

Protected Disclosures Policy

26 July 2022

Version 1.0

Policy Details	
Policy Title:	Protected Disclosures Policy
Version:	1.0
Approved By:	Governing Body
Date Approved:	26 July 2022
Effective Date:	26 July 2022
Review Date:	25 July 2023
Policy Owner:	Department of Corporate Affairs

Revision History		
Previous Version No.	Summary of Amendments	Reviewed Version No.
N/A	Initial Issue	0.1
0.1	Post TUI & PMSS Unions Comments	1.0

This policy must be available to all staff

Publication Details	
Where	Date
Q Drive/Public/HR/Policies	
All Staff Email	
HR Section of Website	
Governing Body Section of Website	27 July 2023

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1. EXECUTIVE SUMMARY

1.1 Our Commitment

South East Technological University (SETU) is committed to maintaining an open culture with the highest standards of honesty and accountability where workers can report any concerns about wrongdoing in confidence.

SETU is a member of the Integrity at Work programme, a Transparency International (TI) Ireland initiative. As part of its commitment to protecting workers who raise concerns of wrongdoing, SETU has signed and complies with the Integrity at Work Pledge to ensure that workers reporting wrongdoing will not face penalisation and that action will be taken in response to the concerns raised. A copy of the Pledge is in Appendix IV.

Workers considering reporting a concern are encouraged to seek free and confidential advice from TI Ireland's Speak Up Helpline at 1800 844 866, which operates Monday to Friday from 10am to 6pm. Enquiries can also be made via secure online form or encrypted text at www.speakup.ie. Further information is available in the [Speak Up Safely video](#) and in the Speak Up Safely Guide and FAQs located on the staff portal [here](#).

This policy will be reviewed and revised where appropriate following any changes in applicable legislation.

1.2 What is Whistleblowing

Whistleblowing occurs when a worker raises a concern or discloses information which relates to wrongdoing, illegal practices or unethical conduct which has come to their attention through work. This policy is intended to encourage and enable workers to raise concerns within the workplace rather than overlooking a problem. Under this policy a worker is encouraged to raise concerns or disclose information without fear of penalisation or threat of less favourable treatment, discrimination, victimisation or disadvantage.

1.3 Who does the Policy apply to

This policy applies to all of SETU's workers at all levels. The term 'worker(s)' in this policy refers to employees, contractors, suppliers, agency workers and/or work experience students or trainees, temporary employees and former employees. The term 'worker' does not cover volunteers or students not on work experience.

1.4 Aims of the Policy

The Protected Disclosure (Whistleblowing) Policy sets out the principles SETU will apply in dealing with protected disclosures. The policy is complemented by the Protected Disclosure (Whistleblowing) Procedures. This policy aims to give effect to the obligations and provisions of the Protected Disclosures Act 2014 (the Act) and does not replace any legal reporting or disclosure requirements arising under other legislation. Where statutory reporting requirements or procedures exist, these must be fully complied with.

The intention of the policy and procedures is:

- To provide clear guidance on reporting wrongdoing at work (see section 4.1 for a list of 'relevant wrongdoings')
- To encourage workers to feel confident and safe in raising concerns and disclosing information
- To provide avenues for workers to raise concerns in confidence and receive feedback on any action taken
- To ensure that workers receive a response where possible to their concerns and the information disclosed
- To reassure workers that they will be protected from penalisation or any threat of penalisation
- To make workers aware of support available

1.5 What types of concerns should not be raised under this Policy

This policy is intended to deal with concerns about wrongdoing as defined in section 4.1 below. Should a worker have a concern in relation to their own employment or personal circumstances in the workplace, it should generally be dealt with by way of the Grievance Procedure. Likewise, concerns arising in regard to workplace relationships should generally be dealt with through the Dignity and Respect policy.

1.6 Protection from Penalisation

A worker who makes a disclosure and has a reasonable belief of wrongdoing will not be penalised by SETU, even if the concerns or disclosure turn out to be unfounded. Workers who penalise or retaliate against those who have raised concerns under this Policy will be subject to disciplinary action.

Workers are not expected to prove the truth of an allegation. However, they must have a reasonable belief that there are grounds for their concern. It should be noted that appropriate disciplinary action may be taken against any worker who is found to have made a knowingly false report.

