

# Armagh Observatory and Planetarium

## Raising a Concern (Whistleblowing) Policy

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## **1 Introduction**

The Public Interest Disclosure (Northern Ireland) Order 1998 gives legal protection to employees against being dismissed or penalised by their employers as a result of whistleblowing, or publicly disclosing serious concerns, provided they are disclosed under procedures identified in the Order.

The members of the organisation are expected to observe the highest degree of probity in carrying out their duties and responsibilities and to conduct themselves in accordance with the seven principles of public life, namely selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The purpose of this Raising a Concern (Whistleblowing) Policy is to inform all members of AOP of the standards of behaviour expected of them in carrying out their duties, and to provide information on the procedures to follow if a situation arises in which they are required to act in a way which is believed by them to be illegal, improper, or in breach of this code. AOP will not tolerate victimisation or harassment of a staff member/student due to the fact that they have raised a concern.

## **2 Scope**

This policy applies to all members of AOP including the Board of Governors, Management Committee, all staff (including temporary and agency staff) and students.

## **3 What is Whistleblowing?**

Whistleblowing, or raising a concern, is welcomed as an important source of information that may highlight serious risks, potential fraud or corruption. Staff are often best placed to identify deficiencies and problems before any damage is done, so the importance of your role as the 'eyes and ears' of the organisation cannot be overstated.

If the concern refers to others, for example the organisation, other staff, clients, the wider public, then it can be classed as whistleblowing. If it relates to the individual, e.g. a personal grievance about terms of employment, pay, unfair treatment, it can be classed as a complaint. If concerns have been made which are known to be untrue or made maliciously or vexatiously then action may be taken in line with AOP's Disciplinary Policy.

Whistleblowing is essential to:

- Safeguard the integrity of the organisation;
- Safeguard employees;
- Safeguard the wider public; and
- Prevent damage.

You are not required to have firm evidence before raising a concern, only a reasonable suspicion of wrongdoing. You may have been a witness to potential wrongdoing and are merely relaying that information to the employer. It is the responsibility of your employer to use the information you provide to investigate the issue raised.

The Public Interest Disclosure (Northern Ireland) Order 1998 gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing serious concerns, provided they are disclosed under procedures identified in the Order. Where detriment occurs as a result of a qualifying disclosure being made, the Employment Rights (Northern

Ireland) Order 1996 provides a right for a worker<sup>1</sup> to bring a claim to an Employment Tribunal. In effect the legislation therefore provides a remedy as opposed to protection.

The Northern Ireland Audit Office has developed guidance – [Raising Concerns: A Good Practice Guide for the Northern Ireland Public Sector](#). This guide is aimed at helping employees and public sector organisations to understand the value of an open and honest reporting culture, where concerns can be raised and dealt with effectively as part of normal business, leading to strengthened governance.

In January 2023, the Head of the Civil Service, Jayne Brady, launched a new NICS [Raising a Concern Policy Framework](#) which sets out at a high level how Departments will address concerns raised with them.

## **4 Raising a Concern**

### **4.1 Raising a Concern Internally**

If you have a concern, raise it with your line manager or supervisor by speaking to them or put it in writing. If you feel unable to raise the matter with your line manager, for whatever reason, raise it with one of the following:

- Head of Corporate Services
- Director of AOP
- Head of Research
- Head of Finance and Income Generation

Names and contact details are included at Appendix 1.

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

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of those listed, you should contact one of the following:

- The Chair of the Management Committee
- The Chair of the Audit and Risk Assurance Committee
- AOP Whistleblowing Champion

Names and contact details are included at Appendix 1.

### **4.2 Raising a Concern Externally**

If you feel unable to raise a concern internally or have done so but feel that the matter has not been adequately addressed, you have the option of raising the concern externally. You may wish, for example, to raise the matter directly with the Head of Museums and Libraries Branch, Department for Communities (see Appendix 1 for contact details).

Alternatively, you may approach a member of an external organisation, known as a ‘prescribed person’. Full details of Public Interest Disclosure, including a full list of prescribed persons and organisations and the issues they are prescribed to deal with, is available on the [Department for](#)

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<sup>1</sup> The legislation uses the term “workers” as, in addition to employees it includes temporary workers, agency workers, contractors, consultants, trainees/students and so on. Currently the Public Interest Disclosure (Northern Ireland) Order 1998 protection does not apply to Public or Private Office Holders such as members of Statutory Boards / Appointees or Trustees.

[the Economy website](#). In addition, the NI Audit Office which is a Prescribed Person in respect of “The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally funded public services and health service bodies”.

