

**An Empirical Study of the Purpose of the
Irish Protected Disclosures Act 2014
(Volume II: Appendices)**

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Appendix 1(a): Case Law Matrix

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
1	<i>Monaghan v McGrath Partnership</i> r-151162-pd-1415R	24 April 2015	LRC	Seán Reilly	X	✓	X	4yrs 4 mths (17 Aug 2010- 5 Dec 2014) (resigned)	Private	Care (Nursing Home)
2	<i>Philpott v Marymount Hospital and Hospice Limited</i> (2015) IECC 1	12 June 2015	Circuit Court	O'Donohoe J	✓	X	✓	9 months (6 May 2014- 2 Feb 2015)	Private	Health
3	<i>Carr v Donegal CC</i> r-153749-pd-14	6 Nov 2015	WRC	Emer O'Shea	X	✓	X	29 yrs 8 mths (4 March 1985- 17 Nov 2014)	Public	Fire service
4	<i>A Worker v A Nursing Home</i> ADJ-00000267	25 May 2016	WRC	Pat Brady	X	X	✓	10 yrs	No details	Care (Nursing Home)
5	<i>Donegal CC v Carr</i> [2017] 28 ELR 259	7 June 2016	Labour Court	Kevin Foley	Same details as no 3	Same details as no 3	Same details as no 3	Same details as no 3	Same details as no 3	Same details as no 3
6	<i>Dougan and Clarke v Lifeline Ambulances Ltd</i> [2018] 29 ELR 210	28 July 2016	Circuit Court	Comerford J	✓	X	✓	Dougan: 14 yrs, Clarke: 9 yrs	Private	Ambulance service

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
7	<i>Monaghan v McGrath Partnership</i> [2017] 28 ELR 8	5 Sept 2016	Labour Court	Caroline Jenkinson	Same details as no 1	Same details as no 1	Same details as no 1	Same details as no 1	Same details as no 1	Same details as no 1
8	<i>A Worker v An Agricultural Estate</i> ADJ-00000860	20 Sept 2016	WRC	Joe Donnelly	X	X	✓	10 yrs (2005- 13 July 2015)	Private	Agricultural
9	<i>Employee v Employer</i> ADJ-00003371	20 Oct 2016	WRC	Adjudication Officer unidentified	X	✓	X	1 yr 1 mth (7 April 2015- 18 May 2016)	Private	Insurance
10	<i>Kelly v AlienVault Ireland Ltd & AlienVault Inc</i> (2016) <i>Irish Examiner</i> , 3 Nov	3 Nov 2016	Circuit Court	O'Donnabháin J	✓	X	✓	10 mths (Nov 2015- 29 Sept 2016)	Private	IT Security
11	<i>An Employee v An Employer</i> ADJ-00000258	16 Jan 2017	WRC	Michael Hayes	X	X	✓	9yrs 10mths (Dec 2005- Oct 2015)	No details	No details
12	<i>Claimant v Respondent</i> ADJ-00002571	28 Feb 2017	WRC	John Tierney	X	✓	✓	No details re start date. Resigned 25 Sept 2015.	Private	Industrial supplies

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
13	<i>An Employee v A Nursing Home</i> ADJ-00000456	22 March 2017	WRC	Caroline McEnery	X	X	✓	11 mths (14 March 2015- 4 Feb 2016)	Private	Care (Nursing home)
14	<i>An Employee v An Employer</i> ADJ-00000708	28 March 2017	WRC	John Tierney	X	✓	X	No details	No details	No details
15	<i>Carroll v Congregation of the Holy Spirit T/A Registered Charity Chy 076</i> UD 981/2015	May 2017	EAT	Ms P McGrath BL	X	X	✓	5 yrs (2010- May 2015) (resigned)	Non-profit	Care (Nursing home)
16	<i>A Senior Official v A Local Authority</i> ADJ-00001721	11 May 2017	WRC	Kevin Baneham	X	✓	X	40 yrs 7 mths (14 July 1975-5 Feb 2016)	Public	Local government
17	<i>A Complainant v A Respondent</i> ADJ-00004519	17 May 2017	WRC	Michael Hayes	X	✓	X	1 yr (1 Aug 2015- 3 Aug 2016)	Private	Retail
18	<i>A Public Servant v A Government Department</i> ADJ-00004925	19 May 2017	WRC	Rosaleen Glackin	X	✓	X	37 yrs 7 mths (5 Feb 1979- 9 Sept 2016)	Public	Government

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
19	<i>Accounts Administrator v A University</i> ADJ-00000305	30 May 2017	WRC	Peter O'Brien	X	✓	X	No details re start date. Suspended June 2015.	Public	Education
20	<i>Accounts Administrator v A University</i> ADJ-00004380	30 May 2017	WRC	Peter O'Brien	X	✓	X	No details re start date. Suspended June 2015.	Public	Education
21	<i>A Fire Station Officer (retired) v A Local Authority</i> ADJ-00004684	14 June 2017	WRC	Ray Flaherty	X	✓	X	26 yrs 5 mths (1 March 1990- 29 Aug 2016)	Public	Fire service
22	<i>Training Co-ordinator v A Social Support Service</i> ADJ-00002320	5 July 2017	WRC	Patsy Doyle	X	✓	X	13 yrs 9 mths (June 2002- 14 March 2016)	Non-profit	Care (Service provider for adults with intellectual disabilities)
23	<i>A Worker v A Communications Provider</i> ADJ-00001380	6 July 2017	WRC	Emer O'Shea	X	X	✓	5 mths 3 wks (27 July 2015- 7 Jan 2016)	Private	Communications
24	<i>A Service Engineer v A Provider of Plant Machinery</i> ADJ-00007236	20 July 2017	WRC	Kevin Baneham	X	X	✓	9 mths (12 Oct 2015- 13 July 2016)	Private	Rental of equipment

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
25	<i>A Worker v A Service Station</i> ADJ-00006640	21 Sept 2017	WRC	Emer O'Shea	X	X	✓	9 mths (17 Feb 2016- 18 Nov 2016)	Private	Service station
26	<i>Bank Official v Banking Sector</i> ADJ-00005011	18 Oct 2017	WRC	John Walsh	X	✓	X	36 yrs 10 mths (1 Nov 1979- 14 Sept 2016)	Private	Banking
27	<i>QFF Distribution Limited v O'Reilly</i> PDD 1/2017	3 Nov 2017	Labour Court	Alan Haugh	Same details as no 12	Same details as no 12	Same details as no 12	Same details as no 12	Same details as no 12	Same details as no 12
28	<i>A Senior Account Manager v A Print Management and Logistics Company</i> ADJ-00005984	20 Nov 2017	WRC	Andrew Heavey	X	X	✓	3 mths (4 July 2016- 5 Oct 2016)	Private	Printing
29	<i>A Commercialisation Specialist v A Government Agency</i> ADJ-00007228	23 Nov 2017	WRC	Patsy Doyle	X	✓	X	16 yrs 6 mths (8 Aug 2000- 16 Feb 2017)	Public	Government
30	<i>Mr A v A Public Body</i> ADJ-00006360	28 Nov 2017	WRC	Kevin Baneham	X	✓	X	18 yrs (Jan 1999- 12 Dec 2016)	Public	Government

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
31	<i>Mr A(1) v A Government Department</i> ADJ-00006381	28 Nov 2017	WRC	Kevin Baneham	X		X	18 yrs (Jan 1999- 15 Dec 2016)	Same details as no 29	Same details as no 29
32	<i>Mr A(2) v A Government Department</i> ADJ-00009800	28 Nov 2017	WRC	Kevin Baneham	X	X	✓	18 yrs (Jan 1999- 8 Jan 2017)	Same details as no 29	Same details as no 29
33	<i>Kerry Parents & Friends Association v O'Connor Flemming</i> PDD 2/2017	30 Nov 2017	Labour Court	Caroline Jenkinson	Same details as no 22	Same details as no 22	Same details as no 22	Same details as no 22	Same details as no 22	Same details as no 22
34	<i>University of Limerick v Roche</i> PDD 3/2017	4 Dec 2017	Labour Court	Kevin Foley	Same details as no 19	Same details as no 19	Same details as no 19	Same details as no 19	Same details as no 19	Same details as no 19
35	<i>University of Limerick v Copley</i> PDD 4/2017	4 Dec 2017	Labour Court	Kevin Foley	Same details as no 20	Same details as no 20	Same details as no 20	Same details as no 20	Same details as no 20	Same details as no 20
36	<i>An Office Administrator v A Removals and Storage Company</i> ADJ-00008404	7 Dec 2017	WRC	Michael McEntee	X	X	✓	1 yr 7 mths (2 Sept 2015- 26 April 2017) (resigned)	Private	Removals and storage