1.7 Confidentiality

SETU is committed to protecting the identity of the worker raising a concern and to ensuring that disclosures are treated in confidence. The focus will be on the wrongdoing rather than on the person making the disclosure. However, there are circumstances, as outlined in the Act, where confidentiality cannot be maintained due to the particular circumstances of a case. Should such a situation arise, SETU will make every effort to inform the worker that their identity may be disclosed.

1.8 Raising a Concern Anonymously

A concern may be raised anonymously. However, on a practical level it may be difficult to investigate such a concern and to protect the worker from penalisation that may arise as a result of having made the report. Workers are encouraged to put their names to reports, with the assurance of confidentiality where possible, in order to facilitate appropriate follow-up. This will make it easier for SETU to assess the disclosure and take appropriate action, including an investigation if necessary.

1.9 How to Raise a Concern

The first avenue is internal, and disclosures can be made orally or in writing directly to SETU's Audit & Risk Committee (ARC) (a committee of the Governing Body) via its Chairperson; or to the worker's line manager; or to the Vice President (VP) for Corporate Affairs & Finance. Where a disclosure has been made to the VP Corporate Affairs & Finance and/or the line manager, the disclosure will be passed to the Chair of the ARC for action.¹

Detailed guidelines on how to make a disclosure can be found in SETU's Protected Disclosure (Whistleblowing) Procedure.

2. INTRODUCTION

2.1 SETU is committed to the highest possible standards of openness, probity and accountability. SETU has put in place a wide range of rules, regulations, procedures and codes of practice to deliver on its commitments and to deter malpractice, abuse and wrongdoing.

2.2 Malpractice, abuse or wrongdoing will not be tolerated within SETU or in any activities related to SETU. SETU expects members of SETU community who have

¹ The ARC may refer reports back to the VP Corporate Affairs & Finance and/or another appropriate member of the Executive team to manage, based on their capacity to deal with a report at any given time.

reasonably held concerns about such malpractice to come forward and voice those concerns, without fear of reprisal.

2.3 This Policy has been introduced by SETU to enable workers to raise concerns and disclose information regarding wrongdoing that has come to their attention in connection with their work, in the knowledge that they can avail of significant employment and other protections if they are penalised or victimised by their employer or suffer any detriment for doing so.

2.4 This Policy does not address all possible situations that may arise but is intended to provide guidance on the procedure to make protected disclosures under the Protected Disclosures Act 2014 (the Act).

3. SCOPE

3.1 This policy applies to all SETU workers at all levels. The term ‘worker(s)’ in this policy refers to employees, contractors, suppliers, agency workers and/or work experience students or trainees, temporary employees and former employees. The term ‘worker’ does not cover volunteers or students not on work experience.

3.2 This Policy is designed to allow workers, as defined in 3.1, if they have a reasonable belief that wrongdoing has occurred, is occurring or is likely to occur, to disclose information about this wrongdoing through an appropriate channel.

4. RELEVANT WRONGDOING

4.1 For a worker to be protected, the subject matter of the disclosure must tend to show one or more relevant wrongdoings and have come to the worker’s attention in connection with their work.²

Relevant wrongdoings which fall within the scope of this policy are defined by the legislation as:

² It is worth noting that some workers may share information that falls outside the definition of ‘relevant wrongdoing’ under the Act. If a worker shares information that is not a relevant wrongdoing as defined under the Act, then they are not protected under the Act. If uncertain, it is important to seek legal advice before making a disclosure.

- a) an offence, has been, is being or is likely to be committed;
- b) a person has failed, is failing, or is likely to fail to comply with any legal obligation other than one arising under the worker's contract of employment;
- c) that a miscarriage of justice has occurred, is occurring or is likely to occur;
- d) that the health or safety of any individual has been, is being or is likely to be endangered;
- e) that the environment has been, is being or is likely to be damaged;
- f) that an unlawful or otherwise improper use of funds or resources of a public body, or of other public money, has, is or is likely to occur;
- g) that an act or omission by or on behalf of a public body is oppressive, discriminatory or grossly negligent or constitutes gross mismanagement; or
- h) that information tending to show any matter outlined above has been, or is likely to be, concealed or destroyed.

4.2 A 'protected disclosure' under this policy may be about a relevant wrongdoing:

- That is happening now
- That took place in the past
- That is likely to happen

4.3 A matter is not a relevant wrongdoing if it is a matter which it is the function of the worker or the worker's employer to detect, investigate or prosecute and does not consist of or involve an act or omission on the part of the employer.