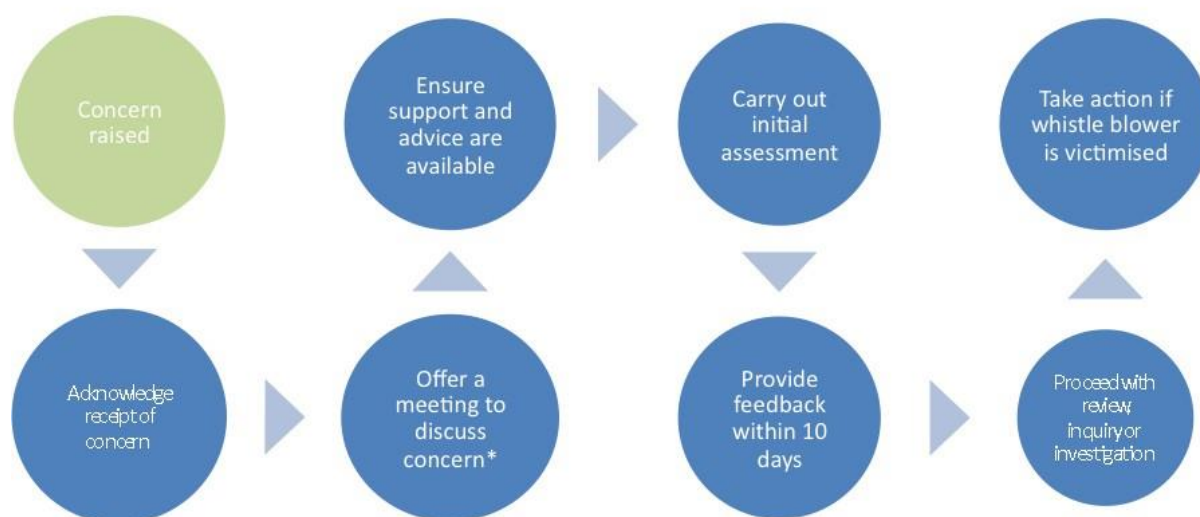
### 4.3 How Will My Concern Be Handled?

You can raise a concern openly, confidentially or anonymously. All concerns raised will be taken seriously and will be appropriately investigated.

If you raise a concern openly, you will 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 this impedes the investigation. In such circumstances, you will be consulted and if possible, your informed consent obtained. The purpose of Public Interest Disclosure legislation is to encourage the open raising of concerns however you can make a disclosure anonymously. Any concerns raised anonymously will be acted upon.

Once you raise a concern, we will carry out an initial assessment to determine what action should be taken. The steps to be taken when a concern is raised are summarised in Figure 1.



**Figure 1: Steps to be taken when a concern is raised**

The initial assessment of your concern may involve an informal review, an internal inquiry or a more formal investigation. Where it is decided that a formal investigation is necessary, the responsibility for the investigation will lie with a nominated Investigating Officer, normally the Director of Armagh Observatory & Planetarium. Depending on the nature and seriousness of the concern, the investigation may be conducted by the Internal Auditor or other independent reviewer.

If your concern is about possible fraud, the Management Committee of Armagh Observatory & Planetarium will deal with it by following the Fraud Prevention Policy and Fraud Response Plan.

If a concern has not been raised anonymously, an update will be provided within 10 working days to let you know who is dealing with your concern, how you can contact them and whether your assistance may be needed. If you request, we will write to you summarising your concern and setting out how we propose to handle it.

## **5 Other Matters**

### **5.1 Where Can I Get Independent Advice?**

If you are unsure whether or how to raise a concern or you want confidential advice at any stage, you may contact your Trade Union. You may also contact the independent charity Protect (formerly Public Concern at Work - see Appendix 1). Their lawyers can talk you through your options and help you raise any concern. Where an individual believes that they have evidence that a crime has been committed then this should be reported without delay to the Police Service NI.

### **5.2 Confidentiality**

Armagh Observatory & Planetarium (AOP) welcome the raising of concerns and hope the ethos within the organisation is such that staff will feel comfortable raising concerns openly without fear of reprisal.

We nevertheless understand that some staff may have good reason to feel anxious about identifying themselves at the outset, so a process is in place that allows staff to also approach someone confidentially. The following practical arrangements will be put in place:

- Paper files associated with concerns will be classified as confidential and any electronic files will be securely protected;
- Access to case files will be restricted;
- Discretion will be used when meetings are arranged with the person who has raised the concern;
- Confidential case papers will not be left on printers or photocopiers.