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
37	<i>Loxam Ltd v Kevin Brunkard</i> UD 1755	20 Dec 2017	Labour Court	Brendan Hayes	Same details as no 24	Same details as no 24	Same details as no 24	Same details as no 24	Same details as no 24	Same details as no 24
38	<i>AIB v Murphy</i> PDD 1/2018	8 Feb 2018	Labour Court	Louise O'Donnell	Same details as no 26	Same details as no 26	Same details as no 26	Same details as no 26	Same details as no 26	Same details as no 26
39	<i>A Childcare Worker v A Creche</i> ADJ-00002421	14 Feb 2018	WRC	Michael Hayes	X	X	✓	3 yrs (10 Sept 2012- 24 Sept 2015)	Private	Child care
40	<i>Galway CC v Connolly</i> PDD 2/2018	19 Feb 2018	Labour Court	Kevin Foley	Same details as no 21	Same details as no 21	Same details as no 21	Same details as no 21	Same details as no 21	Same details as no 21
41	<i>An Employee v A Public Body</i> ADJ-00005583	6 March 2018	WRC	Gaye Cunningham	X	✓	X	22 yrs 4 mths (June 1994- 24 Oct 2016)	Public	Prison service
42	<i>Claimant v Employer</i> ADJ-00008888	4 April 2018	WRC	Michael Hayes	X	✓	X	10 yrs (3 June 1997-8 June 2017)	No details	No details

No	Case name	Date	Forum	AO/Judge	Interim relief	Penalisation	Unfair Dismissal	Length of service	Sector	Sectoral breakdown
43	<i>An Employee v An Agency</i> ADJ-00008429	9 April 2018	WRC	Jim Dolan	X	X	✓	9 mths (18 April 2016-31 Jan 2017)	Private	Recruitment agency
44	<i>Enterprise Ireland v Carroll</i> PDD 3/2018	11 April 2018	Labour Court	Alan Haugh	Same details as no 29	Same details as no 29	Same details as no 29	Same details as no 29	Same details as no 29	Same details as no 29
45	<i>CEO v Accountant</i> ADJ-00009156	2 May 2018	WRC	Rosaleen Glackin	X	✓	X	9 mths (5 Sept 2016-1 June 2017)	Private	Accountancy service
46	<i>Fingal CC v O'Brien</i> PDD 4/2018	18 May 2018	Labour Court	Alan Haugh	Same details as no 16	Same details as no 16	Same details as no 16	Same details as no 16	Same details as no 16	Same details as no 16
47	<i>Southside Travellers Action Group v O'Keefe</i> UDD 1828	18 May 2018	Labour Court	Caroline Jenkinson	X	X	✓	2 yrs 8 mths (1 July 2013- 31 March 2016)	Non-profit	Travellers action group
48	<i>Researcher v Employment Agency</i> ADJ-00010550	26 June 2018	WRC	Gerard McMahon	X	X	✓	1 yr 2 mths (18 Jan 2016- 24 March 2017)	Private	Employment agency

Appendix 1(b): Case Law Matrix

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Loss	Remedy	Quantum	Subject to appeal?
1	<i>Monaghan v McGrath Partnership</i> r-151162-pd-1415R	Care assistant	Internal (Person in charge; matron; nurses; director.) External (HIQA)	X	Loss (No PD made)	X	X	Yes, see number 7
2	<i>Philpott v Marymount Hospital and Hospice Limited</i> (2015) IECC 1	CEO	Internal (Board)	X	Loss (Objectively on the facts, the beliefs and disclosures not reasonable)	X	X	Yes, appealed to the High Court. Settled on appeal.
3	<i>Carr v Donegal CC</i> r-153749-pd-14	Station officer	Internal (Management)	X	Loss (Not a relevant wrongdoing)	X	X	Yes, see number 5
4	<i>A Worker v A Nursing Home</i> ADJ-00000267	Care assistant	Internal (Nursing superiors) External (Family of service user)	✓	Loss (No justification to ground dismissal; did not use company grievance procedures; no	X	X	No information

					conclusion reached on PD)			
5	<i>Donegal CC v Carr</i> [2017] 28 ELR 259	Same details as no 3	Same details as no 3	X	Loss (s5(5))	X	X	
6	<i>Dougan and Clarke v Lifeline Ambulances Ltd</i> [2018] 29 ELR 210	Dougan: Assistant manager; Clarke: Director of ambulance operations	Internal (Managing director)	X	Win	Re-engagement offered but rejected. Court ordered continuation of contracts of employment.	N/A	Settled

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Lose	Remedy	Quantum	Subject to appeal?
7	<i>Monaghan v McGrath Partnership</i> [2017] 28 ELR 8	Same details as no 1	Same details as no 1	X	Win	Compensation	€17,500	No information
8	<i>A Worker v An Agricultural Estate</i> ADJ-00000860	General operative	Internal (Line manager; Managing director)	X	Loss (Procedural: Out of time)	X	X	No information
9	<i>Employee v Employer</i> ADJ-00003371	Business development manager	Internal (Managing director) External (Solicitor)	✓	Loss (No penalisation)	X	X	No information
10	<i>Kelly v AlienVault Ireland Ltd & AlienVault Inc</i> (2016) Irish Examiner, 3 Nov	Manager	Internal (Head office (Texas))	X	Win	Order restraining dismissal and restraining stopping pay until WRC hearing	N/A	Appealed and settled
11	<i>An Employee v An Employer</i> ADJ-00000258	No details	Internal (Manager) External	X	Loss (Dismissed due to gross misconduct)	X	X	No information

			(Gardaí; Solicitor; HSA; Customer)					
12	<i>Claimant v Respondent</i> ADJ-00002571	Sales office assistant	No details	X	Loss (Procedural: Out of time, no respondent, no particulars of complaint)	X	X	Yes, see number 27

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Lose	Remedy	Quantum	Subject to appeal?
13	<i>An Employee v A Nursing Home</i> ADJ-00000456	Staff nurse	Internal (Assistant director of nursing; incident report in incident book; recorded in patient file and the communication book; director of nursing) External (HIQA)	X	Win	Compensation	€52,416 (Two years' salary)	No information
14	<i>An Employee v An Employer</i> ADJ-00000708	No details	No details	X	Loss (Procedural: no claimant or respondent, no case presented, lack of prosecution)	X	X	No information
15	<i>Carroll v Congregation of the Holy Spirit T/A Registered</i>	General maintenance operative with driver skills	Internal (Matron; health care manager)	X	Win	Compensation	€4,100 (Had sought €26,000 but held)	No information

	<i>Charity Chy 076</i> UD 981/2015		External (HIQA)				he had not exhausted internal procedures)	
16	<i>A Senior Official v A Local Authority</i> ADJ-00001721	Senior executive officer	Internal (CEO) External (Government Minister)	✓	Loss (PD made but no penalisation- 'but for' test not satisfied)	X	X	Yes, see number 46
17	<i>A Complainant v A Respondent</i> ADJ-00004519	Sales colleague	Internal (Employer's confidential hot-line; investigating manager)	X	Win	Compensation and removal of disciplinary sanction from complainant's file	€10,000	No information
18	<i>A Public Servant v A Government Department</i> ADJ-00004925	No details	Internal (Line manager (verbally); line manager (via email); inspector; HR department)	X	Loss (s5(5))	X	X	No information

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Lose	Remedy	Quantum	Subject to appeal?
19	<i>Accounts Administrator v A University</i> ADJ-00000305	Accounts administrator	No details	X	Loss (Procedural: request for adjournment refused due to a number of prior adjournments being granted, the serious nature of the claim, a lack of serious justified reason, and ensuring fair procedures)	X	X	Yes, see number 34
20	<i>Accounts Administrator v A University</i> ADJ-00004380	Accounts administrator	No details	X	Loss (Procedural: Out of time)	X	X	Yes, see number 35
21	<i>A Fire Station Officer (retired) v A Local Authority</i> ADJ-00004684	Retained station officer	Internal (Manager: Senior Assistant Chief Fire Officer)	✓	Loss (Procedural: Out of time)	X	X	Yes, see number 40
22	<i>Training Co-ordinator v A</i>	Training co-ordinator	Internal	✓	Loss	X	X	Yes, see number 33

	<i>Social Support Service</i> ADJ-00002320		(Named agent of the respondent)		(Not a PD, an expression of concern, a personal grievance)			
23	<i>A Worker v A Communications Provider</i> ADJ-00001380	Installation engineer	Internal (Managing director and network manager)	✓	Win	Compensation	€22,500	No information
24	<i>A Service Engineer v A Provider of Plant Machinery</i> ADJ-00007236	Service engineer	Internal (Technical manager; branch manager)	X	Loss (No PD made, matter raised squarely fell within contract of employment)	X	X	Yes, see number 37

