

**Department for Communities**

**Raising a Concern (Whistleblowing) Guidance**

**July 2026**

**Department for Communities**  
**Raising Concerns (Whistleblowing) Guidance**

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## **1. Introduction**

- 1.1 Consistent with the Northern Ireland Civil Service (NICS) Values, Standards of Conduct and Code of Ethics, the Department for Communities (DfC) is committed to the highest possible standards in the delivery of its functions and services.
- 1.2 Sometimes however, things go wrong, which is where staff, other workers (agency staff, trainees, consultants, contractors, etc.), and members of the public can raise a concern, alert the Department to wrongdoing (e.g., error, risk, malpractice, or illegality), help address failings, and support learning and improvement.
- 1.3 ‘Raising a Concern’, often referred to as ‘whistleblowing’, is when someone discloses information about a certain type of wrongdoing; that action commonly described as making a disclosure. Importantly, disclosures are normally made in the public interest, i.e., the whistleblower wishes to see the matter addressed in the interests of the collective welfare or well-being of the public, public services, and or the public purse.
- 1.4 The Department encourages anyone with a concern to speak up, safe in the knowledge that they will be taken seriously, their concern will be treated sensitively and in confidence, and that victimisation or harassment, because of a disclosure, will not be tolerated.
- 1.5 The purpose of this guidance, aligned with the [Northern Ireland Civil Service \(NICS\) Raising A Concern Policy Framework](#) is to:
  - a) clarify what is and what is not a concern within the context of DfC’s Raising a Concern (Whistleblowing) Policy;
  - b) clarify what is expected from a whistleblower, and what they can expect from the Department;
  - c) explain how staff, other workers and members of the public can get advice and raise a concern, and
  - d) explain how the Department will deal with and handle concerns when raised.

## **2. What is a ‘Raising a Concern’**

2.1 Raising a Concern is drawing attention to something that has, is, or is likely to go wrong within DfC or one of its Arms-Length Bodies (ALBs). The Department’s ALBs will have their own Raising a Concern (Whistleblowing) Policy to support whistleblowers who raise a concern directly with those organisations. Some typical examples of issues that may lead to a concern are:

- a failure to comply with, or a breach of policy or legislation;
- an unlawful act (fraud, theft, etc.);
- maladministration (error in application of, or disregard for, policy and procedures, etc.);
- corruption (gifts or bribes, conflicts of interest, money laundering, misrepresentation, etc.);
- conduct that endangers or may endanger the health and safety of any individual (staff, other workers, the public);
- damage to the environment (pollution);
- financial malpractice, waste of or unauthorised use of public money (irregular or unauthorised expenditure, inappropriate, improper or misuse of public money etc.);
- failing to safeguard personal and or sensitive information (GDPR / Data Protection breaches);
- the abuse of children and or vulnerable adults (physical, sexual, and or psychological);
- safeguarding weaknesses or other related failures in the delivery of functions and services;
- human rights breaches (modern slavery, human trafficking, etc.);
- negligence or dereliction of duty;
- a breach of ethics and or relevant Code of Conduct;

2.2 This is not an exhaustive list but is intended to illustrate the sort of issues that may be raised as a concern and dealt with by the Department for Communities.

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- 2.3 Many, if not most of these examples, where it involves a member of staff, could also potentially constitute a breach of the *Civil Service Standards of Conduct and Code of Ethics*. So for some disclosures, it may be necessary to consider the content of this policy document alongside the NICS Standards of Conduct policy.
- 2.4 If a member of staff believes that he or she is being required to breach the NICS Standards of Conduct and Code of Ethics, this should also be raised as a concern.