4.4 The motivation for making a disclosure by a discloser is irrelevant to whether or not it is a protected disclosure.

5. PROTECTED DISCLOSURE VS GRIEVANCE

5.1 This policy does not generally cover personal complaints or personal grievances or matters otherwise falling under a worker's personal contract of employment or engagement.

5.2 Workers are expected to use the most appropriate and relevant procedure in relation to issues as they arise. Where a procedure already exists for the raising of an issue, then the worker is expected to follow the relevant procedure, for example a Grievance Procedure. It is intended that this Policy should not reconsider any matter that has already been addressed through other SETU procedures.

6. PROTECTION

6.1 Workers who make a disclosure under this Policy will not be at risk of losing their job/position or suffering any form of retribution (including those listed in 6.2 below) as a result, except where the worker has been complicit in the malpractice, abuse or wrongdoing itself.

So long as they have not been complicit, workers will be protected even if the report is found to be mistaken, provided they:

- Are raising concerns and disclosing information regarding potential wrongdoing that has come to their attention in connection with their work and
- Have a reasonable belief that the information disclosed tends to show a relevant wrongdoing

6.2 A worker cannot be penalised for making a disclosure. Penalisation includes but is not limited to:

- a. Suspension, lay-off or dismissal;
- b. Demotion or loss of opportunity for promotion or experience;
- c. Transfer of duties, change of work location, reduction in wages or change in working hours;
- d. Any discipline, reprimand, or other penalty;
- e. Unfair treatment;
- f. Coercion/intimidation/harassment/victimisation;
- g. Discrimination, disadvantage or unfair treatment;
- h. Injury, damage or loss;
- i. Threat of reprisal
- j. Damage to personal / professional reputation or qualifications.

6.3 SETU will not tolerate any harassment or victimisation of a worker who has made a disclosure under this policy (including informal pressures) and commits to assess/investigate all notifications of penalisation and take appropriate action where necessary. Workers who penalise or retaliate against those who have raised concerns under this Policy will be subject to disciplinary action.

6.4 Any worker who believes they are being/have been penalised for making a protected disclosure should contact the Chair of the ARC or the Head of HR as soon as possible. Such notifications will be addressed promptly. For further information, see Section 8 of the Protected Disclosures (Whistleblowing) Procedures.

6.5 A worker does not need to be certain about the facts in their disclosure, it is sufficient that in the reasonable belief of the worker, the information tends to show one or more relevant wrongdoings and the information came to the attention of the worker in connection with their employment. The worker is not required to investigate their concerns in order for them to have a reasonable belief.

6.6 While SETU welcomes the submission of all genuine disclosures, it will nevertheless view very seriously any knowingly false or vexatious allegations that are made under this Policy. SETU will regard such allegations as a serious matter which could result in disciplinary action.

6.7 SETU will treat all disclosures made under this policy in a confidential and sensitive manner. The identity of the worker making the disclosure (the Discloser) will be protected save for exceptional circumstances such as where it is necessary in the public interest or required by law. At the appropriate time, the identity of the Discloser may need to be revealed if it is necessary for the investigation and in accordance with the principles of natural justice and fair procedures.

6.8 Where a decision is taken to disclose the identity of the Discloser, where at all possible, they will be provided with advance notification and the opportunity to make any representations.

6.9 Workers who are concerned that their identity is not being protected should notify the Chair of the ARC or the Head of HR as soon as possible. Such notifications will be addressed promptly.

6.10 SETU will not ask a worker (or former worker) to waive their right to make a protected disclosure under any circumstances.

7. ANONYMOUS DISCLOSURES

7.1 There is a distinction between anonymous disclosures (where identity is withheld by the Discloser) and confidential disclosures (where identity is protected by the recipient). Anonymous disclosures made by workers are not excluded from the protections of the Act and SETU will investigate such disclosures to the extent that this is possible in the circumstances.

7.2 Anonymous disclosures may be considered at the discretion of the ARC. When exercising this discretion, the ARC shall take into account factors such as:

- The seriousness of the issues raised;
- The credibility of the disclosure;
- The likelihood of being able to investigate and confirm the allegation (using alternative sources if possible); and
- The requirements of fairness with reference to any individual named in the disclosure.

