

The Protected Disclosures Act, 2014 and Protected Disclosures (Amendment) Act 2022 – Report for year ended 30th June, 2023

The Protected Disclosures Act 2014 became operational on 15th July 2014. The Act is intended to provide a robust statutory framework within which workers can raise concerns regarding a potential wrongdoing that has come to their attention in the workplace in the knowledge that they can avail of significant employment and other protections if they are penalised by their employer or suffer any detriment for doing so. The Protected Disclosures (Amendment) Act 2022 was signed into law on the 21st July 2022 and became operational on the 1st January 2023.

"**Protected disclosure**" means the disclosure of relevant information, which in the reasonable belief of the worker tends to show one or more **relevant wrongdoings** and came to the attention of the worker in connection with their employment.

'**Worker**' includes employees, contractors, consultants, agency staff, former employees, temporary employees, and interns/trainees.

The following matters are **relevant wrong doings**:-

- (a) that an offence has been, is being or is likely to be committed,
- (b) that 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 or other contract whereby the worker undertakes to do or perform personally any work or services,
- (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 occurred, is occurring 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 falling within any of the preceding paragraphs has been, is being or is likely to be concealed or destroyed.

Wicklow County Council Protected Disclosures Policy

Wicklow County Council is committed to ensuring that the culture and work environment are such that any employee/worker is encouraged and supported to report on any issue that may impact adversely on Wicklow County Council's ability to deliver a high quality service and in this regard has introduced and implemented policy procedures for the making of protected disclosures.

The purpose of the policy and procedure is:

- To encourage employees/workers to report internally any concerns, as soon as possible, they may have regarding potential wrongdoing in the workplace, in the knowledge that their concerns will be taken seriously and investigated, where appropriate, and that their confidentiality will be respected, in the manner provided by the Protected Disclosures Act, 2014.

- To highlight that it is always appropriate to raise such concerns when they are based on a reasonable belief irrespective of whether any wrongdoing is in fact subsequently identified
- To provide employees/workers with guidance on how to raise concerns
- To reassure employees/workers that they can report relevant wrongdoings without fear of penalisation.

A copy of Wicklow County Council's Protected Disclosures Policy and Procedures is available on the Council's internet wicklow.ie.

Audit Committee Protocol for dealing with receipt of disclosures about financial reporting or other financial matters

In accordance with the Local Government (Audit Committee) Regulations, 2014, which requires the Wicklow County Council Audit Committee to ensure that procedures are in place whereby employees of the Council may, in confidence, raise concerns about possible irregularities in financial reporting or other financial matters, the Wicklow County Council Protocol for dealing with receipt of disclosures about Financial Reporting or other Financial Matters under the Local Government (Audit Committee) Regulations, 2014 and in accordance with the Protected Disclosures, Act, 2014 has been implemented and is available on the Council's internet wicklow.ie

The designated officer to receive protected disclosures for Wicklow County Council is, Ms. Helen Purcell, Senior Executive Officer, Enterprise and Corporate Services: Telephone (0404) 20103 extn. 2196 Email: hpurcell@wicklowco.co.ie.

The number of Protected Disclosures received for 12 month period ended 30st June, 2023 in respect of Wicklow County Council is 0.

Helen Purcell
Senior Executive Officer
Enterprise and Corporate Services