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Lose	Remedy	Quantum	Subject to appeal?
25	<i>A Worker v A Service Station</i> ADJ-00006640	Shift supervisor/ trainee assistant manager	Internal (Senior manager)	✓	Win	Compensation	€7,020	No appeal
26	<i>Bank Official v Banking Sector</i> ADJ-00005011	Senior bank official	Internal (ROI managing director)	X	Loss (Procedural: out of time)	X	X	Yes, see number 38
27	<i>QFF Distribution Limited v O'Reilly</i> PDD 1/2017	Same details as no 12	Same details as no 12	X	Loss (Procedural: out of time)	X	X	No information
28	<i>A Senior Account Manager v A Print Management and Logistics Company</i> ADJ-00005984	Senior account manager	Internal (Management)	X	Loss (No PD made, WN: no reasonable belief of wrongdoing, response to what was said at performance meeting two days earlier)*	X	X	No information

29	<i>A Commercialisation Specialist v A Government Agency</i> ADJ-00007228	Commercialisation specialist	Internal (No details of specific recipient) External (Government Minister)	✓	Loss (No PD made, internal disclosure: personal grievance; external disclosure: made for personal gain, no information, only bare allegation)*	X	X	Yes, see number 44
30	<i>Mr A v A Public Body</i> ADJ-00006360	Executive officer (inspector role)	Internal (Government department; public body (s6(1)(b)(ii)) External (Previous Government Minister; new Government Minister)	✓	Loss (Not an employee of public body so WRC had no jurisdiction to hear penalisation claim)	X	X	No information

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Lose	Remedy	Quantum	Subject to appeal?
31	<i>Mr A(1) v A Government Department</i> ADJ-00006381	Same details as no 30	Same details as no 30	✓	Loss (PD made but no penalisation as 'but for' test not satisfied)	X	X	No information
32	<i>Mr A(2) v A Government Department</i> ADJ-00009800	Same details as no 30	Same details as no 30	X	Loss (No jurisdiction to hear complaint as not dismissed but reached statutory retirement age)	X	X	No information
33	<i>Kerry Parents & Friends Association v O'Connor Flemming</i> PDD 2/2017	Same details as no 22	Same details as no 22	X	Loss (Procedural: out of time)	X	X	No information
34	<i>University of Limerick v Roche</i> PDD 3/2017	Same details as no 19	Same details as no 19	X	Loss (Procedural: want of prosecution)	X	X	No information

35	<i>University of Limerick v Copley</i> PDD 4/2017	Same details as no 20	Same details as no 20	X	Loss (Procedural: want of prosecution)	X	X	No information
36	<i>An Office Administrator v A Removals and Storage Company</i> ADJ-00008404	Office administrator	Internal (No details of specific recipient)	✓	Loss (PD made but no constructive dismissal-no unreasonableness in employer's behaviour sufficient as to justify a resignation)	X	X	No information

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Lose	Remedy	Quantum	Subject to appeal?
37	<i>Loxam Ltd v Kevin Brunkard</i> UD 1755	Same details as no 24	Same details as no 24	X	Loss (Procedural: out of time)	X	X	No information
38	<i>AIB v Murphy</i> PDD 1/2018	Same details as no 26	Same details as no 26	X	Loss (Procedural: out of time)	X	X	No information
39	<i>A Childcare Worker v A Creche</i> ADJ-00002421	Child care worker	Internal (No details of specific recipient)	X	Loss (No dismissal)	X	X	No information
40	<i>Galway CC v Connolly</i> PDD 2/2018	Same details as no 21	Same details as no 21	X	Loss (No penalisation)	X	X	No information
41	<i>An Employee v A Public Body</i> ADJ-00005583	Prison officer	Internal (Midland Prison Authorities; Monitoring and Review Committee; the Governor the; Director General)	X	Win	Compensation	€30,000	No information

			External (Oireachtas Public Accounts Committee; Secretary General Department of Justice, Equality and Law Reform)					
42	<i>Claimant v Employer</i> ADJ-00008888	Product builder	Internal (Supervisor; HR department)	X	Loss (Not a relevant wrongdoing-a personal grievance re contract of employment)	X	X	No information

No	Case name	Position in organisation	Channel of disclosure	Reference to PD Procedures/ Policy	Win/Lose	Remedy	Quantum	Subject to appeal?
43	<i>An Employee v An Agency</i> ADJ-00008429	No details	Internal (Manager; assistant manager; regional manager) External (Trade union representative)	X	Loss (No PD made- a personal grievance)	X	X	No information
44	<i>Enterprise Ireland v Carroll</i> PDD 3/2018	Same details as no 29	Same details as no 29	X	Loss (No penalisation- 'but for' test not satisfied)	X	X	No information
45	<i>CEO v Accountant</i> ADJ- 00009156	CEO	Internal (Chair of audit committee)	X	Loss (s5(5))	X	X	No information
46	<i>Fingal CC v O'Brien</i> PDD 4/2018	Same details as no 16	Same details as no 16	X	Loss (Two PDs made but no penalisation)	X	X	No information
47	<i>Southside Travellers Action Group v O'Keefe</i>	Programme manager	Internal (Initial recipient not	X	Loss	X	X	No information

	UDD 1828		specifically identified; Chairperson of the Board) External (Dublin Dun Laoghaire EBT; TUSLA; National Youth Council of Ireland)		(PDs made but not dismissed because of PDs)			
48	<i>Researcher v Employment Agency</i> ADJ-00010550	Researcher	Internal (Manager)	X	Win (Fair procedures not followed)	Compensation	€2,000 (Token compensation of four weeks' pay as gained subsequent employment)	No information

Appendix 1(c): Case Law Matrix

No	Case name	Nature of disclosure
1	<i>Monaghan v McGrath Partnership</i> r-151162-pd-1415R	<ol style="list-style-type: none"> 1. Matters having a serious and detrimental effect on patients at the respondent's nursing home. 2. Treatment of patients. 3. A named supervisor's instructions regarding the care of residents. 4. The abuse of the appellant by a supervisor at a staff appraisal meeting.
2	<i>Philpott v Marymount Hospital and Hospice Limited</i> (2015) IECC 1	<ol style="list-style-type: none"> 1. Charity funding was being used for needs other than palliative care. 2. Significant issues with the respondent's building which posed and continued to pose critical risk to the health and safety of patients, staff and the public. 3. Mismanagement of financial resources.
3	<i>Carr v Donegal CC</i> r-153749-pd-14	<ol style="list-style-type: none"> 1-4. Behaviour of firefighters in the station in which the claimant was the Station Officer. 5. A work payment claim. 6. The fitness of two firefighters to carry out their duties because of physical capacity issues.
4	<i>A Worker v A Nursing Home</i> ADJ-00000267	<ol style="list-style-type: none"> 1. Care of a resident. (p1) 2. Qualifications of a co-worker. (p2)
5	<i>Donegal CC v Carr</i> [2017] 28 ELR 259	Same details as no 3.
6	<i>Dougan and Clarke v Lifeline Ambulances Ltd</i> [2018] 29 ELR 210	1. Respondent had been involved in serious wrongdoing, namely that staff of the respondent had been paid mileage expenses in lieu of taxable pay.

No	Case name	Nature of disclosure
7	<i>Monaghan v McGrath Partnership</i> [2017] 28 ELR 8	Same details as no 1.
8	<i>A Worker v An Agricultural Estate</i> ADJ-00000860	1. Changes to the complainant's terms and conditions of employment, which had taken place without discussion or agreement. (p2) 2. Letter to MD regarding the line manager's behaviour and felt that he had to bring to light to prevent further victimisation of other employees. (p2)
9	<i>Employee v Employer</i> ADJ-00003371	1. Complainant had been instructed to assist with concealing that the products of a UK insurance company were being used by the respondent as its own products and this was being done without the agreement of the UK company. (p4) 2. Complainant had been instructed by the respondent to obtain mandate from customers of the Schemes function within the UK insurance company, which was not agreed with the UK insurance company. (p4)
10	<i>Kelly v AlienVault Ireland Ltd & AlienVault Inc</i> (2016) Irish Examiner, 3 Nov	1. Health and safety concerns regarding sewage leaks and people being locked in toilets for three hours.
11	<i>An Employee v An Employer</i> ADJ-00000258	1. Raised concerns that it was a breach of the law (Road Traffic Act 1961) to drive an uninsured vehicle in a public place without tax, insurance, NCT, and proper licence. (pp1 and 2)
12	<i>Claimant v Respondent</i> ADJ-00002571	No details.