7.3 Anonymous disclosures may be less capable of being addressed as it may be difficult to investigate and to corroborate facts. It may also be difficult to protect the worker from any penalisation that may arise as a result of having made a report. SETU encourages workers to put their name to disclosures where possible or to provide a means of continuing communication e.g., an anonymised email address.

8. DISCLOSURE PROCESS

8.1 How to make a Disclosure

8.1.1 The legislation provides for a number of avenues of disclosure:

- An Employer/or other responsible person³
- A Minister
- A Trade Union Official or Legal Advisor
- A Prescribed Person i.e. a Body/Person prescribed by the Minister
- Others⁴

³ In situations where the worker reasonably believes that the relevant wrongdoing relates to the conduct of a person other than their employer, or in situations where someone other than the employer has legal responsibility, the worker may disclose to the relevant responsible person or body.

⁴ 'Others' can include journalists or public representatives. There are very specific criteria for choosing to report in this way, see 8.3.1 below.

8.1.2 The first avenue is internal and disclosures for SETU can be made orally or in writing directly to SETU's ARC via its Chairperson or to the worker's line manager or the Vice President Corporate Affairs & Finance. The ARC is a committee of the Governing Body. The recipient is formally the Chair of the ARC. Where a disclosure has been made to the VP Corporate Affairs & Finance and/or the line manager, the disclosure is passed to the Chair of the ARC for action.⁵

8.1.3 Please refer to SETU's Protected Disclosure (Whistleblowing) Procedures for further information about making a disclosure.

8.1.4 It should be noted that if a disclosure is made during an investigation or disciplinary process, it does not affect either of those distinct processes.

8.2 How the Audit & Risk Committee will handle the matter

8.2.1 Within 7 working days of a disclosure being received, the ARC will reply to the worker who made the disclosure:

- Acknowledging that the concern has been received
- Indicating that the committee is dealing with the matter
- Informing them that further communications will take place

8.2.2 Once a report has been received, the ARC or a sub-committee thereof (the 'Review Group') shall carry out an initial assessment to review the issue, establish the factual information and decide the course of action to be taken, if any. Where applicable, a determination will be made as to what steps will be taken as part of any further investigation.

8.2.3 Employees of SETU, including Senior Management, may be called on by the ARC to provide information relevant to the disclosure in order to assist in establishing further facts. Additionally, where appropriate, Senior Management may be asked to assist in the process. Every effort will be made to ensure that any potential conflicts of interest are identified and that a completely objective and impartial process is assured.

8.2.4 If the ARC deems it appropriate, they may call on external expertise at their discretion in order to assist them.

⁵ The ARC may refer reports back to the VP Corporate Affairs & Finance and/or another appropriate member of the Executive team to manage, based on their capacity to deal with a report at any given time.

8.2.5 The ARC should ensure the person who made the disclosure is aware of the timetable for the assessment and is assured that the outcome will be communicated with them in due course.

8.2.6 Having carried out the initial assessment, the ARC may decide that the matter should be dealt with under a different policy and, if so, will provide advice to the Discloser as to the steps to take.

8.2.7 The ARC may decide that the matter does not meet the criteria of a relevant wrongdoing under the Act (see 4.1) and will advise the Discloser accordingly.

8.2.8 Where an investigation is deemed appropriate, a Terms of Reference will be determined with details of who will conduct the investigation and how the investigation will be carried out, whilst ensuring that the principles of natural justice and fair procedures are adhered to.

8.2.9 Where it is considered appropriate, the matters raised may be referred to external agencies to investigate, e.g., the Gardaí or through some other form of independent enquiry.

8.2.10 The person/persons appointed to carry out the investigation will provide a written report to the ARC detailing their findings and recommendation(s) for consideration.

8.2.11 Upon receipt of the Investigator's report, the ARC will decide on the necessary action that is required.

8.2.12 The Discloser will be informed in confidence that appropriate action has taken place, however it may not be possible to provide details of that appropriate action.

8.2.13 The Discloser has a right to request a review of the outcome of the initial assessment and/or the outcome of any investigation undertaken in respect of the protected disclosure. Such requests should be made to the Chair of the ARC within 10 working days of the Discloser having received a decision.

