



Department for

**Communities**

[www.communities-ni.gov.uk](http://www.communities-ni.gov.uk)

# **RAISING CONCERNS (Whistleblowing) Guidance**

**November 2017**

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## DfC Raising Concerns (Whistleblowing) Guidance

### 1. Introduction

1.1 The Department for Communities (DfC) is committed to the highest possible standards of openness and accountability in the delivery of its services. The purpose of this Departmental guidance is:

- a) to reassure staff that they can raise genuine concerns about potential wrongdoing in confidence, through a clear internal reporting process, without putting their position at risk; and
- b) to provide arrangements through which anyone who is not a member of staff can raise concerns about the proper conduct of public business by the Department or its sponsored bodies (a full list of the Department's sponsored bodies is provided at Annex 1 of this Guidance)

### 2. Types of Concern Covered

2.1 This guidance **does not** deal with complaints about the Department's performance or standards of service, for which separate procedures exist. These are set out in the [DfC Complaints Procedure](#). The Department's sponsored bodies will also have their own Complaints Procedures which should be used in respect of their performance or service standards.

2.2 If your concern is about possible fraud, you should refer to the Department's **Fraud Policy and Fraud Response Plan**, both of which can be found on the Department's website.

2.3 This guidance relates to concerns about suspected malpractice, risk, abuse or wrongdoing within the Department or its sponsored bodies. Types of concerns could include, but are not restricted to:

- the abuse of children and/or vulnerable adults;
- the endangering of an individual's health and safety;
- a criminal offence/unlawful act;
- failure to comply with a legal obligation;
- a miscarriage of justice;

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- the unauthorised use of public funds;
- a breach of the Employee Code of Conduct;
- maladministration (e.g. not adhering to procedures, negligence);
- failing to safeguard personal and/or sensitive information;
- risk or actual damage to the environment;
- fraud and corruption (including bribery);
- abuse of power;
- poor value for money;
- other unethical conduct;
- deliberate concealment of information tending to show any of the above

### **3. Raising Concerns: Members of Staff**

- 3.1 If you are a member of DfC staff and you have a concern you should refer to the NICS Public Interest Disclosure (Whistleblowing) Policy. This is contained within the Standards of Conduct Policy in the HR Staff Handbook which can be accessed through the HR Connect portal.
- 3.2 If you are a member of staff in one of the Department's executive bodies (see Annex 1) you should refer to the Whistleblowing Policy for your organisation.
- 3.3 The NICS Policy explains that staff should usually raise concerns by talking to their line manager or someone else within the line management chain. Managers should handle concerns in accordance with the Department's Raising Concerns (Whistleblowing) procedures which can be found on the Department's intranet site.
- 3.4 If for any reason, raising a concern with your line manager or someone else within the line management chain would be difficult you can raise the matter with the Departmental Nominated Officer as detailed below.

## **DfC Raising Concerns (Whistleblowing) Guidance**

- **Michael Cooke**  
**HR Director**  
**Departmental Nominated Officer**  
**James House**  
**Gasworks Business Park**  
**Belfast**  
**BT7 2JA**  
**Ext. 37425**  
**email: [michael.cooke@communities-ni.gov.uk](mailto:michael.cooke@communities-ni.gov.uk)**

3.5 The Public Interest Disclosure (NI) Order [the Public Interest Disclosure \(Northern Ireland\) Order 1998](#) 1998 provides protection for workers who raise concerns. The NICS Public Interest Disclosure (Whistleblowing) Policy sets out the disclosures that qualify for protection and the protection afforded in respect of qualifying disclosures.

3.6 If you are a contractor, trainee, agency worker, volunteer or independent consultant working for or providing advice to the Department you are also protected under the Order and you should raise concerns in the same way as DfC staff.

3.7 More information on the law is available in the Public Concern at Work website ([www.pcaw.co.uk](http://www.pcaw.co.uk)). Public Concern At Work is an independent charity that can provide impartial expert advice. They can be contacted by telephone on 020 7404 6609 or by email at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk).

## **4. Raising Concerns: Non- Staff Members**

4.1 If you're not a member of DfC staff you can raise your concern orally or in writing to:

### **DfC Head of Corporate Investigations**

Gary Millar

Tel: 028 90819255

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Email: [gary.millar@communities-ni.gov.uk](mailto:gary.millar@communities-ni.gov.uk)

Copying to:

### **DfC Head of Governance**

Andrea Orr

Tel: 028 90823198

Email: [andrea.orr@communities-ni.gov.uk](mailto:andrea.orr@communities-ni.gov.uk)

- 4.2 The Department also has a dedicated email inbox for individuals (i.e. non-staff members) wishing to raise a concern. The inbox is managed confidentially by the Department's Corporate Investigations Unit and the address is: [raising.concerns@communities-ni.gov.uk](mailto:raising.concerns@communities-ni.gov.uk)
- 4.3 While the Public Interest Disclosure (NI) Order 1998 applies to workers (as defined in the Order) the Department will endeavour, as far as possible, to apply the same principles in respect of concerns raised by non-staff members. Concerns raised will be treated in the strictest confidence. Where concerns raised lead to criminal proceedings, you may be required to give evidence in a court of law

## **5. Handling Concerns Raised**

- 5.1 Once you have told us of your concern, we will look into it to assess what action should be taken.
- 5.2 If your concern is about possible fraud, the Department will deal with it by following our Fraud Policy and Fraud Response Plan.
- 5.3 If your concern falls more properly within the Staff Grievance Policy (or other HR Policy) or the Complaints Procedure, we will tell you.
- 5.4 Be assured that all concerns raised will be taken seriously and investigated appropriately. Information and documentation relating to your concern will be

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restricted in order to protect the identity of all those involved, including those against whom allegations are made.

- 5.5 If you have not raised the concern anonymously, you will be provided with feedback and advised whether your further assistance could be needed. We may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.
- 5.6 You will be updated on the outcome of the concern raised (whilst maintaining any confidentiality requirements).

<b>DEPARTMENT FOR COMMUNITIES – SPONSORED BODIES</b>
<b>Executive Bodies</b>
Armagh Observatory and Planetarium
Arts Council of Northern Ireland
Charity Commission for Northern Ireland
Commissioner Older People NI
Local Government Staff Commission for Northern Ireland (to be wound up 31/3/2017))
Museums & Galleries Northern Ireland (also known as National Museums Northern Ireland)
Northern Ireland Museums Council
Northern Ireland Commissioner Children and Young People
Northern Ireland Housing Executive
Northern Ireland Library Authority (also known as Libraries Northern Ireland)
Northern Ireland Local Government Officers' Superannuation Committee
North South Language Body – Ulster Scots Agency
North South Language Body – Foras na Gaeilge
Sport Northern Ireland
Ulster Supported Employment Limited
<b>Advisory Committees</b>
Charity Advisory Committee
Historic Buildings Council
Historic Monuments Council
Ministerial Advisory Group for Architecture and the Built Environment
<b>Other Bodies</b>
Office of the Social Fund Commissioner (to be wound up 31/1/2017)
Office of the Discretionary Support Commissioner (from 1 November 2016)
Vaughan's Charitable Trust