



Raising concerns in the workplace

**AGRI-FOOD
& BIOSCIENCES
INSTITUTE**

Whistleblowing / Raising
Concerns Policy

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afbi

WHISTLEBLOWING & RAISING CONCERNS POLICY

The Policy sets out how a concern can be raised through AFBI's whistleblowing process and what AFBI will do if such a concern is raised.

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Contents

1	Purpose	1
2	Scope of Policy.....	1
3	Should I Raise a concern through the Whistleblowing Process	1
3.1	Whistleblower or Complainant?	1
3.2	Is whistleblowing encouraged?.....	2
3.3	Why should I raise a whistleblowing concern?.....	2
4	What types of whistleblowing concern can I raise?.....	2
4.1	What is fraud?.....	3
5	How do I raise a whistleblowing concern?.....	3
5.1	Raising a whistleblowing concern internally.....	3
5.2	Raising a whistleblowing concern externally	4
6	Staff Rights during the Whistleblowing Process	5
6.1	Will my confidentiality be assured?	5
6.2	Can I make an anonymous whistleblowing disclosure?	5
6.3	What will happen when I raise a whistleblowing concern?	5
6.4	What protection will I receive if I raise a whistleblowing concern?	6
7	Monitoring and review	6
8	Human rights/equality/integrity/freedom of information	7
	APPENDIX A – WHISTLEBLOWING: SUMMARY OF PROCEDURES	8

Version Control

Version	Date of issue	Reason for issue
Version 3.0	18 Mar 2016	Inclusion of version control section Inclusion of Appendix 1 – summary flowchart Related documents and contact details updated
Version 4.0	10 Nov 2017	Review and Reissue
Version 5.0	26 Jun 2018	Updated details for raising a whistleblowing concern externally
Version 6.0	30 June 2021	Review against current best practice and update in references and in AFBI policy format

1 Purpose

The purpose of this Policy is to set out how concerns about certain matters having a public interest occurring within AFBI can be raised. The policy also explains what AFBI will do in response if such a concern is forthcoming.

Whistleblowing is where a worker raises a concern about wrongdoing, risk or malpractice. The Public Interest Disclosure (NI) Order 1998 came into operation in October 1999. The Order offers a framework of protection against victimisation or dismissal for workers within an organisation who “blow the whistle” on criminal behaviour or wrongdoing as defined in the legislation.

2 Scope of Policy

This policy applies to all AFBI staff (permanent, temporary, visiting workers, students) and also Non-Executive Board members and covers the following:

- How to determine if Whistleblowing is the correct process to raise a concern
- Examples of what areas may constitute whistleblowing,
- Methods for raising a concern both internally and externally
- Individual rights regarding the Whistleblowing process

This Policy only applies to whistleblowing concerns. For example, it does not apply to personal issues or complaints (See 3.1 to aid classification of your concern).

3 Should I Raise a concern through the Whistleblowing Process

3.1 Whistleblower or Complainant?

A simple way to establish whether an individual raising a concern is classified as a ‘whistleblower’ or a ‘complainant’ is to consider the nature of the concern:

Does the concern refer to ‘others’ e.g. AFBI, other staff, customers or the wider public? If so the person raising the complaint will be classified as a **Whistleblower** and this Whistleblowing Policy will apply.

Does the concern refer to the individual (*self*) e.g. a personal grievance about terms of employment, pay, unfair treatment? If so the person raising the complaint will be classified as a **Complainant** and this Whistleblowing Policy will not apply. These types of concerns should be dealt with using the various policies and procedures contained in the Northern Ireland Civil Service Handbook and AFBI’s Human Resource policies and procedures. Both are available on the AFBI Intranet.

Generally a whistleblower has no self-interest in the issue being raised, however, the distinction may not always be clear cut. If you have a concern but are unsure how to raise it, please contact the Head of AFBI HR for advice. Alternatively, you can contact **Protect** a charity specialising in providing advice for whistleblowers at <https://protect-advice.org.uk> for independent advice.