### **3. What is not a ‘Concern’ under this Policy**

- 3.1 It is important to note, that this policy **does not** cover or apply to the following:
- **Complaints About the Department’s Standards of Service**  
Complaints about DfC standards of service should be raised under the [DfC Complaints Procedure](#), a two-stage process with potential recourse to the NI Public Services Ombudsman.
  - **Allegations of Social Security Benefit Fraud**  
Allegations about benefit fraud should be reported using the [Report Benefit Fraud Online reporting tool](#).
  - **Allegations of Other Types of Fraud**  
To report a fraud, suspected fraud and or attempted fraud, allegations should be made in accordance with the [DfC Fraud Policy](#) and [DfC Fraud Response Plan](#).
  - **Employment Relations**  
Employment relations issues do not fall within the scope of the Department’s Raising a Concern (Whistleblowing) Policy, unless in the Public Interest, e.g., an organisational failure to comply with employment or equality law. Employment relations complaints from staff and workers can be raised using the [NICS Grievance Policy or NICS Dignity at Work Policy](#).

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- **Disagreement with a DfC Policy or Management Decision**

Disagreements about the merits of a DfC policy or a management decision which has been subject to due process and decision making are not defined as a concern under this policy.

## **4. What is expected from someone who raises a concern?**

4.1 Someone who makes a disclosure is not expected to provide conclusive proof or evidence of a wrongdoing. It is however expected that they will be acting in good faith, have reasonable grounds for raising a concern, and a genuine belief that the information they disclose points to a wrongdoing that has occurred, is occurring, or is at risk of occurring.

4.2 A whistleblower will normally have no personal interest or personal gain from raising a concern; rather, they will be motivated by the desire to alert the Department to an actual or potential wrongdoing, because it is in the public interest to do so.

4.3 Where a person believes a crime may have been committed, they should report the matter to the Police Service NI (PSNI).

## **5. Confidentiality, Anonymity and Data Protection**

5.1 Disclosures can be raised with the Department anonymously. Anonymity however will limit the Department's ability to obtain further information or evidence considered helpful or necessary to support a disclosure, and it will usually also limit or prevent opportunity to communicate information about the Department's response to, or outcome of a disclosure.

5.2 Where a whistleblower chooses to reveal their identity when making a disclosure, the Department will take all necessary and appropriate steps to keep the whistleblower's identity confidential and or restricted, e.g., by restricting access to their personal data, by limiting the circulation of information provided or exchanged in connection with the disclosure, and by treating personal data,

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and information contained in a disclosure, 'in confidence' and on a strict 'need to know' basis. In certain circumstances however, the Department may be legally obliged to disclose a whistleblower's identity, e.g., during criminal, civil or Tribunal proceedings, to the PSNI, or to another authority. In such circumstances, the whistleblower will be advised of the requirement by the Department.

- 5.3 Personal Data processed under this policy may include information on:
- (i) the whistleblower(s),
  - (ii) those against whom allegations are made, and or
  - (iii) witnesses.
- 5.4 Data protection legislation, principally the Data Protection Act 2018 (DPA 2018) and the UK General Data Protection Regulation (UK GDPR), impose specific responsibilities on organisations as 'Data Controllers', i.e., those with responsibility for collecting, receiving or holding personal data. The Department is committed to ensuring compliance with all data protection obligations and responsibilities when dealing with disclosures under this policy.
- 5.5 A concern may include an allegation against an individual(s), or an allegation about an individual(s) may materialise through investigation of a disclosure. In compliance with data protection and confidentiality requirements, the Department will ensure, in instances where a concern widens to include other relevant stakeholder(s), e.g., the NICS' HR Code of Ethics and Whistleblowing Lead, DfC Accounting Officer, etc., that personal information and data continues to be protected in compliance with all relevant departmental policy and legislation.
- 5.6 The Department handles Personal Data collected as set out in the DfC Raising a Concern (Whistleblowing) Privacy Notice (Annex B). In accordance with the [UK GDPR Data Protection Principle](#) of "Data Minimisation" the Department must, and will, ensure that the Personal Data it processes is:
- adequate – sufficient to properly fulfil the stated purpose;
  - relevant – has a rational link to that purpose, and

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- is limited to what is necessary – the Department/officials will not hold more information and or personal data than is needed for the purpose intended.
- 5.7 The Whistleblowing charity **Protect** has produced guidance “[Breach of Personal Data and Whistleblowing](#)” to assist whistleblowers in understanding the risk of a data breach when they make a whistleblowing disclosure containing the personal data of others, and the steps a whistleblower may take to ensure they do not breach the rights of others. **It is important therefore that whistleblowers consider data protection**, and seek advice from **Protect**, and or other professional legal services, before including the personal data of others in a disclosure. Civil Servants should also refer to NICS Human Resources Policies set out in [NICS Staff Handbook Chapter 6 Employee Relations](#) including section 11 “*Use of Electronic Communications*” as well as NICS/Departmental Security Guidance.
- 5.8 Subject Access Requests for the release of personal data held about a whistleblower(s), an individual(s) about whom allegations are made, or a witness(es), will be dealt with in line with all relevant policy and legislation.

## 6. Independent Advice for Whistleblowers

- 6.1 **Protect**, a charitable organisation, provides free, impartial and confidential advice to anyone seeking advice or guidance about raising a concern. Anyone thinking of raising a concern can contact Protect at: **protect-advice.org.uk**. Further contact details can be found at Annex A.

## 7. Protected Disclosures

- 7.1 There are protections for workers who raise a concern; this is referred to as a ‘protected disclosure’.
- 7.2 The law protects workers who raise concerns about their own organisation, and a disclosure may be protected if it meets certain criteria. However, the Employment Rights (Northern Ireland) Order 1996 does not automatically provide blanket protection for workers who make disclosures.

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- 7.3 A worker may make a protected disclosure if, (i) they reasonably believe that their disclosure is in the public interest and tends to show one or more of the concerns listed below, and (ii) reasonably believes their disclosure is being made to the correct 'prescribed person'. Disclosures made to a 'prescribed person' for which that body is not prescribed, may not be protected.
- a. that a criminal offence has been committed, is being committed or is likely to be committed;
  - b. that a person has failed, is failing or is likely to fail to comply with a legal obligation to which he/she is subject;
  - c. that a miscarriage of justice has occurred, is occurring or is likely to occur;
  - d. that the health and 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, or
  - f. that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- 7.4 The Department for the Economy has produced a short guide on the provisions of the Public Interest Disclosure (NI) Order 1998, applicable to the NICS and other employers [www.economy-ni.gov.uk/publications/public-interest-disclosure-guidance](http://www.economy-ni.gov.uk/publications/public-interest-disclosure-guidance)

## **8. How to Raise a Concern - Civil Servants**

### **Background and Supporting Information**

- 8.1 The [NI Civil Service Code of Ethics](#) sets out the core values which every Civil Servant should abide by – **Integrity, Honesty, Objectivity and Impartiality**.
- 8.2 The NICS Staff handbook [Chapter 6 Employee Relations, 6.01 Standards of Conduct](#) Annex 1, establishes the relevant NICS Human Resources (HR) policy,

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and the Civil Service Commissioners document [Raising A Concern under the NICS Code of Ethics](#) also provides helpful guidance.

- 8.3 The Code of Ethics relates to the conduct of civil servants in carrying out their public facing duties. Where a civil servant is asked to act in a manner contrary to the NICS Values or witnesses another civil servant acting in such a way, they have a duty to report this, with the assurance that they will not be penalised for doing so.
- 8.4 NICS HR Policy on Public Interest Disclosure (Whistleblowing) is set out in the [NICS Staff Handbook 6.01 Standards of Conduct](#) Annex 3.
- 8.5 The legislative framework for Public Interest Disclosures is established by,
- The [Employment Rights \(Northern Ireland\) Order 1996](#) (ERO 1996),
  - The Public Interest Disclosure (Northern Ireland) Order 1998, and
  - The Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 (amended 2022).
- 8.6 Staff who wish to raise a Code of Ethics or other concern may do so as follows.
- (i) Read the [NICS Staff Handbook 6.01 “Standards of Conduct”](#) Annexes 1 to 3.
- (ii) In line with the NICS Handbook, raise a Code of Ethics or whistleblowing concern by talking in the first instance to their line manager or someone in their line management chain. Concerns can often be resolved promptly, and to the satisfaction of all at a local level and, if so, no further reporting is necessary.
- (iii) Where a member of staff finds it difficult to raise a concern with their line manager, or someone in their line management chain, e.g., where their concern is about their manager or someone in their line management, or they perceive a conflict of interest, they can raise their concern with:
- a. the DfC Designated Officer for Raising a Concern (Whistleblowing);
  - b. the NICS Nominated Officer for Code of Ethics Concerns and Whistleblowing;

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- c. the DfC Permanent Secretary, or
- d. to a Prescribed Person ([Public Interest Disclosure \(Prescribed Persons\) \(Amendment\) Order \(Northern Ireland\) 2022](#)), if the concern relates to matters for which that body is prescribed; or to a legal advisor in the course of obtaining legal advice.

Contact details for each of the above is provided at Annex A, and a form to support the raising of a concern at Annex B.

- (iv) Before submitting a concern staff should read the DfC Raising Concerns (Whistleblowing) Privacy Notice (Annex B) including the **Protect** guidance "[Breach of Personal Data in Whistleblowing](#)"
- (v) Where a member of staff has raised a Code of Ethics concern and does not receive what they consider to be a reasonable response, they may raise the matter with the [Civil Service Commissioners for NI](#) (CSCNI). In exceptional circumstances the CSCNI may accept a Code of Ethics concern directly, i.e., before recourse to NICS HR.

- 8.7 Staff can obtain advice, guidance and support about raising a concern from their Trade Union Representative or from the charity **Protect**. Alternatively, a whistleblower may wish to consider seeking professional legal advice.
- 8.8 Staff who believe they have suffered detriment as a result of raising a concern can raise the matter under NICS HR policies including [the NICS Grievance or Dignity at Work Policies](#).
- 8.9 Raising a concern that a member of staff does not reasonably believe to be true, or with vexatious or malicious intent, is a serious matter, could constitute misconduct, and may result in disciplinary action.
- 8.10 A Prescribed Person is not responsible for establishing if a disclosure qualifies for protection and will not therefore become involved in any resultant employment disputes.

## **9. How to Raise a Concern - Other Workers**

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- 9.1 Workers engaged by the Department (agency staff, trainees, consultants, contractors, etc.) can also raise a concern to the DfC Designated Officer or the NICS Nominated Officer for Code of Ethics Concerns and Whistleblowing. Contact details are provided at Annex A and a form to support the raising of a concern at Annex C.
- 9.2 Workers can also make a disclosure to a [Prescribed Person](#), which may qualify for protection, if their concern relates to matters for which that body is prescribed.
- 9.3 A worker who is considering making a disclosure may wish to obtain confidential, impartial, expert advice from the charity **Protect**, or seek professional legal advice.
- 9.4 Before making a disclosure a worker should read the DfC Raising Concerns (Whistleblowing) Privacy Notice (Annex B), and the **Protect** guidance "[Breach of Personal Data in Whistleblowing](#)".

## 10. How to Raise a Concern - Members of the Public

- 10.1 Members of the public can raise a concern by completing the form at Annex C and submitting it to the DfC Designated Officer for Raising a Concern (Annex A).
- 10.2 Alternatively, a member of the public may wish to raise a concern with a [Prescribed Person](#), if their concern relates to matters for which that body is prescribed, for example:

(i) The **NI Audit Office** is a Prescribed Person with the following remit (see also their publication [Raising Concerns - Public Information Leaflet](#)):

*“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”.*

(ii) The **Department for Communities** is a [Prescribed Person](#) for:

*(a) the registration and operation of Registered Housing*

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*Associations, including their administration of public and private funds and management of their housing stock, and*

*(b) fraud and other misconduct in relation to the administration and payment of Urban Regeneration and Community Development grants.*

10.3 Concerns relating to:

- Registered Housing Associations should be raised with [Housing Regulation Branch](#), Telephone: 028 9051 5169 email: [hagovernance@communities-ni.gov.uk](mailto:hagovernance@communities-ni.gov.uk) or [housingregulatorprescribedpersons@communities-ni.gov.uk](mailto:housingregulatorprescribedpersons@communities-ni.gov.uk) and
- Urban Regeneration and Community Development grants should be raised with the DfC Designated Officer (Annex A).

10.4 Members of the public will wish to note that the legal framework of protections will only apply to them if they are a ‘worker’, as defined in employment legislation. If in any doubt, expert independent advice can be obtained from the whistleblowing charity **Protect** (Annex A).

10.5 Members of the public who wish to raise a concern should read the DfC Raising a Concern (Whistleblowing) Privacy Notice (Annex B) and the **Protect** guidance [“Breach of Personal Data in Whistleblowing”](#)

## **11. Dealing with a Concern**

11.1 The Department’s ability to act on a disclosure depends on its statutory functions, powers and obligations. Consequently, it may not be possible for the Department to act in every case, for example, where a concern relates to the statutory responsibilities of another body, e.g., a regulator, another NICS department, or public authority. Where it is not possible for the Department to act, the whistleblower will be provided with the details of the relevant body, function and or official with whom to raise their concern. Where a whistleblower has retained their anonymity and cannot be contacted, the Department will forward their concern to the appropriate public authority or body for their consideration and action as appropriate.

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**Dealing with Concerns from Staff**

- 11.2 Managers are expected to demonstrate a commitment to effective governance within their business area, and to promote an open, accountable and ethical culture where awareness and understanding of the NICS Standards of Conduct and Code of Ethics, and DfC's Raising a Concern (Whistleblowing) Policy is maintained.
- 11.3 Where a Code of Ethics or other concern is raised by a member of staff, managers should:
- (i) reassure the member of staff of their right to raise their concern, (where they have a genuine belief that the information disclosed points to a wrongdoing that has occurred, is occurring, or is at risk of occurring);
  - (ii) reassure the member of staff that their concern will be taken seriously, handled sensitively, treated in confidence, and only shared on a 'need to know' basis;
  - (iii) that victimisation or harassment, because of their disclosure, will not be tolerated;
  - (iv) that their concern will be appropriately investigated, and
  - (v) where necessary, all requisite actions will be taken to address their concern.
- 11.4 If a concern is raised about a member(s) of staff, and could lead to disciplinary action, managers should seek advice from the NICS HR Business Partner (Annex A). When a concern becomes a matter for NICS HR, feedback to the Department and the whistleblower will automatically be subject to restriction and confidentiality.
- 11.5 On receipt of a concern, and or before carrying out any actions in relation to a disclosure, managers, and any other relevant stakeholders, should consider any conflicts of interest, and take appropriate action where necessary.
- 11.6 Where a concern cannot be resolved locally, managers should signpost the member of staff to this policy document and to the [NICS Staff Handbook Section](#)

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[6.01 Standards of Conduct](#) Annexes 1 to 3; following which, it will be for the member of staff to determine how they wish to proceed, e.g., they may wish to seek advice from, or raise a Code of Ethics/Whistleblowing concern with the NICS Nominated Officer for Code of Ethics and Whistleblowing, or the DfC Designated Officer (Annex A), or consider if their concern falls within the remit of a Prescribed Person (para 8.6).

### **Dealing with Concerns from Members of the Public**

- 11.7 Where a member of staff receives a concern from a member of the public, e.g., a telephone call, the caller should be signposted to this guidance on the Department's website and provided with the contact details of the Department's Designated Officer (Annex A). Exceptionally, where a member of the public requires assistance to raise a concern, staff may complete the form at Annex C, with the whistleblower's permission, and submit it to the DfC Designated Officer (Annex A). All concerns raised by a member of the public should be forwarded to the DfC Designated Officer promptly.

## **12. The DfC Designated Officer Role**

- 12.1 The DfC Designated Officer for Raising a Concern (Whistleblowing) is the Assistant Director, People Strategy, Engagement & Culture. The Designated Officer is responsible for determining how a disclosure will be handled, including the appropriate routing of the case. A whistleblower has no role in this determination. Due to the varying nature of concerns raised, it will not normally be possible to establish a timeframe for the completion of any preliminary investigation, any subsequent (full) investigation, and or complete any requisite actions in response to a case. The Department will however work to expedite all concerns as quickly as possible.
- 12.2 Where a disclosure is subject to ongoing legal processes, the Department may be unable to act, where to do so could prejudice the outcome of a legal process.
- 12.3 In handling disclosures from whistleblowers, the Department has a duty of confidentiality to all parties and may be prohibited from providing information

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on the outcome of a concern, beyond confirming that the case has been investigated and the matter concluded.

- 12.4 Where members of the public write to the Department with concerns as part of a campaign or lobby group the Department may choose to provide a standardised response.

## **Annex A – Contact Details**

### **DfC Designated Officer for Raising a Concern (Whistleblowing)**

Allison Cosgrove

Assistant Director, People Strategy, Engagement & Culture

Tel 028 9051 9343

Please use the mailbox [Raising.concerns@communities-ni.gov.uk](mailto:Raising.concerns@communities-ni.gov.uk) This is a dedicated, confidential mailbox managed by the DfC Raising a Concern Team.

### **DfC Head of Raising a Concern (Whistleblowing)**

Sinéad Fitzpatrick

Head of Raising a Concern / Whistleblowing

Tel 028 9082 9061

Please use the mailbox [Raising.concerns@communities-ni.gov.uk](mailto:Raising.concerns@communities-ni.gov.uk) This is a dedicated, confidential mailbox managed by the DfC Raising a Concern Team.

### **NICS HR Business Partner**

Cathy Gribbon

HR Business Partner

Tel 028 9047 5716

[cathy.gribbon@finance-ni.gov.uk](mailto:cathy.gribbon@finance-ni.gov.uk)

### **NICS Human Resources Nominated Officer for Code of Ethics and Whistleblowing Concerns.**

Debbie Sherlock

NICS Human Resources Employee Relations Director

Tel 028 9025 1805

[debbie.sherlock@finance-ni.gov.uk](mailto:debbie.sherlock@finance-ni.gov.uk)

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**Permanent Secretary / Accounting Officer**

Grainia Long

Permanent Secretary, Department for Communities

[grainia.long@communities-ni.gov.uk](mailto:grainia.long@communities-ni.gov.uk)

**Independent Charities providing advice to Whistleblowers**

**Protect**

Contact 020 3117 2520 or use the Advice Line Form at <https://protect-advice.org.uk>

**Whistleblowers UK**

[Whistleblowers UK Website](#)

## **Annex B – DfC Raising Concerns (Whistleblowing) Privacy Notice**

[DfC Raising Concerns \(Whistleblowing\) Privacy Notice](#)

## **Annex C – Raising Concerns (Whistleblowing) Form - Staff and Workers**

[DfC Raising Concerns \(Whistleblowing\) Form - Staff and Workers](#)

## **Annex D – Raising Concerns (Whistleblowing) Form - The Public**

[DfC Raising Concerns \(Whistleblowing\) Form - The Public](#)

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## **Annex E – DfC Arms-Length Bodies**

Raising a Concern (Whistleblowing) policy/guidance for each of the Department's Arms-Length Bodies is accessible via the following website links.

[Armagh Observatory and Planetarium](#)

[Arts Council of Northern Ireland](#)

[Commissioner for Older People for Northern Ireland](#) (Corporation Sole)

[Charity Commission for Northern Ireland](#)

[Local Government Staff Commission](#)

[Museums and Galleries NI](#) (known as National Museums Northern Ireland)

[Northern Ireland Library Authority](#) (known as Libraries Northern Ireland)

[Northern Ireland Museums Council](#)

[Northern Ireland Local Government Officers' Superannuation Committee](#)

[Northern Ireland Commissioner for Children and Young People](#) (Corporation Sole)

[Northern Ireland Housing Executive](#)

[Sport NI](#)

[Ulster Supported Employment Limited](#)

North/South Language Body • [Foras na Gaeilge](#) • [Ulster-Scots Agency](#)

**DfC Advisory Committees** - Charity Advisory Committee, Historic Buildings Council, Historic Monuments Council Ministerial Advisory Group for Architecture and the Built Environment

**Other Bodies** - Office of the Discretionary Support Commissioner

The Department's Arms-Length Bodies (ALBs) are legal entities which operate independently from the Department for Communities under the terms of a Management Statement/Financial Memorandum or Partnership Agreement. DfC's ALBs generally operate with scrutiny and oversight exercised by a Board, Chief Executive and Executive Team.