No	Case name	Nature of disclosure
13	<i>An Employee v A Nursing Home</i> ADJ-00000456	<ol style="list-style-type: none"> 1. Resident tied with walking belt into chair. (p1) 2. Removal of incident from Communications Book. (p2) 3. Letter regarding: (i) medication/dangerous drug procedures; (ii) training and qualifications of certain staff; (iii) lack of any supervision and appraisal of staff. (p2) 4. To HIQA: (i) Ongoing concerns regarding practice (ii) lack of response or action take regarding concerns. (p2)
14	<i>An Employee v An Employer</i> ADJ-00000708	No details.
15	<i>Carroll v Congregation of the Holy Spirit T/A Registered Charity Chy 076</i> UD 981/2015	<ol style="list-style-type: none"> 1. Elder abuse by a co-worker. (p2)
16	<i>A Senior Official v A Local Authority</i> ADJ-00001721	<ol style="list-style-type: none"> 1. Respondent had made disguised payments and there had been accounting irregularities relating to the expenditure of Council monies. (p2) 2. Veracity of statements made by or on behalf of the respondent to members of the Oireachtas, the media, and other parties.
17	<i>A Complainant v A Respondent</i> ADJ-00004519	<ol style="list-style-type: none"> 1. Appropriation and disbursement of monies by the complainant's manager. (p1) 2. Missing stock. (p1)
18	<i>A Public Servant v A Government Department</i> ADJ-00004925	1-6. Six allegations that a person has failed is failing or is likely to fail to comply with any legal obligation (s 5(3)(b)). (p2) No details of same.

No	Case name	Nature of disclosure
19	<i>Accounts Administrator v A University</i> ADJ-00000305	1. Endangerment of the complainant's health and safety. No details of same. (p1)
20	<i>Accounts Administrator v A University</i> ADJ-00004380	No details.
21	<i>A Fire Station Officer (retired) v A Local Authority</i> ADJ-00004684	1. Non-compliance by the complainant's crew with legislation covering the role of firefighters with the respondent. (p1) 2. Expected mobilisation times. (p2) 3. The system that required fire crew to be 'on call' and potential crew fatigue. (p2) 4. Breaches of health and safety and general fire service regulations. (p6) 4. Breach of sick pay policy of the employer by a named firefighter. (p7).
22	<i>Training Co-ordinator v A Social Support Service</i> ADJ-00002320	1. Raised the subject of a restrictive practice during the course of a meeting of the respondent behaviour support committee. (p20)
23	<i>A Worker v A Communications Provider</i> ADJ-00001380	1. Health and safety of claimant and fellow employees endangered by having to use unsafe climbing equipment and ladders.
24	<i>A Service Engineer v A Provider of Plant Machinery</i> ADJ-00007236	1. Payment of overtime and hours worked by the complainant. (p2) 2. Offence of not maintaining working time records: hours not being recorded, relied on s 5(3)(a) (s25 Organisation of Working Time Act). (p2).

No	Case name	Nature of disclosure
25	<i>A Worker v A Service Station</i> ADJ-00006640	1. Concerns re monies held in the safe and ATM machine. (p1) 2. Stocktake figures for June 2016 had been falsified on the instructions of the local store manager. (p1)
26	<i>Bank Official v Banking Sector</i> ADJ-00005011	1. Complainant alerted respondent of an error in an article about a platinum card regarding fees attaching to it: fearful that an attempt was being made by certain senior management to mis-sell products. (p2)
27	<i>QFF Distribution Limited v O'Reilly</i> PDD 1/2017	Same details as no 12
28	<i>A Senior Account Manager v A Print Management and Logistics Company</i> ADJ-00005984	1. Breach of service agreement re printing as instructed to order items of print for a client from a supplier at an excessive cost: argued this was a misuse of public funding under s 5(3)(b). (p2)
29	<i>A Commercialisation Specialist v A Government Agency</i> ADJ-00007228	1. Respondent had not fully met complainant's freedom of information request. 2. Respondent had failed to comply with its obligations under the relevant legislation 3. Respondent's purchase of an Employment Practices Liability insurance policy was a 'prodigal use of taxpayers' money'. 4. Deliberate concealment of information and/or documentation relevant to his protected disclosures by the respondent.
30	<i>Mr A v A Public Body</i> ADJ-00006360	1. Issues related to how the public body enforced its statutory powers and the legal stance adopted towards certain potential breaches. (p2) 2. Concerned with how the public body addressed compliance issues arising in certain institutions. (p4) 3. Raised concerns over a prolonged period about the work of the public body and in particular, the management of its inspectorate service. (p12)

No	Case name	Nature of disclosure
31	<i>Mr A(1) v A Government Department ADJ-00006381</i>	Same details as no 30.
32	<i>Mr A(2) v A Government Department ADJ-00009800</i>	Same details as no 30.
33	<i>Kerry Parents & Friends Association v O'Connor Flemming PDD 2/2017</i>	Same details as no 22.
34	<i>University of Limerick v Roche PDD 3/2017</i>	Same details as no 19.
35	<i>University of Limerick v Copley PDD 4/2017</i>	Same details as no 20.
36	<i>An Office Administrator v A Removals and Storage Company ADJ-00008404</i>	1. Road traffic matter regarding the unauthorised driving of company vehicles (p2): allowing an L-driver to drive unaccompanied in a company vehicle (p3), relied on ss 5(3)(a) and (d). (p5).

No	Case name	Nature of disclosure
37	<i>Loxam Ltd v Kevin Brunkard</i> UD 1755	Same details as no 24.
38	<i>AIB v Murphy</i> PDD 1/2018	Same details as no 26.
39	<i>A Childcare Worker v A Creche</i> ADJ-00002421	1. Concerns in respect of working conditions and safety regulations pertaining to the welfare of children: owner's mother employed as a cook undertook cooking and child care duties and switched between the two; childcare regulations relating to the ratio of staff to children severely breached (p1); breach of the child care Pre-school Regulations 2006 (p2).
40	<i>Galway CC v Connolly</i> PDD 2/2018	Same details as no 21
41	<i>An Employee v A Public Body</i> ADJ-00005583	1. Raised a concern about the use of non-qualified staff when qualified staff were available: assignment of unqualified staff by the respondent to perform tasks requiring qualifications when qualified staff available constituted an inefficient use of taxpayers' funds. (p2) 2. Respondent not compliant with EC Regulation 852/2014. (p2) 3. Assignment of unqualified staff in the gym areas was a breach of health and safety. (p2)
42	<i>Claimant v Employer</i> ADJ-00008888	1. Breach of Training Procedures and Policies including protocols in relation to training logs and trainer procedures. (p2)

No	Case name	Nature of disclosure
43	<i>An Employee v An Agency</i> ADJ-00008429	1. Inappropriate behaviour from complainant's manager following an intimate encounter with his manager that resulted in his development of mental health issues. Complained about his health and safety: mental health affected and wanted transfer. (p3).
44	<i>Enterprise Ireland v Carroll</i> PDD 3/2018	Same details as no 29.
45	<i>CEO v Accountant</i> ADJ-00009156	1. A third party had attempted to hack the complainant's Gmail account and that as a result, the respondent's IT system had been successfully compromised and the respondent was unaware of it (p3): breach of company IT system and an employee of the respondent was responsible (p5).
46	<i>Fingal CC v O'Brien</i> PDD 4/2018	Same details as no 16
47	<i>Southside Travellers Action Group v O'Keefe</i> UDD 1828	1. Concerns surrounding the operation of the services relating to: (i) the level of her salary; (ii) the dispersal of funds throughout the organisation; and (iii) the non-Garda vetting of some employees. (p3) 2. Health and safety issues regarding a mini-bus. (p4) 3. Child protection policy and procedures. (p4) 4. Financial irregularities. (p6)
48	<i>Researcher v Employment Agency</i> ADJ-00010550	1. Health and safety conditions: no access to toilets or the kitchen during construction work. (p2)

Appendix 2(a): Prescribed Persons' Survey Cover Letter



5th April 2018

TO WHOM IT MAY CONCERN,

My name is Lauren Kierans BL and I am a PhD candidate at Middlesex University, London. My research focuses on the effectiveness of the Irish Protected Disclosures Act 2014 (the 'Act'). As part of this research, I am looking at the Protected Disclosures Prescribed Person system. In order to evaluate this system, a survey is being conducted of all statutory Prescribed Persons. I am inviting you to participate in this research by completing the survey available via the link attached in the email from which you received this letter.

Purpose

The purpose of this survey is to determine whether the Protected Disclosures Prescribed Person system is working properly. In order for the system to be effective, Prescribed Persons need to know and understand what is required of them to carry out their role.

It is hoped that an analysis of the data from the survey will assist me in making recommendations for improvements of the Protected Disclosures Prescribed Person system.

Who should complete this survey?

I would kindly request that the most appropriate person in your organisation in relation to protected disclosures completes the survey.

Consent

Completion of the survey will indicate your willingness to participate in this survey and to the anonymised data being used in any subsequent publication. Participation in the survey is voluntary. In giving consent, you have the right to withdraw consent, as well as a right not to answer particular questions. However, once the data has been anonymised, consent cannot be withdrawn.

Confidentiality

The confidentiality of your organisation will be maintained at all times and the data obtained will be anonymised after collection.

Use and storage of data collected

The data collected from the survey will be used in the PhD and potentially in any subsequent publications. Copies of the completed surveys will be given to my doctoral supervisor, Professor David Lewis [d.b.lewis@mdx.ac.uk] and will be held securely at Middlesex University.

Timeframe

The survey will require approximately 10-15 minutes to complete. Participants are kindly requested to complete the survey by **Thursday, 19 April 2018**.

If you have any queries regarding this survey, please do not hesitate to contact me via email at laurenkieransbl@gmail.com. Thank you for taking the time to assist me. I look forward to receiving your response.

Kind regards,

Lauren Kierans BL
laurenkieransbl@gmail.com

Appendix 2(b): Protected Disclosures Prescribed Person Survey

Protected Disclosures Prescribed Person Survey

Start of Block: Default Question Block

Q1 Name of your organisation:

Q2 Your current role in the organisation:

Q3 Does your organisation perform the function of prescribed person under either Protected Disclosures Act 2014 (s 7(2)) Order 2014, SI 339/2014, Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2015, SI 448/2015, or Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2016, SI 490/2016?

- Yes (1)
- No (2)
- Don't know (3)

Skip To: End of Survey If Does your organisation perform the function of prescribed person under either Protected Disclosures Act 2014 (s 7(2)) Order 2014, SI 339/2014, Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2015, SI 448/2015, or Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2016, SI 490/2016? = No

Skip To: End of Survey If Does your organisation perform the function of prescribed person under either Protected Disclosures Act 2014 (s 7(2)) Order 2014, SI 339/2014, Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2015, SI 448/2015, or Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2016, SI 490/2016? = Don't know

Q4 Does your organisation have specific procedures for receiving protected disclosures as a prescribed person (separate to any you may have for internal staff)?

- Yes (1)
 - No (2)
 - Don't know (3)
-

Q5 Is there a person within your organisation who is designated to receive protected disclosures?

- Yes (1)
- No (2)
- Don't know (3)

Skip To: Q7 If Is there a person within your organisation who is designated to receive protected disclosures? = No

Skip To: Q7 If Is there a person within your organisation who is designated to receive protected disclosures? = Don't know

Q6 If you answered 'yes' to Q5, are you the person in your organisation designated to receive protected disclosures?

- Yes (1)
 - No (2)
-

Q7 Did you receive any specific training on protected disclosures?

Yes (1)

No (2)

Q8 What is your level of understanding of your protected disclosures procedures?

High (1)

Medium (2)

Low (3)

Q9 What is your level of understanding of the provisions of the Protected Disclosures Act 2014?

High (1)

Medium (2)

Low (3)

Q10 What is your level of understanding of the scope of matters in respect of which you are prescribed?

High (1)

Medium (2)

Low (3)

Q11 What is your level of understanding of investigation procedures for protected disclosures?

High (1)

Medium (2)

Low (3)

Q12 Has your organisation received any alleged protected disclosures?

Yes (1)

No (2)

Don't know (3)

Skip To: Q16 If Has your organisation received any alleged protected disclosures? = No

Skip To: Q16 If Has your organisation received any alleged protected disclosures? = Don't know

Q13 If you answered 'yes' to Q12, approximately how many alleged protected disclosures has your organisation received?

1-4 (1)

5-9 (2)

10+ (3)

Q14 Have you investigated any alleged protected disclosures?

- Yes (1)
- No (2)

Skip To: Q16 If Have you investigated any alleged protected disclosures? = No

Q15 If you answered 'yes' to Q14, approximately how many alleged protected disclosures have you investigated?

- 1-4 (1)
 - 5-9 (2)
 - 10+ (3)
-

Q16 Is there information on your organisation's website which tells external persons how to make a protected disclosure to your organisation?

- Yes (1)
- No (2)
- Don't know (3)

Skip To: Q18 If Is there information on your organisation's website which tells external persons how to make a pr... = No

Skip To: Q18 If Is there information on your organisation's website which tells external persons how to make a pr... = Don't know

Q17 If you answered 'yes' to Q16, please indicate the type of information on your organisation's website which tells external persons how to make a protected disclosure to your organisation, i.e. procedures, webpage, online form etc.

Q18 If someone requests advice, do you provide it?

- Yes (1)
- No (2)

Skip To: Q20 If someone requests advice, do you provide it? = Yes

Q19 If you answered 'no' to Q18, do you refer a person who requests advice to organisations that can provide advice?

- Yes (1)
 - No (2)
-

Q20 If someone makes a protected disclosure outside of your remit, do you refer the disclosure to the correct prescribed person?

- Yes (1)
 - No (2)
-

Q21 If you are not the relevant prescribed person, do you tell the worker who is?

- Yes (1)
 - No (2)
-

Q22 Do you have a system for protecting the identity of the worker who makes a disclosure to you?

- Yes (1)
- No (2)
- Don't know (3)

Skip To: Q24 If Do you have a system for protecting the identity of the worker who makes a disclosure to you? = No

Skip To: Q24 If Do you have a system for protecting the identity of the worker who makes a disclosure to you? = Don't know

Q23 If you answered 'yes' to Q22, can you explain briefly what steps you take to protect the identity of the worker who makes a disclosure to you?

Q24 Does your organisation's annual report under section 22 of the Protected Disclosures Act 2014 include protected disclosures received as a prescribed person?

- Yes (1)
- No (2)
- Don't know (3)

Q25 Does your organisation's annual report under section 22 of the Protected Disclosures Act 2014 include protected disclosures received as an employer?

- Yes (1)
 - No (2)
 - Don't know (3)
-

Q26 How does your organisation decide whether or not a disclosure is a protected disclosure for the purposes of the section 22 annual report?

Q27 Was your organisation given additional funding to assist with the additional costs this role as a prescribed person may incur?

- Yes (1)
 - No (2)
 - Don't know (3)
-

Q28 How confident are you in carrying out your role as a prescribed person?

- Very confident (1)
 - Somewhat confident (2)
 - Not confident (3)
-

Q29 As a prescribed person, do you have anything to share that could be considered good practice?

Q30 Is there anything else you would like to add about your role as a prescribed person?

End of Block: Default Question Block

Appendix 2(c):

Default Report Protected Disclosures Prescribed Person Survey

Default Report

Protected Disclosures Prescribed Person Survey

March 5th 2019, 11:33 am GMT

Q2 - Your current role in the organisation:

Your current role in the organisation:

Acting Senior Executive Officer

Senior Executive Officer, Enterprise and Corporate Services

Senior Officer

Communications Manager

Senior Executive Officer, Corporate Services

Director

Director of Quality, Scientific Affairs and Communications

Manager Legal & Audit Services

Secretary to the Commission

HEO

Director of Services

Senior Executive Officer

Corporate Affairs Officer

Group Company Secretary

Registrar

Chief Executive

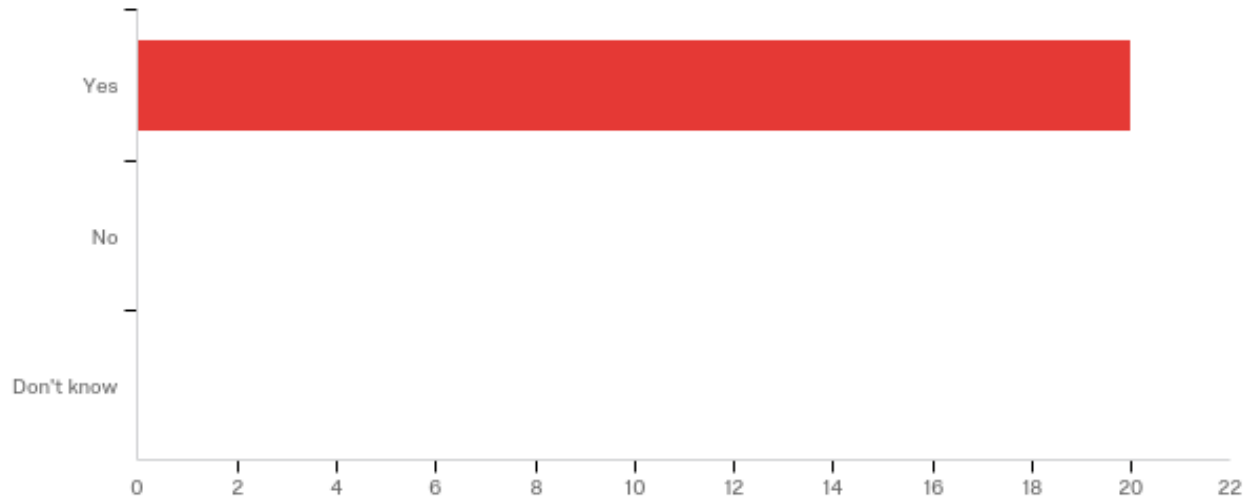
Administrative Officer

Senior Executive Officer, Corporate Services Department

Head Of Finance

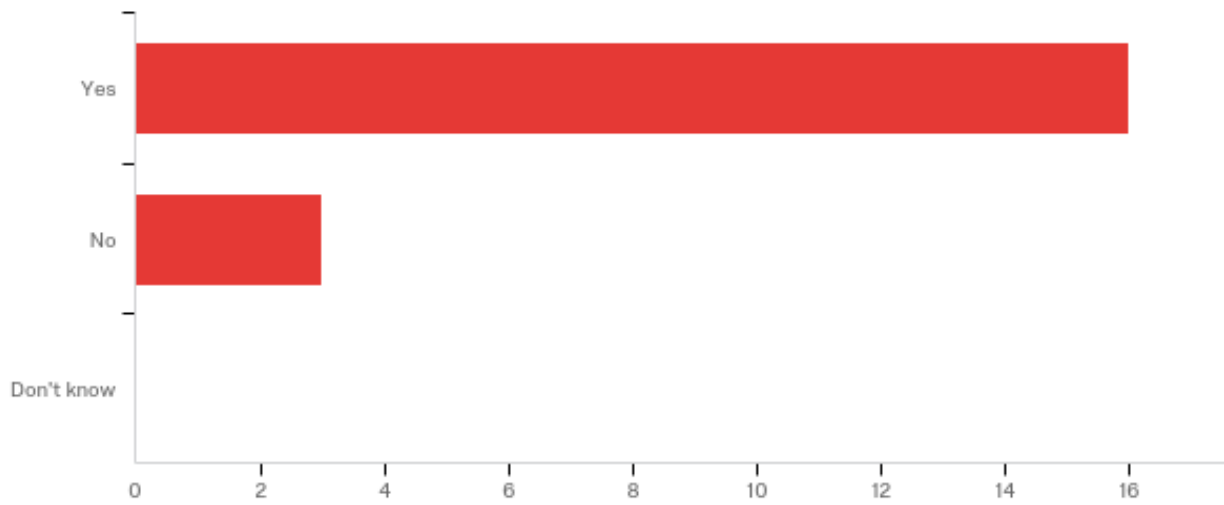
Designated Officer to receive Protected Disclosures

Q3 - Does your organisation perform the function of prescribed person under either Protected Disclosures Act 2014 (s 7(2)) Order 2014, SI 339/2014, Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2015, SI 448/2015, or Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2016, SI 490/2016?



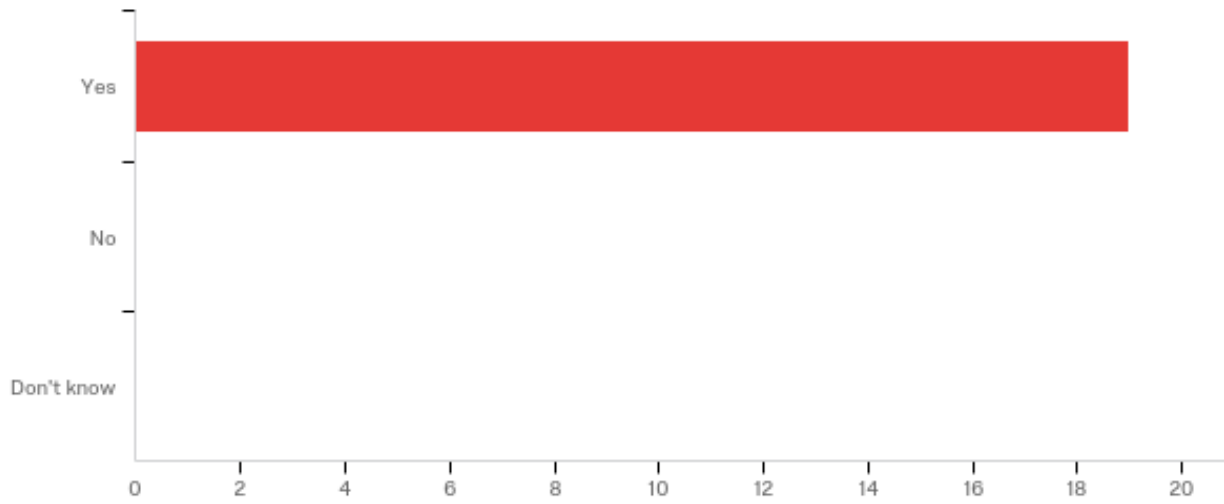
#	Answer	%	Count
1	Yes	100.00%	20
2	No	0.00%	0
3	Don't know	0.00%	0
	Total	100%	20

Q4 - Does your organisation have specific procedures for receiving protected disclosures as a prescribed person (separate to any you may have for internal staff)?



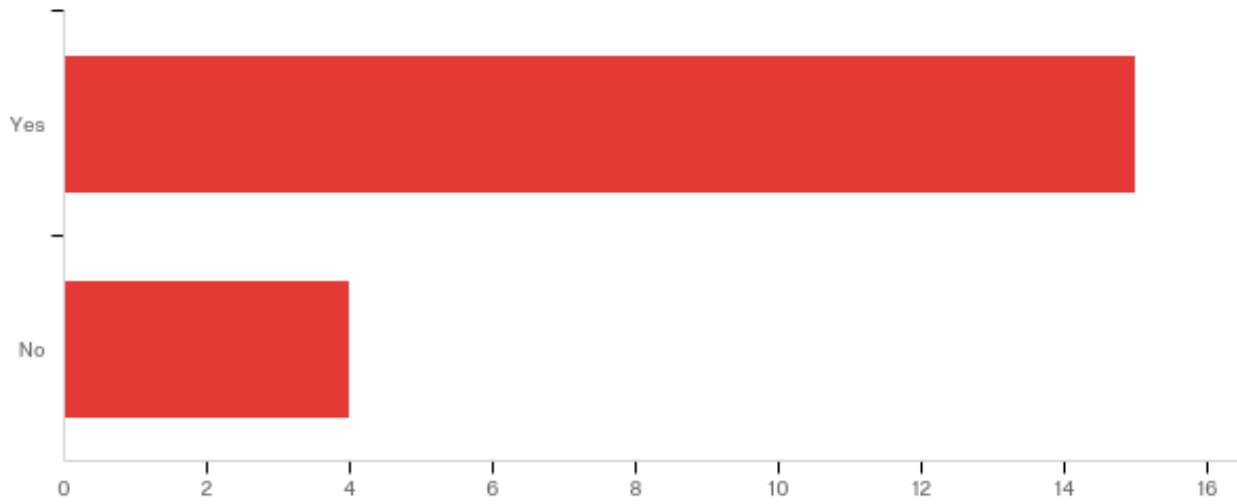
#	Answer	%	Count
1	Yes	84.21%	16
2	No	15.79%	3
3	Don't know	0.00%	0
	Total	100%	19

Q5 - Is there a person within your organisation who is designated to receive protected disclosures?



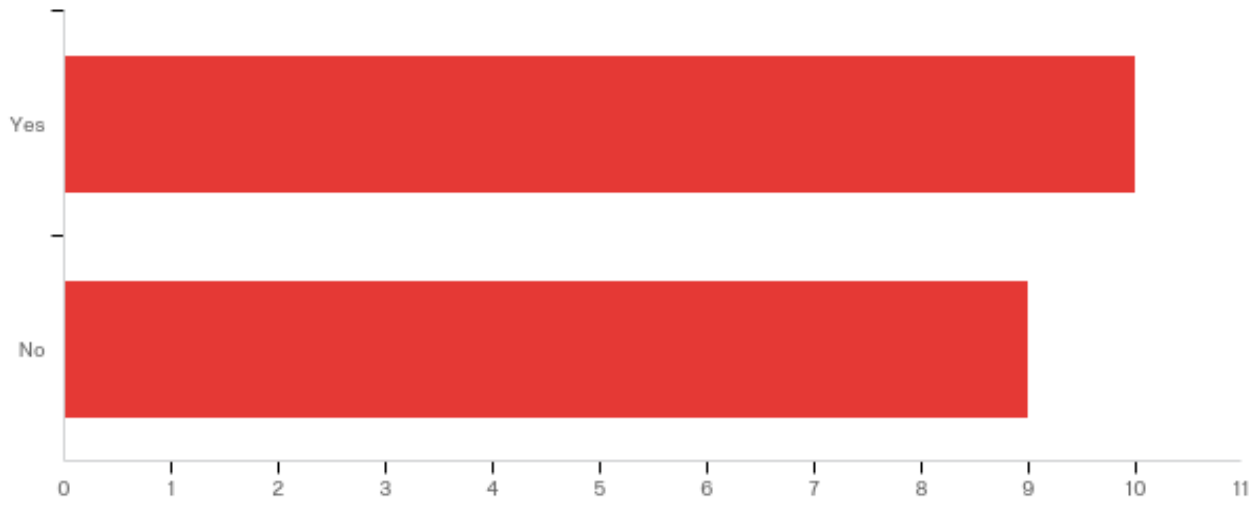
#	Answer	%	Count
1	Yes	100.00%	19
2	No	0.00%	0
3	Don't know	0.00%	0
	Total	100%	19

Q6 - If you answered 'yes' to Q5, are you the person in your organisation designated to receive protected disclosures?



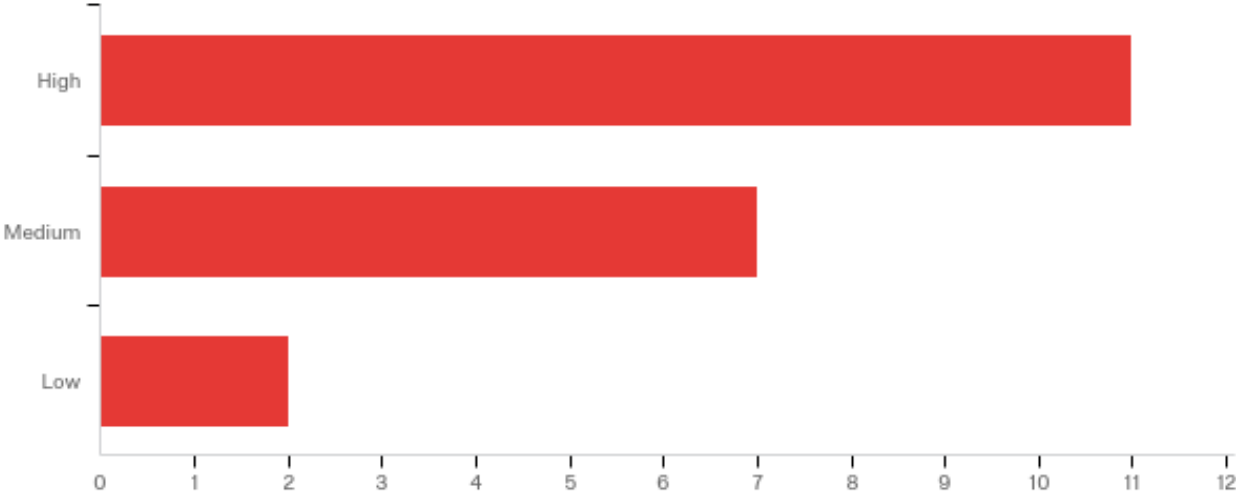
#	Answer	%	Count
1	Yes	78.95%	15
2	No	21.05%	4
	Total	100%	19

Q7 - Did you receive any specific training on protected disclosures?



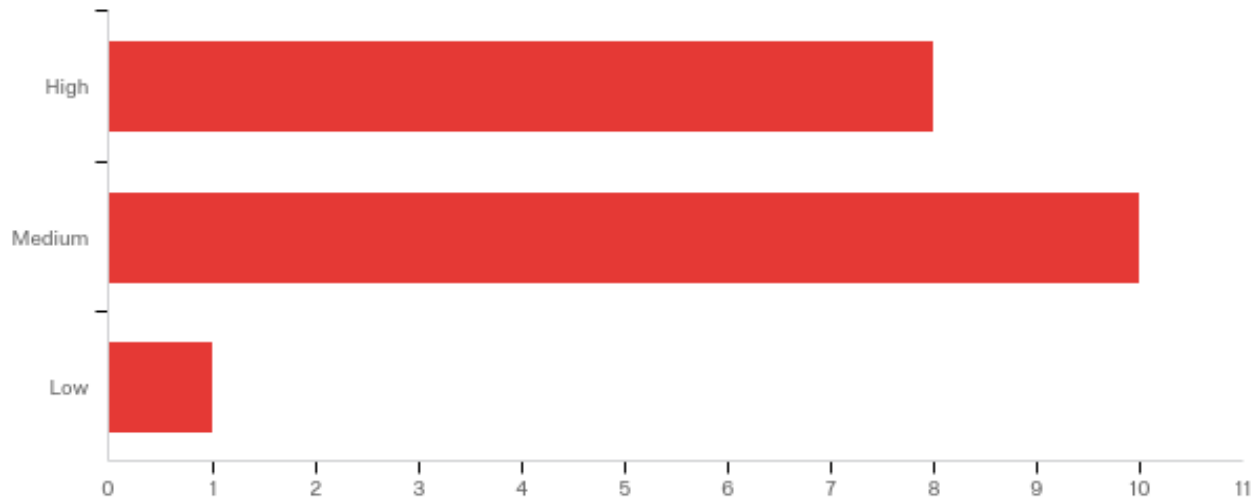
#	Answer	%	Count
1	Yes	52.63%	10
2	No	47.37%	9
	Total	100%	19

Q8 - What is your level of understanding of your protected disclosures procedures?



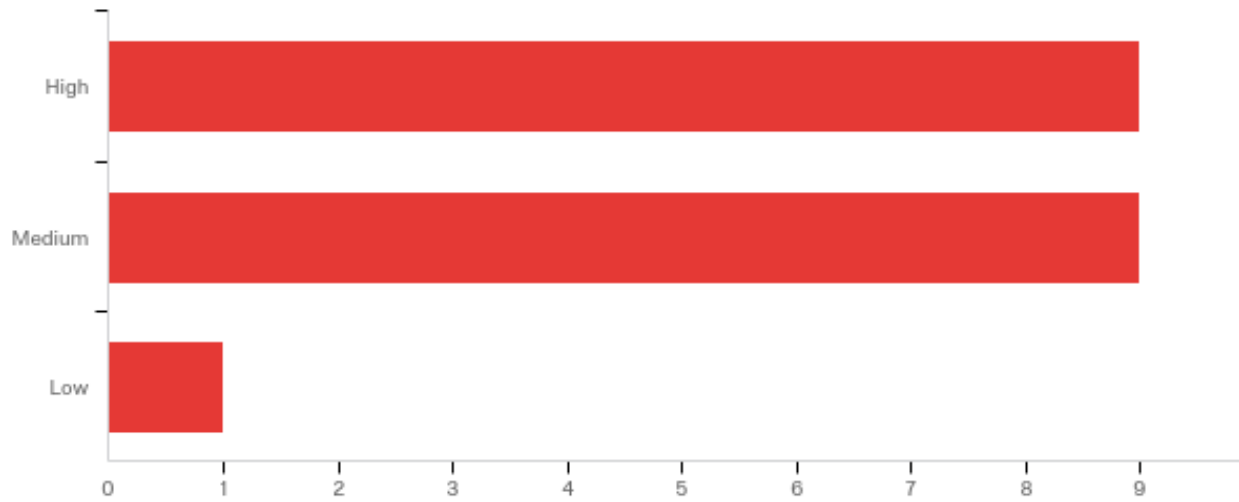
#	Answer	%	Count
1	High	55.00%	11
2	Medium	35.00%	7
3	Low	10.00%	2
	Total	100%	20

Q9 - What is your level of understanding of the provisions of the Protected Disclosures Act 2014?