3.2 Is whistleblowing encouraged?

AFBI is committed to the highest possible standards of openness, probity and accountability in the delivery of its services. Whilst AFBI has a wide range of governance procedures in place unfortunately wrongdoing, abuse and malpractice may still occur.

AFBI operates a zero tolerance attitude to wrongdoing, abuse or malpractice and strongly encourages you to raise any such concerns as soon as possible.

3.3 Why should I raise a whistleblowing concern?

The decision to raise a concern can be difficult. However by raising a concern now you can help AFBI address concerns or risks on a timely basis and prevent them from escalating further. You are not required to have firm evidence before raising a concern, merely a reasonable suspicion of wrongdoing. Once you raise a concern AFBI will investigate it. **Remember if in doubt – Speak Out!**

4 What types of whistleblowing concern can I raise?

You can raise concerns about any issue relating to suspected or actual malpractice, risk, abuse or wrong-doing within AFBI which you feel should be disclosed in the public interest. You need only have a reasonable belief that the issue has occurred, is occurring, or is likely to occur in the future. It is best to raise the concern as early as possible, even if it is only a suspicion, to allow the matter to be looked into promptly. You do not need to have evidence or proof of wrongdoing. As long as you have an honest belief, it does not matter if you are mistaken.

The following list illustrates the types of issues that you can raise:

- the abuse of children and /or vulnerable adults (physical or psychological);
- health and safety risks, either to the public or other employees;
- any unlawful act,
- the unauthorised use of public funds or property (e.g. expenditure for improper purpose);
- a breach of the Employee Code of Conduct;
- maladministration (e.g. not adhering to procedures, negligence);
- failing to safeguard personal and/or sensitive information (data protection);
- damage to the environment (e.g. pollution);
- fraud (see below);
- abuse of power;
- other unethical conduct; and

- any deliberate concealment of information tending to show any of the above.

4.1 What is fraud?

The term fraud is commonly used to describe the use of deception, to deprive, disadvantage, or cause loss to another person or party. This can include theft, the misuse of funds or other resources or more complicated crimes such as false accounting and the supply of false information. The term fraud is used generically in this policy and covers criminal acts such as bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation and collusion.

For more information see [AFBI's Counter-Fraud Policy Statement and Fraud Response Plan](#).

5 How do I raise a whistleblowing concern?

There are a number of ways to raise concerns. The process is summarised in Appendix A.

5.1 Raising a whistleblowing concern internally

Step one

If you have a concern, raise it first with your manager, Head of Branch or Head of Division. This may be done verbally or in writing but you are recommended to follow up any verbal disclosure in writing.

If you want to raise the matter in confidence, you should confirm this at the outset so that appropriate arrangements can be made.

Step two

If you feel unable to raise the matter with your manager and/or senior management, raise the matter with the AFBI Head of HR.

If you want to raise the matter in confidence, you should confirm this at the outset so that appropriate arrangements can be made.

Step three

If you have raised your whistleblowing concern with your manager and/or senior management or the AFBI Head of HR and you remain concerned, or if you feel that the matter is so serious that you cannot discuss it with your manager or senior management or the AFBI Head of AFBI HR, you should contact the Director of Finance and Corporate Affairs Division or the AFBI CEO. Alternatively you can contact the Chair of the Audit and Risk Assurance Committee or the Head of Internal Audit whose contact details are as follows:

Mr Tom Wright, Chairperson of the AFBI Audit and Risk Assurance Committee

Tel No: 07710001600

Email: tom.wright@afbini.gov.uk

or

Mr Brian Clerkin, Head of Internal Audit

Tel No: 028 90249222

Email: Brian.clerkin@asmbelfast.com

5.2 Raising a whistleblowing concern externally

If you feel unable to raise a whistleblowing concern internally, or have done so but feel that the matter has not been adequately addressed, you have the option of approaching an external organisation, known as a 'prescribed person'.