8.2.14 On completion of a review process, the Chair of the ARC will advise the Discloser of the outcome in writing.

For further details on how the ARC will handle disclosures and appeals please also refer to SETU's Protected Disclosure (Whistleblowing) Procedure.

8.3 Other Avenues of Disclosure

8.3.1 An avenue of disclosure that can be used in very limited circumstances and is a wider disclosure to 'others', is disclosure to the media. In order for the worker to benefit from protection there are additional criteria to be satisfied including:

- The worker has to reasonably believe the disclosure to be substantially true,
- In all circumstances of the case, it is reasonable for the worker to make the disclosure and
- That the disclosure is not being made for personal gain.

The Act lists a number of other criteria, at least one of which has to be met by the worker. These include that the discloser reasonably believes that they would be penalised if they made the disclosure internally or to a Prescribed Person or to a Minister (for employees of public bodies); or there is no Prescribed Person for the type of issue being reported and the discloser believes that it is likely that evidence will be concealed or destroyed if they made a report to their employer. Workers are advised to seek legal advice before opting to make a disclosure in this way.

8.3.2 Disclosures can also be made by public sector workers to the Minister for Further and Higher Education, Research, Innovation and Science.⁶

8.3.3 Disclosures made to a legal advisor and/or to a trade union official in the course of obtaining legal advice are also protected under the Act.

8.3.4 A further avenue of disclosure is to a Prescribed Person as outlined in the Act. An example of this would be a disclosure made to the Comptroller & Auditor General or to the Chief Executive of the Higher Education Authority. When a worker chooses to disclose in this manner, they must reasonably believe that the relevant wrongdoing falls within the remit of the Prescribed Person and that the information disclosed, and any allegation contained in it, are substantially true.⁷

8.3.5 Disclosers are invited to make an internal disclosure even where they have already made an external disclosure so that their employer can ensure that they are protected from any form of retaliation or detriment for reporting wrongdoing.

⁶ Guidance is available at <https://www.gov.ie/en/organisation-information/27e82-make-a-protected-disclosure/>.

⁷ A list of Prescribed Persons can be found at <https://www.gov.ie/en/collection/41798-protected-disclosures-whistleblowing-list-of-prescribed-persons/>

9. SUBJECT OF THE DISCLOSURE

9.1 A worker who is the subject of a disclosure is entitled to fair treatment. While an investigation is ongoing, all reasonable steps will be taken to protect the confidentiality of those who are the subject of a protected disclosure pending the outcome of the investigation.

10. REPRESENTATION

10.1 Any worker making a protected disclosure or any worker against whom an allegation has been made must have their constitutional right to natural justice and fair procedures upheld in accordance with all relevant employment legislation. In this regard, appropriate representation, if requested, will be accommodated. For the purposes of this policy, representation includes a colleague of the worker's choice or a representative of a recognised trade union which holds the negotiating rights for the grade of the worker.

11. RECORDS

11.1 Records associated with disclosures, including the outcome, shall be retained, in accordance with SETU's Records Retention Policy. All such records shall be maintained in a confidential and secure environment.

12. REPORTING

12.1 The ARC will include relevant updates on disclosures in their reports to the Governing Body whilst preserving all necessary confidentiality obligations.

12.2 The Governing Body will make an annual report to the Minister as requested in legislation which will also be published on SETU's website. This report will not enable the identification of the person involved to be revealed. It will, however, include the number of disclosures made, the action (if any) taken in response and other such information and action taken, as may be requested by the Minister.

13. POLICY UPDATES

13.1 This policy and associated procedures will be updated in line with legislative changes.

13.2 At all times legislation will take precedence where relevant over the provisions made in this policy and the associated procedures.

14. TRAINING

14.1 Existing and new staff will be made aware of this policy through induction and training or as appropriate. This policy will be available on SETU website.

14.2 SETU will ensure that the ARC receives appropriate training to deal with Protected Disclosures, and issues that might arise as a result thereof.

APPENDIX I ADVICE FOR STAFF MAKING A DISCLOSURE

SETU acknowledges the difficult choice a worker may have to make a disclosure. As the issues that prompt disclosures are likely to be complex, how the worker proceeds will vary from situation to situation. The following advice is recommended if a worker wishes to make a disclosure:

- make any disclosures of illegal, unsafe or unethical practices promptly, as timely disclosures can be verified or investigated with less difficulty
- focus on the issues and proceed in a tactful manner to avoid unnecessary personal antagonism which might distract attention from solving the problem
- be accurate in their observations and claims and keep a record of relevant events

Workers may also wish to seek legal advice through their union, or legal advisor. Staff should note that the Act provides that these disclosures are protected.

