

COPNI

Whistleblowing Policy and Procedure

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Approved by the Chief Executive	Evelyn Hoy
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Approved by the Accounting Officer	Eddie Lynch
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1. Introduction

COPNI is committed to the highest possible standards of openness and accountability in the delivery of its services. The purpose of this 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 (for example members of the public and other external stakeholders) can raise concerns about the proper conduct of public business by COPNI.

The sections below explain the types of concerns covered by the Whistleblowing Policy, how staff members and members of the public can raise a concern, and how these concerns will be managed by COPNI.

2. Types of Concerns covered

- 2.1. All of us at one time or another may have concerns about what is happening within a workplace. A whistleblowing concern is about a risk, malpractice or wrongdoing that affects others. It could be something which adversely affects other staff, COPNI and/or the public.
- 2.2. A simple way to establish whether your concern falls under the whistleblowing policy is to consider the nature of the concern. If the concern refers to 'others' e.g. COPNI, other staff, clients, the wider public, then it is a whistleblowing concern. If the concern relates to you as an individual e.g. a personal grievance about terms of employment, pay, unfair treatment (COPNI staff), or a poor level of service received (member of the public or external stakeholder) – this is not a whistleblowing concern. Consequently, personal grievances or dissatisfaction are not covered by whistleblowing. Generally, a whistleblower has no self interest in the issue being raised, however each whistleblowing concern should be carefully

considered on a case-by-case basis to determine whether it fits within the 'whistleblowing' classification.

Similarly, whistleblowing does not cover complaints about the COPNI's performance or standards of service, for which separate procedures exist. These are set out in the COPNI's Complaints Handling Procedure.

2.3 A full list of the types of concern covered by the Whistleblowing arrangements is detailed in the [The Public Interest Disclosure \(Northern Ireland\) Order 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk).

2.4 The types of concerns expected to be raised under this policy include, but are not restricted to:

- Abuse of children and/or vulnerable adults;
- Endangering an individual's health and safety;
- A criminal offence/unlawful act;
- The unauthorised use of public funds;
- Breach of the Employee Code of Conduct;
- Maladministration (e.g. not adhering to procedures, negligence);
- Failure to safeguard personal and/or sensitive information and/or the subsequent misuse of such information;
- Damage to the environment;
- Fraud and corruption (including bribery);
- Abuse of power (e.g. bullying/harassment);
- Poor value for money;
- Other unethical conduct; and
- Deliberate concealment of information (tending to show any of the above).

- 2.5 COPNI staff who raise a genuine concern under this policy will not be at risk of losing their job or suffering any form of mistreatment as a result. Provided you are acting in good faith, it does not matter if you are mistaken.
- 2.6 COPNI will not tolerate the harassment or victimisation of anyone who raises a genuine concern and will regard any victimisation or mistreatment resulting from raising a concern as a serious offence which could also result in disciplinary action.
- 2.7 If a COPNI staff member believes they are being penalised for raising a concern, they should refer to the COPNI Grievance Procedures and/or report their concerns to the Human Resource Manager and/or the Head of Corporate Services, who will take the matter further.
- 2.8 Whilst COPNI encourages the submission of all genuine disclosures it will nevertheless view very seriously any proven false and malicious allegations that are made under this policy. COPNI will regard such allegations as a serious offence, which could result in disciplinary action if raised by a COPNI employee.
- 2.9 COPNI will treat all disclosures made through the Whistleblowing Policy in a confidential and sensitive manner. COPNI must inform the Department for Communities of all whistleblowing concerns. If you ask us not to disclose your identity we will not do so, without your consent, unless required by law. However, there may be times when we will be unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such a case COPNI will discuss with you whether and how the matter can best proceed.
- 2.10 Individuals may be more comfortable raising a concern when their identity remains unknown. This is completely acceptable, and anonymity will not determine whether a concern is investigated or not. However, please remember

that, if you do not tell us who you are, it may be more difficult to look into the matter. Nonetheless, reporting concerns anonymously is preferred to remaining silent about potential wrongdoing.

3. Raising a Whistleblowing Concern: Members of Staff

- 3.1 It is important to understand that you do not need to have firm evidence to support your concern prior to raising it. However, you should be able to explain as fully as possible the circumstances that gave rise to your concern.
- 3.2 The Public Interest Disclosure (Northern Ireland) Order 1998 provides protection for workers who raise concerns. 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 COPNI staff.
- 3.3 Any concerns can be raised orally or in writing to the following:

- Head of Corporate Services
David Murray
028 9089 0899
david.murray@copni.org

If the concern is about the named contact above, the matter should be escalated orally, or in writing, to the Chief Executive (Evelyn.Hoy@copni.org).

If the concern is about the Chief Executive, the matter should be escalated orally, or in writing, to the Commissioner (Eddie.Lynch@copni.org).

If the concern is about the Commissioner, you should contact the Chair of the Audit and Risk Assurance Committee (ARAC). COPNI will provide contact details for the Chair on request.

