

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of

**Justice**

[www.dojni.gov.uk](http://www.dojni.gov.uk)

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Our ref: AQW/40990/11-15

Lord Morrow MLA  
Northern Ireland Assembly  
Parliament Buildings  
Ballymiscaw  
Stormont

4 February 2015

The Department of Justice, including its Agencies, adheres to the Public Interest Disclosure "Whistleblowing" policy as laid down in the Northern Ireland Civil Service HR Handbook, Chapter 6.01 "Standards of Conduct", paragraph 4 and Annex 3.

This policy makes provision for departmental specific procedures/ guidance for raising concerns about possible wrongdoing.

The relevant section of the NICS HR Handbook is at: <http://www.dfpni.gov.uk/6.01-standards-of-conduct.pdf>

A copy of the DOJ Whistleblowing arrangements has been placed in the Assembly Library.

**DAVID FORD MLA**  
**Minister of Justice**

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**DEPARTMENT OF JUSTICE**

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**David Ford, MLA  
Minister of Justice  
Block B, Castle Buildings  
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**Lord Morrow MLA  
Northern Ireland Assembly  
Parliament Buildings  
Ballymiscaw  
Stormont**

**4 February 2015  
AQW/40990/11-15**

**Lord Morrow (Fermanagh and South Tyrone) has asked:**

To ask the Minister of Justice to provide, or place in the Assembly library, a copy of his Department's Whistle-blower policy; and whether this applies to all agencies under his departmental remit.

**ANSWER**

The Department of Justice, including its Agencies, adheres to the Public Interest Disclosure "Whistleblowing" policy as laid down in the Northern Ireland Civil Service HR Handbook, Chapter 6.01 "Standards of Conduct", paragraph 4 and Annex 3.

This policy makes provision for departmental specific procedures/guidance for raising concerns about possible wrongdoing.

The relevant section of the NICS HR Handbook is at:

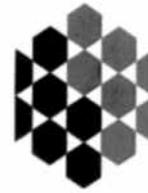
<http://www.dfpni.gov.uk/6.01-standards-of-conduct.pdf>

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A copy of the DOJ Whistleblowing arrangements has been placed in the  
Assembly Library.

A handwritten signature in black ink, appearing to read "David Ford". The signature is written in a cursive style with a large initial "D" and "F".

**DAVID FORD MLA**



Department of  
**Justice**

[www.dojni.gov.uk](http://www.dojni.gov.uk)

**DEPARTMENT OF JUSTICE  
FOR NORTHERN IRELAND**

**WHISTLEBLOWING  
ARRANGEMENTS**

**October 2014**

## **Introduction**

All of us at one time or another may have concerns about what is happening at work. However, when it is about unlawful conduct, a possible fraud or a danger to the public or the environment, or other serious malpractice, it can be difficult to know what to do.

You may be worried about raising such a concern and may think it best to keep it to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the Department of Justice. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

The purpose of these arrangements is to reassure you that it is safe and acceptable to speak up. They also enable you to raise your concern about such malpractice at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern.

If something is troubling you of which you think we should know about or look into, please let us know. If, however, you wish to make a complaint about your employment or how you have been treated, please use the NICS Grievance Procedure. We have implemented these whistleblowing arrangements for you to raise any concern where the interests of others or the organisation itself are at risk.

If your concern is about fraud, you may also wish to refer to our Anti-Fraud Policy which can be found on the DOJ Intranet.

## **Our Assurances to You**

We are committed to making whistleblowing work. You do not need to have firm evidence of malpractice before raising a concern. However we do ask that when you raise a concern you do so in good faith and in the belief that the information and any allegation in it are substantially true. Provided you act in good faith, it does not matter if you are mistaken. Of course this assurance does not extend to someone who maliciously raises a matter they know to be untrue.

If you raise a genuine concern under these arrangements, you will not be at risk of losing your job or suffering any form of retribution as a result. We will not tolerate the harassment or victimisation of anyone who raises a genuine concern and with these assurances we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will always discuss with you whether and how the matter can best proceed.

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter, to protect your position, or to give you feedback. Accordingly, while we will consider anonymous reports, these arrangements are not well suited to deal with concerns raised anonymously.

If you are aware of an issue which is causing you concern, but are not sure whether it falls within the scope of whistleblowing, advice can be sought from the Public Concern at Work website [www.pcaw.co.uk](http://www.pcaw.co.uk) or your Trade Union.

### **How to Raise a Concern Internally**

#### **Step 1**

If you have a concern about malpractice, we hope you will feel able to raise it first with your line manager or with their immediate line manager. This can be done orally or in writing.

#### **Step 2**

If, you feel that raising your concern with your line manager or their immediate line manager is not appropriate or it has not worked, please raise the matter with your Head of Branch / Division or you may contact one of the following:

**Simon Rogers – 028 9052 8105**  
or email [simon.rogers@dojni.x.gsi.gov.uk](mailto:simon.rogers@dojni.x.gsi.gov.uk)

**Maura Campbell – 028 9016 9566**  
or email [maura.campbell@dojni.x.gsi.gov.uk](mailto:maura.campbell@dojni.x.gsi.gov.uk)

**Mary Madden – 028 9052 8500**  
or email: [mary.madden@dojni.x.gsi.gov.uk](mailto:mary.madden@dojni.x.gsi.gov.uk)

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

### **Civil Service Code of Ethics**

If you are a civil servant and believe that you are being required to act in a way which conflicts with the core values and standards set out in the Civil Service Code of Ethics, or you have become aware of the actions of others which you believe conflict with the Code, you should raise the matter with the Department's Nominated Officer:

**Head of Personnel and Offices services Division – Mary Madden**  
Telephone: 028 9052 8500 Email: [mary.madden@dojni.x.gsi.gov.uk](mailto:mary.madden@dojni.x.gsi.gov.uk)

### **How We Will Handle the Matter**

Once we have been told of your concern, we will look into it to assess initially what action should be taken. This may involve an informal review, an internal inquiry or a more formal investigation. Where it is decided that a formal investigation is necessary the overall responsibility for the investigation will lie with a nominated "investigation officer". In any event, we will tell you who is dealing with the matter, how you can contact him or her, and whether your further assistance may be needed. If you request it, we will write to you summarising your concern and setting out how we propose to handle it.

When you raise the concern you may be asked how you think the matter might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within the Grievance Procedure we will tell you.

We will give you as much feedback as we properly can, and if requested, we will confirm it in writing. However, we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

### **External disclosures**

While we hope we have given you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, we would rather you raise a matter with the appropriate regulator / assurance body – such as the Northern Ireland Audit Office, Criminal Justice Inspection Northern Ireland or the Health and Safety Executive of Northern Ireland - than not at all. Public Concern at Work (or your Trade Union) will be able to advise you on such an option and on the circumstances in which you may be able to contact an outside body safely.

### **Conclusion**

This document has been developed to meet best practice and comply with the Public Interest Disclosure (NI) Order 1998 (PIDO) which provides employment protection for whistleblowing. More information can be found in the NICS Staff Handbook (Standards of Conduct Chapter – Annex 3) which can be found on HRConnect. More information on the law can be found at [www.pcaw.co.uk](http://www.pcaw.co.uk)

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using these whistleblowing arrangements you will help us to achieve this.