As a pilot initiative for the Technological University/Institute of Technology sector, sponsored by the Department of Further and Higher Education, Research, Innovation and Science, SETU is a member of the [Integrity at Work](#) programme, a Transparency International (TI) Ireland initiative that supports employers to foster an environment where staff feel safe to share concerns of wrongdoing.

As part of our commitment to protecting workers who raise concerns, SETU intends to sign⁸ the Integrity at Work Pledge to ensure that workers reporting wrongdoing will not face penalisation and that action will be taken in response to the concerns raised. If you are considering reporting a concern, free and confidential advice is available from TI Ireland's Speak Up Helpline at 1800 844 866, which operates Monday to Friday from 10am to 6pm. You can also make an enquiry via secure online form or encrypted text at www.speakup.ie. Further information is available in the [Speak Up Safely video](#) and in the Speak Up Safely Guide.

Where appropriate, the Speak Up Helpline can refer callers to access free legal advice from the Transparency Legal Advice Centre (see <https://www.transparency.ie/helpline/TLAC>).

⁸ Proposed wording pending Governing Body agreement and discussions as appropriate with Transparency International Ireland

APPENDIX II ROLES & RESPONSIBILITIES

All Staff	To ensure that disclosures are communicated to nominated disclosure recipients and that workers seek advice to ensure that they are aware of the requirements of the Protected Disclosures Act 2014.
Senior Management Team	To advise staff as to appropriate policy / route to take to ensure the appropriate steps are followed.
Chair of the Audit & Risk Committee	<p>The official 'Recipient' of protected disclosures whose role is to assess or engage an independent assessor and/or investigator to address the issues received in each disclosure. In some cases, an alternative process may be engaged. For example, the Chair may refer reports back to the VP Corporate Affairs & Finance and/or another appropriate member of the Executive team to manage, based on their capacity to deal with a report at any given time.</p> <p>To ensure that Disclosers are provided feedback in relation to their disclosures and that they may be informed in general terms of the outcome of the investigation except in exceptional circumstances</p>
Human Resources	To ensure that all workers are informed of the Protected Disclosures Policy.
Review Group	<p>The Audit & Risk Committee (ARC) or a sub-committee thereof shall assess the disclosure, establish the factual information and decide the course of action to be taken, if any. Where applicable a determination will be made as to what steps will be taken as part of an investigation.</p> <p>Where the ARC deems it appropriate, an External Assessor will be appointed (see below).</p>
Investigation Group	<p>Where an investigation is deemed appropriate, a Terms of Reference will be determined by the ARC with details of who will conduct the investigation and how the investigation will be carried out, whilst ensuring that the principles of natural justice and fair procedures are adhered to. This group will consist of independent members of staff (with no conflicts of interest, actual or perceived).</p> <p>Where the ARC deems it appropriate, an External Investigator will be appointed (see below).</p>

External Assessor	The ARC may decide to appoint an external person/body to assess the disclosure received and make a determination on the issues and whether they should be investigated as a protected disclosure.
External Investigator	The ARC may decide to appoint an external person/body to investigate the disclosure and provide a written report to the ARC.
Appeal Group	<p>If dissatisfied with the decision of the Review Group or the investigation process, the Discloser can request to have the assessment outcome and/or investigation process examined within 10 working days of having been informed of the outcome/end of a process.</p> <p>The ARC or a sub-committee thereof shall carry out the examination of the assessment outcome and/or investigation process, having cognisance of any potential conflict of interest. They will examine if the assessment and/or investigation processes were carried out in accordance with policy and in a fair and transparent manner.</p> <p>Where appropriate, the ARC may appoint an external person/body to undertake this examination.</p> <p>The outcome of an appeal will represent a final internal decision on the matter.</p>
Governing Body	To review and assess how the policy is working and to make adjustments to policy as appropriate.