3.4 COPNI recognise there may be circumstances where you consider it more appropriate to report a concern to a body outside of COPNI. COPNI's sponsoring body is the Department for the Communities. Any concerns can be raised either orally or in writing to the following:

- The Head of Corporate Governance
Andrea Orr
028 90 819 410
andrea.orr@communities-ni.gov.uk
- Dedicated email inbox
Raising.concerns@communities-ni.gov.uk

3.5 If you are unsure whether or how to raise a concern, or you would like to receive confidential advice at any stage, you may contact the independent charity Public Concern at Work (PCaW) on 020 7404 6609 or by email at helpline@pcaw.co.uk. PCaW staff can talk you through your options and help you raise a concern about malpractice at work. For more information, you can visit their website at www.pcaw.co.uk. Alternatively, you could contact the appropriate regulator such as the Northern Ireland Audit Office or the Health and Safety Executive of Northern Ireland.

4. Raising a Whistleblowing Concern: Members of the Public

4.1 If you are not a member of COPNI staff you can raise your concern orally or in writing to:

- Head of Corporate Services
David Murray
028 9089 0899
david.murray@copni.org

If the concern is about the named contact above, the matter should be escalated orally, or in writing, to the Chief Executive (Evelyn.Hoy@copni.org).

If the concern is about the Chief Executive, the matter should be escalated orally, or in writing, to the Commissioner (Eddie.Lynch@copni.org).

If the concern is about the Commissioner, you should contact the Chair of the Audit and Risk Assurance Committee (ARAC). COPNI will provide contact details for the Chair on request.

4.2 While the Public Interest Disclosure (NI) Order 1998 applies to workers (as defined in the Order) COPNI 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. How will COPNI handle my concern?

5.1 All concerns raised will be treated seriously and will be appropriately investigated.

5.2 Should the Head of Corporate Services be unavailable when you make contact to raise a concern orally, you should may specify that you wish to raise a

whistleblowing concern and leave contact details for the attention of the Head of Corporate Services. You should then follow up with an email, where possible, to confirm details of the concern. The Head of Corporate Services will then make contact with you to capture full details of your concern using the Information Form (Appendix A). Where concerns relate directly to the Head of Corporate Services, the Chief Executive Officer, or the Commissioner the concern should be raised with a suitable individual as per paragraphs 3.3 and 4.1 of this document. If you wish to remain anonymous, you may ask about the availability of the Head of Corporate Services, and call back at a time when there is confirmed availability. what if the person wishes to remain anonymous?.

- 5.3 COPNI will report all whistleblowing concerns raised to the Head of Corporate Governance in the Department for Communities (contact details are shown above.) The Department will decide whether it is appropriate for COPNI to carry out the investigation. Where concerns relate to senior members of COPNI staff or to members of the Audit and Risk Assurance Committee the Department should retain ownership of the investigation.
- 5.4 An initial assessment will be done by COPNI or the Department, to determine the most appropriate course of action to be taken, if any. This may involve an internal inquiry or a more formal investigation.
- 5.5 If your concern falls more properly within the Grievance Policy, Dignity at work Policy or Complaints Handling Policy, we will tell you.
- 5.6 Where it is decided that a formal investigation is necessary, the overall responsibility for the investigation will lie with a nominated Investigation Officer who decides the nominated Investigation Officer?. This Investigation Officer will be nominated by the Chief Executive, or if the concern relates to the Chief Executive, by the Commissioner.

- 5.7 Where it is considered appropriate, the matters raised may be referred to external agencies to investigate, e.g. the Police, NIAO or through some other form of independent inquiry. The COPNI Head of Corporate Services, an appropriately appointed employee of COPNI, or a member of the Department's staff, will provide the individual with details if this is going to happen.
- 5.8 If the concern has not been raised anonymously, within 10 working days of a receiving a concern, the COPNI Head of Corporate Services will write to the individual who lodged the concern:
- Acknowledging that the concern has been received;
 - Telling them who is dealing with the matter and how to contact them;
 - Indicating whether further assistance may be needed.
- 5.9 Any information you give us is greatly appreciated, will be appropriately investigated and all action deemed necessary will be taken. We will give you as much feedback as we can, but it is important to note that there are strict legislative controls over the release of information, therefore you may not be advised of the outcome of any investigations and/or any actions taken.
- 5.10 Any concerns raised directly with the ARAC will be reviewed by the Chair. If the Chair considers it appropriate the concerns will be forwarded to the Head of Corporate Services, and the whistleblower will be informed where this is the case. will the whistleblower be advised that the intention is to refer to the Head of Corporate Services? Otherwise, the Chair of ARAC will notify the Department to determine who will investigate the concerns.

6. Conclusion

We will strive to handle the matter fairly and properly. By using these whistleblowing arrangements, you will help us to achieve this.

Please note, this document has been developed to meet best practice and comply with the Public Interest Disclosure (NI) Order 1998 (PIDO) which acts to protect individuals who make certain disclosures of information in the public interest. For more information on the law, see the Public Concern at Work website (www.pcaw.co.uk).

7. Policy Review

This policy will be reviewed every two years and will be provided to the Accounting Officer and Chief Executive for approval.

8. Variation

COPNI reserves the right to vary this policy as it deems appropriate to include compliance with any legal requirements. The appropriate staff/Union(s) will be notified of any proposed variation and consulted in advance. However in the absence of any agreement, COPNI reserves the right to vary this Policy on 4 weeks notice.

Annex A

Information Form - to be completed by staff or the general public when raising a Whistleblowing Concern

Name	
Telephone Number	
Email address	
Full details of the alleged whistleblowing concern:	

Signature:

Date: