



Aurora

Enriching lives, Enriching
Communities

Whistle Blowing Policy

Policy Number	Policy Developed by	Date Developed
36 – Other Policies	HR	25.07.2015
Version	Amendments	
2	Reformatted and Updated	
Reviewed by		Review completed
HR		12.07.2022
CEO signature		Next Review Date
		12.07.2024

Mission Statement

Enable people with complex needs to experience the same rights as every other citizen and as equal members of the community.

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1. Policy Statement

- 1.1. There is a duty on all employees to protect confidential information about people supported and about Aurora affairs generally, nevertheless where an individual discovers information which they reasonably believe shows abuse, malpractice or wrongdoing within the organisation, this information should be disclosed without fear of reprisal.

2. Purpose of the Policy

- 2.1. This policy is intended to assist individuals who believe they may have relevant information relating to abuse, malpractice or impropriety. Relevant information is information which, in the reasonable belief of the individual, shows wrongdoing and has come to the attention of the individual in connection with their employment. The policy is not designed to facilitate questioning of financial or business decisions taken by the organisation nor is it intended to be used to raise issues which are covered by Aurora's Dignity at Work Policy. With a Whistle Blowing Policy in place, it is reasonable to expect staff to use this policy to raise matters internally rather than disclose the information outside the organisation. However, in limited circumstances external disclosure may be appropriate.

3. Scope

- 3.1. This policy covers appropriate disclosures by all employees full, part-time and relief staff at Aurora. It also covers appropriate disclosures from contractors, consultants, agency workers, trainees, temporary workers, interns and those on work experience.

4. Other connected policies

- 4.1. Guidelines for the Investigation & Management of Allegations of Abuse Doc Ref. SD 23 A HSE Open Disclosure National Policy Ref. QPSD-D-062-1 and Aurora's Complaints Policy.

5. Issues covered by this Policy

5.1. Employees are protected from any action being taken against them as a result of making a protected disclosure. If you are unsure whether your concern should be dealt with under this policy, you should discuss it with your immediate manager or another member of the management team.

5.2. Protected disclosures include but are not necessarily confined to:

- Witnessed or suspected abuse
- Financial malpractice or impropriety or fraud
- Failure to comply with legal obligation
- Commission of an offence
- Unlawful or improper use of funds or resources
- Act or omission that is grossly negligent or constitute gross mismanagement
- Dangers to health and safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal or destroy information relating to any of these

6. Employee Safeguards

6.1. This policy is designed to offer protection to those employees who disclose such information provided that:

- The disclosure is made in the reasonable belief of the individual making the disclosure,
- That it tends to show abuse, malpractice or impropriety and
- That the disclosure is made to an appropriate person

6.2. No protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case, malicious or wild allegations could give rise to legal action on the part of persons complained about.

7. Confidentially

- 7.1.** The organisation will treat all such disclosures in a confidential and sensitive manner to the extent consistent with proper investigation and response. The identity of the individual making the allegation will be kept confidential as long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

8. Anonymous allegations

- 8.1.** We encourage individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the organisation. In exercising this discretion, the factors to be taken into account will include:
- The seriousness of the issues raised
 - The credibility of the concern
 - The likelihood of confirming the allegation from attributable sources

9. Untrue allegations

- 9.1.** If an individual makes an allegation in good faith which is not confirmed by subsequent investigations, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

10. Procedures for making a disclosure

10.1. On receipt of information of wrongdoing or malpractice, the member of staff who receives and takes note of the complaint must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of wrongdoing or malpractice will be investigated by the appropriate director unless the complaint is against the director or is in any way related to the actions of the director. In such cases, the complaint should be passed to the Chief Executive for referral
- In the case of a complaint, which is connected with but not against the director, the Chief Executive will nominate a Senior Manager to act as the alternative investigating officer
- Complaints against the Chief Executive should be passed to the chairman of the board who will nominate an appropriate investigating officer
- A complainant has the right to bypass the line management structure and take their complaint direct to the chairman. The chairman has the right to refer the complaint back to management if he or she feels that the management without any conflict of interest can more appropriately investigate the complaint

10.2. If there is evidence of criminal activity, then the investigating officer will inform the Garda Síochana. The organisation will ensure that any internal investigation does not hinder a formal Garda Síochana investigation.

11. Timescales

11.1. Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the Garda Síochana, it is not possible to lay down precise timescales. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

11.2. The investigating officer, should as soon as practicably possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded. All responses to the complainant should be in writing and sent to their home address.

12. Investigation

12.1. The investigating officer should follow these steps:

- Full details and clarifications of the protected disclosure should be obtained
- The investigation officer should inform the member of staff against whom the allegations of wrongdoing is made as soon as is practicably possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interviews or hearing held under the provision of these procedures;
- The investigating officer should consider the involvement of the organisation auditors and the Garda Síochána at this stage and should consult with the chairman or Chief Executive
- The allegations should be fully investigated by the investigating officer with assistance where appropriate, of other individuals or bodies
- An investigation into the disclosure will be carried out by the investigating officer. This investigation will be detailed in a written report containing the findings of the investigations and reasons for the findings. The report will be passed to the Chief Executive or chairman as appropriate
- The Chief Executive or chairman will decide what action to take. If the complaint is shown to be justified, then they will involve disciplinary or other appropriate procedures;
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome;

- If appropriate, a copy of the outcomes will be passed to the organisation auditors to enable a review of the procedures
- Where the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chief Executive or the chair of the Board
- Where the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the organisation recognizes the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as Health and Safety Authority inspectors, HIQA inspectors, HSE Confidential Recipient) or, where justified, elsewhere.