APPENDIX III DEFINITIONS

Term	Definition
Protected Disclosure	A disclosure of information which, in the reasonable belief of the worker, tends to show one of more relevant wrongdoings; came to the attention of the worker in connection with the worker’s employment; and is disclosed in the manner prescribed in the Protected Disclosures Act 2014.
Worker	The legislation applies to all workers. The definition of ‘worker’ is very broad and includes employees, contractors, agency staff, work experience students or trainees, temporary employees and former employees.
Relevant Wrongdoing	<p>These are defined in the legislation as:</p> <ul style="list-style-type: none"> a) an offence, that has been, is being or is likely to be committed; b) a person has failed, is failing, or is likely to fail to comply with any legal obligation other than under the worker’s contract of employment; c) that a miscarriage of justice has occurred, is occurring or is likely to occur; d) that the health or safety of any individual has been, is being or is likely to be endangered; e) that the environment has been, is being or is likely to be damaged; f) that an unlawful or otherwise improper use of funds or resources of a public body, or of other public money, has, is or is likely to occur; g) that an act or omission by or on behalf of a public body is oppressive, discriminatory or grossly negligent or constitutes gross mismanagement; or h) that information tending to show any matter outlined above has been, or is likely to be, concealed or destroyed.
Reasonable belief	When making a protected disclosure to an employer, the worker is required to have a “reasonable belief” that the information s/he is reporting tends to show a “relevant wrongdoing” as listed in the legislation. While the legislation does not provide a definition of reasonable belief, it is taken to mean that there is an honest belief that is objectively reasonable. It is a relative concept and applies to what is appropriate given all of the factors involved in the situation.
Substantially true	The requirement for a worker to “reasonably believe that the information disclosed, and any allegation contained therein, is substantially true” applies when making an external disclosure i.e. a disclosure made to Prescribed Persons and to Other Persons. Further criteria apply to external disclosures and it is important for a Discloser to seek advice before reporting in this way.
Prescribed Person	Disclosures relating to relevant wrongdoings can be made to ‘Prescribed Persons’ provided certain criteria are met. The most up-to-date list of Prescribed Persons is available at https://www.gov.ie/en/collection/41798-protected-disclosures-whistleblowing-list-of-prescribed-persons/

THE INTEGRITY AT WORK PLEDGE

[Insert Technology University] recognises the importance of maintaining an ethical workplace and the valuable contribution of those who raise concerns about wrongdoing. We commit to not penalising, or permitting penalisation against, a worker* who reports risks or incidents of wrongdoing and to responding to or acting upon those concerns.

In committing ourselves to this pledge we will work towards implementing a 'whistleblowing'/protected disclosures policy and procedures which will:

- a. Promote the reporting of wrongdoing or the risk of harm to a responsible person inside SETU or external bodies as appropriate.
- b. Provide comprehensive information about the types of disclosures that can be made, by whom and in respect of what.
- c. Encourage our workers to seek professional advice both prior or subsequent to making a report.
- d. Assure our workers that any report will be dealt with in the strictest confidence and that their identity or identifying information will not be disclosed to third parties unless required by law or necessary for the purposes of conducting an investigation.
- e. Provide our workers with sufficient notice and a timely explanation in the event that his or her identity is to be disclosed to a third party.
- f. Confirm that reports will be acted upon within a reasonable time frame and take whatever remedial action is deemed necessary by SETU to address any wrongdoing or the risk of wrongdoing that might have been identified in response to the report.
- g. Commit to keeping any worker who makes a report informed on the progress of investigations.
- h. Provide for appropriate disciplinary action to be taken against anyone found to have penalised a worker for (i) having reported wrongdoing or (ii) refusing to engage in wrongdoing.
- i. Additionally, SETU commits to record anonymised data each year on i) the number of reports made to it under the Protected Disclosures Act 2014, ii) the nature of each report, iii) the number of complaints of retaliation against workers who have made disclosures and iv) the action taken in response to each report.
- j. Share this data (as set out in paragraph i) with senior management, including the Board, or with the Minister of Public Expenditure and Reform (where appropriate).
- k. Ensure that our managers and responsible persons are aware of our commitments under this Pledge and related policies and procedures and are adequately trained in handling a report.
- l. Publicise our commitment to the Integrity at Work initiative with our workers and other relevant stakeholders.

* "Worker" refers to staff, contractors, consultants, agency staff and interns

Details of our Protected Disclosures Policy and Procedures can be found on our website at **[insert web address]**

Signed

Signed

Position Held

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