Risks do, however, exist as colleagues may try to guess the identity of the person who raised the concern and as an investigation progresses, there may be a legal requirement to disclose the identity of the person raising the concern.

### **5.3 Anonymity**

Maintaining anonymity when raising a concern can make it difficult to:

- Investigate the concern;
- Liaise with the staff member who raised the concern;
- Seek clarification or further information;
- Assure the staff member and provide feedback.

By making your identity known, you are more likely to secure a positive outcome, however, any concerns raised anonymously will still be assessed and action taken.

### **5.4 What Are My Responsibilities Towards Staff Who Raise a Concern with Me?**

Managers who receive disclosures from a staff member should:

- Have a positive and supportive attitude towards staff raising a concern;
- Record as much detail as possible about the concern being raised and agree this record with the staff member;
- Be aware of the process following the raising of a concern and explain this to the staff member;
- Make sure the staff member knows what to expect, for example in relation to feedback on their concern;
- Assure the staff member that their confidentiality will be protected as far as possible, if they request this;
- Make no promises and manage the expectations of the staff member;

- Make clear that AOP will not tolerate harassment of anyone raising a genuine concern and ask the staff member to let you know if this happens;
- Refer the staff member to available sources of support;
- Pass the information as quickly as possible to the Director who is responsible for dealing with concerns so that the appropriate procedures for consideration and investigation of the concern can be initiated.

### **5.5 Recording Whistleblowing in the organisation**

AOP recognises that concerns raised by staff are an important source of information about the organisation. We will capture key details of any concerns raised and hold them in a secure manner. A summary of any issues arising will be reported quarterly to the Audit and Risk Assurance Committee and Management Committee through the Matters for Report and Review.

As per AOP's obligations under the Partnership Agreement any matters relating to Public Interest Disclosure and Whistleblowing will be reported to the Department for Communities.

## **6. Dealing with Concerns from the Public**

It is recommended that public sector organisations should provide an obvious and well sign-posted route for members of the public wishing to raise a concern in the public interest. A member of the public who raises a concern with AOP should expect the following:

- a formal acknowledgement of receipt of their concern;
- an opportunity to meet with an AOP officer to fully discuss the issue and provide evidence, if desired;
- an indication of how the matter might be progressed;
- respect for their confidentiality where requested;
- an indication of when they might expect feedback, if they wish to receive feedback; and
- provision of appropriate feedback.

Contact details are provided in Appendix 1 of this document and will be signposted on the AOP website.

## **Appendix 1 – Whistleblowing Contact Information**

### **Internal AOP Contacts**

#### **Head of Corporate Services**

Carol Corvan

Email: [carol.corvan@armagh.ac.uk](mailto:carol.corvan@armagh.ac.uk)

Tel: 07703 594959

#### **Director of AOP**

Michael Burton

Email: [michael.burton@armagh.ac.uk](mailto:michael.burton@armagh.ac.uk)

Tel: 028 3751 2945

#### **Head of Research**

Marc Sarzi

Email: [marc.sarzi@armagh.ac.uk](mailto:marc.sarzi@armagh.ac.uk)

Tel: 028 3751-2946 Ext. 246

#### **Head of Finance and Income Generation**

Leonard Knox

Email: [leonard.knox@armagh.ac.uk](mailto:leonard.knox@armagh.ac.uk)

Tel: 028 3751 2932

### **Management Committee Contacts**

#### **Chair of the Management Committee**

John Briggs

Email: [john.briggs@armagh.ac.uk](mailto:john.briggs@armagh.ac.uk)

#### **Chair of the Audit and Risk Assurance Committee**

Paul Kennedy

Email: [paul.kennedy@armagh.ac.uk](mailto:paul.kennedy@armagh.ac.uk)

#### **AOP Whistleblowing Champion**

Greg Cox (Management Committee member)

Email: [greg.cox@armagh.ac.uk](mailto:greg.cox@armagh.ac.uk)

### **Other Relevant Contacts**

#### **Department for Communities**

Andrea Orr

Department for Communities

Tel. 028 90823120 Ext 39120

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

#### **Northern Ireland Audit Office**

Tel: 028 9025 1000

Email: [raisingconcerns@niauditoffice.gov.uk](mailto:raisingconcerns@niauditoffice.gov.uk)

#### **Independent Charity Contact**

##### **Protect (formerly Public Concern at Work)**

Tel. 020 3117 2520

[www.protect-advice.org.uk](http://www.protect-advice.org.uk)