As employers, with the full range of employment law responsibilities, the Department's ALBs are responsible for having in place, procedures that enable staff, other workers and members of the public to raise a concern in the Public Interest without unlawful detriment. As data controllers, they are also responsible for publishing their Raising a Concern (Whistleblowing) Privacy Notice. ALBs will also have their own policies in

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place to deal with complaints, and employment relations matters such as grievance, dignity at work, fraud and so on.

Two DfC ALBs are [Prescribed Persons](#) under the Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2022. **The Charity Commission for NI** is prescribed in relation to: *The proper administration of charities and of funds given or held for charitable purposes*, and the **NI Commissioner for Children and Young People** is prescribed in relation to: *Matters relating to the safeguarding and promotion of the rights and best interests of children and young people*. The ERO 1996 S67E also provides that a qualifying disclosure is made if a worker's employer is,

- (i) *An individual appointed under any statutory provision by a Minister of the Crown or a Northern Ireland department, or*
- (ii) *A body, any of whose members are so appointed, and the disclosure is made to a Minister of the Crown or a Northern Ireland department.*

Prescribed Persons provides a mechanism for a worker to make a Public Interest disclosure to an independent body in circumstances where a worker does not feel able to make a disclosure directly to their employer, where their concern relates to matters for which that body is prescribed.

The ability of a Prescribed Person to act on receipt of a concern is dependent on their existing statutory functions and powers, but they will not become involved in employment disputes.

Guidance on how to raise concerns directly with each DfC ALB which is a Prescribed Person is available on their respective websites.

The Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2022 legislation provides a mechanism for a worker to make a Public Interest disclosure in circumstances where they do not feel able to disclose directly to the employer. It does not however confer any legislative power on the Department to investigate such concerns. Where an ALB is the employer, the Department for Communities has no legal basis to address concerns in relation to staff. This remains the responsibility of the ALB, its Board and Executive Management Team as the legal

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employer. ALB staff who may wish to raise a concern, should refer to the Raising a Concern (Whistleblowing) and HR policies and procedures for their ALB.

Under current arrangements, ALBs are required to notify the Department of concerns received to support governance and oversight.

If a concern is raised directly with the Department that relates to the statutory functions of an ALB, the Department may determine that it should be dealt with by the Body. If it is referred to the ALB, the Department will notify the individual who has raised the concern and provide the contact details of the responsible officer in the ALB.

Where a concern relates to a Board Member, the ALB Chair should notify the Department's Head of Governance/Designated Officer so that the body's approach to dealing with the concern is clear in advance.

The ALB Board is responsible for ensuring that the arrangements for dealing with concerns about Board Members and Chairs are set out clearly in their Board Code of Conduct, Operating Frameworks, Standing Orders or related guidance.

The Department supports Local Councils (which are not ALBs) in strong and effective local government. Councils have their own procedures in place in relation to Raising a Concern (Whistleblowing) and these can be viewed on their websites. Councils are also Prescribed Persons in respect of:

*“Matters which may affect the health or safety of any individual at work; matters which may affect the health or safety of any member of the public, arising out of or in connection with the activities of persons at work. Compliance with the requirements of consumer protection legislation. Compliance with the requirements of food safety legislation.”*

The Local Government Auditor is a Prescribed Person in respect of:

*“The proper conduct of public business, value for money, fraud and corruption in district councils, joint committees, the Northern Ireland Local Government Officers' Superannuation Committee and the Local Government Staff Commission for Northern Ireland”.*