A full list of prescribed persons and organisations, and the issues they are prescribed to deal with, is available on the Northern Ireland Audit Office website at http://www.niauditoffice.gov.uk/index/contact_us/whistleblowing_disclsoures.htm

For example you may raise concerns with the **Comptroller & Auditor General** (C&AG) about:

- the proper conduct of public business
- value for money; and
- fraud and corruption

There are three ways in which you can raise concerns with NIAO:

By post:

The Comptroller and Auditor General

Northern Ireland Audit Office

106 University Street

BELFAST

BT7 1EU

By email: raisingconcern@niauditoffice.gov.uk

By telephone: 028 9025 1000.

You can also contact **Protect** at <https://protect-advice.org.uk> for advice on raising concerns externally. Protect can also be contacted as follows:

Protect
The Green House,
244-254 Cambridge Heath Road,
London
E2 9DA
Tel: 020 3117 2520

6 Staff Rights during the Whistleblowing Process

6.1 Will my confidentiality be assured?

You can raise a concern openly, confidentially or anonymously. If you raise a concern openly, AFBI will ensure that you do not suffer any detriment or harassment as a result. If you raise a concern in confidence, your confidentiality will be protected as far as possible. However, it may not always be possible to maintain confidentiality if to do so would impede the investigation. In such circumstances, AFBI will discuss this with you and, where possible, obtain your consent.

6.2 Can I make an anonymous whistleblowing disclosure?

While AFBI encourages you to openly raise your concerns, you can make a disclosure anonymously. AFBI will accept concerns raised anonymously and will consider acting on them depending on the circumstance. There are however a number of disadvantages of raising concerns anonymously, including:

- Detailed investigations may be more difficult, or even impossible, to progress if you choose to remain anonymous and cannot be contacted for further information.
- The information and documentation you provide may not easily be understood and may need clarification or further explanation.
- There is a chance that the documents you provide might reveal your identity.
- It may not be possible to remain anonymous throughout an in-depth investigation.

6.3 What will happen when I raise a whistleblowing concern?

If you raise a whistleblowing concern with your line manager and/or senior management he/she will obtain as much detail as possible from you regarding your concern. This information will be passed to the AFBI Head of HR as quickly as possible who will advise on the appropriate course of action and oversee the investigation into your concern.

Within 10 working days AFBI will:

- acknowledge receipt of your concern;
- notify you who will be investigating your concern;
- offer you the opportunity of a meeting (you can be accompanied by a Trade Union representative or a work colleague if you wish) to fully discuss the issue, so long as you have not submitted your concern in writing anonymously;
- respect your confidentiality where this has been requested. Confidentiality will not be breached unless required by law;
- take steps to ensure that you have appropriate support and advice;
- agree a timetable for feedback. If this cannot be adhered to, AFBI will let you know;
- provide you with as much feedback as it properly can; and
- take appropriate and timely action against anyone who victimises you.

AFBI will investigate your concern in accordance with its Whistleblowing procedures and provide you with written feedback on the outcome of any investigation.

6.4 What protection will I receive if I raise a whistleblowing concern?

AFBI will not tolerate harassment or victimisation (including informal pressures) of anyone raising a whistleblowing concern and will take appropriate and timely action to protect them. If you believe you are being victimised for raising a concern, report this immediately to the AFBI Head of HR who will investigate. The Public Interest Disclosure (Northern Ireland) Order 1998 also gives legal protection to employees against being dismissed or penalised by their employer as a result of disclosing certain serious concerns.

AFBI or the law cannot extend protection to someone who seeks to make vexatious, baseless or repeated complaints about others or someone who maliciously raises a matter which they know or should reasonably believe is untrue. False and malicious allegations made in the circumstances without any reasonable belief will be treated as a serious disciplinary offence.

7 Monitoring and review

This policy will be reviewed every two years. Interim reviews may also be prompted by feedback, challenge or change in legislation.

8 Human rights/equality/integrity/freedom of information

This Policy is deemed to be Human Rights compliant. It has been screened for Section 75 considerations and meets integrity standards. This Policy is suitable for disclosure in accordance with the Freedom of Information Act 2000.

Remember if in doubt –

Speak Out!

APPENDIX A – WHISTLEBLOWING: SUMMARY OF PROCEDURES

