

In some cases, it may be necessary to ask the Whistleblower to attend a meeting to clarify the nature of the appeal. This will be arranged as soon as reasonably/practically possible. Where it is considered appropriate, a member of the HR Department may also be present.

If, on conclusion of the above process, the Whistleblower reasonably believes that the appropriate action has not been taken, this may be reported to the proper authority. The Club strongly encourages any Whistleblower to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are set out at Part 6 of this Policy.

## Part 4: Confidentiality

The Club hopes that Employees will feel able to voice concerns openly under this Policy. However, if Employees want to raise a concern confidentially, the Club will make every effort to keep the Employee's identity secret. If it is necessary for anyone investigating the concern to know the identity of the Whistleblower, this will be discussed with the Whistleblower.

The Club do not encourage Employees to make disclosures anonymously, although every effort will be made to appropriately investigate anonymous disclosures. Employees should be aware that proper investigation may be more difficult, or even impossible, if the Club cannot obtain further information. It is also more difficult to establish whether any allegations are credible.

Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Head of Safeguarding and Welfare, the HR Director, or Director of Legal and appropriate measures can then be taken to preserve confidentiality.

Confidentiality is an important part of the procedures provided under this Policy. Details of the investigation and the names of the person making the complaint and the person accused will only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action in line with the Club's disciplinary procedure.

## Part 5: Protection and Support for Whistleblowers

It is understandable that Whistleblowers are sometimes worried about possible repercussions. The Club aims to encourage openness and will support employee who raise genuine concerns under this Policy, even if they turn out to be mistaken.

Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an Employee believes that they have suffered any such treatment, they should inform their immediate manager, the HR Director, or the Head of Safeguarding and Welfare.

Employees must not threaten or retaliate against Whistleblowers in any way. If any Employee is involved in such conduct, they may be subject to disciplinary action. In some cases, the Whistleblower could have a right to bring proceedings against any individual involved in an employment tribunal.

A confidential support and counselling hotline is available to Whistleblowers who raise concerns under this Policy. Their contact details are set out at the end of this Policy.

## Part 6: Contacts

<b>Head of Safeguarding and Welfare</b>	<u>Shauna McAllister</u> 0787 999 7839 shauna.mcallister@tottenhamhotspur.com
<b>HR Director</b>	<u>Lisa Beresford-Hines</u> 0746 985 8400 lisa.beresford-hines@tottenhamhotspur.com
<b>Director of Legal</b>	<u>Katie Reed</u> <u>07407 814 990</u> <u>Katie.reed@tottenhamhotspur.com</u>
<b>Protect</b> (Independent whistleblowing charity)	Helpline: 020 3117 2520 Website: <a href="https://protect-advice.org.uk">https://protect-advice.org.uk</a>

## Tottenham Hotspur Football Club – Whistleblowing Policy Flowchart showing typical process - INTERNAL ONLY