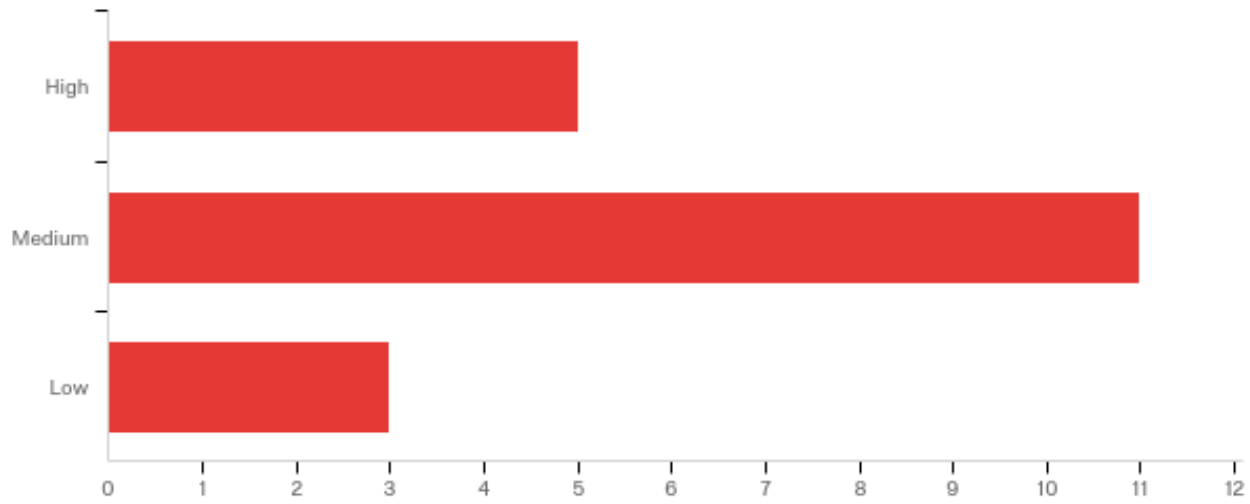
#	Answer	%	Count
1	High	42.11%	8
2	Medium	52.63%	10
3	Low	5.26%	1
	Total	100%	19

Q10 - What is your level of understanding of the scope of matters in respect of which you are prescribed?



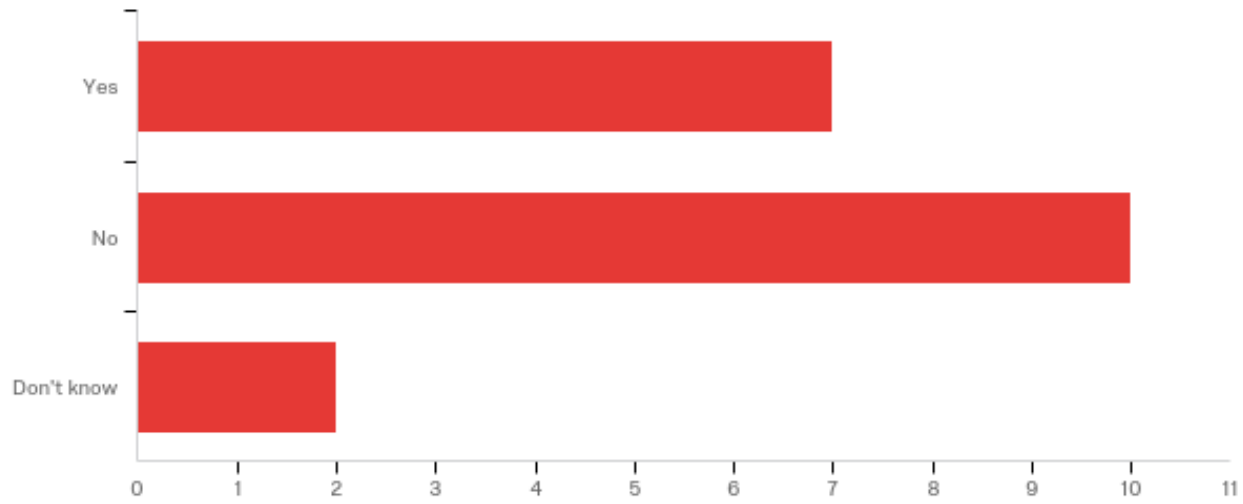
#	Answer	%	Count
1	High	47.37%	9
2	Medium	47.37%	9
3	Low	5.26%	1
	Total	100%	19

Q11 - What is your level of understanding of investigation procedures for protected disclosures?



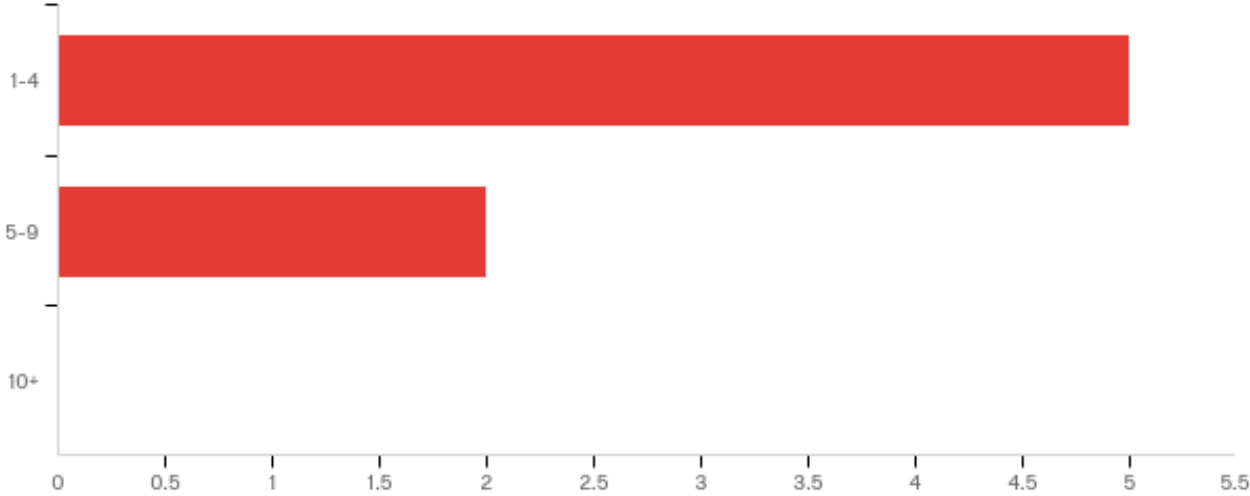
#	Answer	%	Count
1	High	26.32%	5
2	Medium	57.89%	11
3	Low	15.79%	3
	Total	100%	19

Q12 - Has your organisation received any alleged protected disclosures?



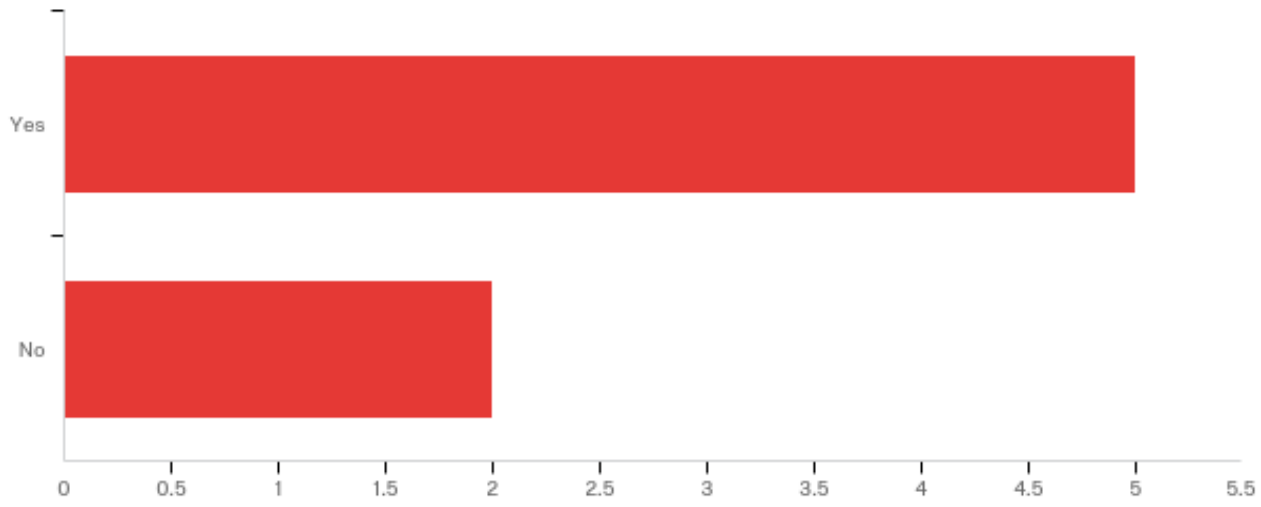
#	Answer	%	Count
1	Yes	36.84%	7
2	No	52.63%	10
3	Don't know	10.53%	2
	Total	100%	19

Q13 - If you answered 'yes' to Q12, approximately how many alleged protected disclosures has your organisation received?



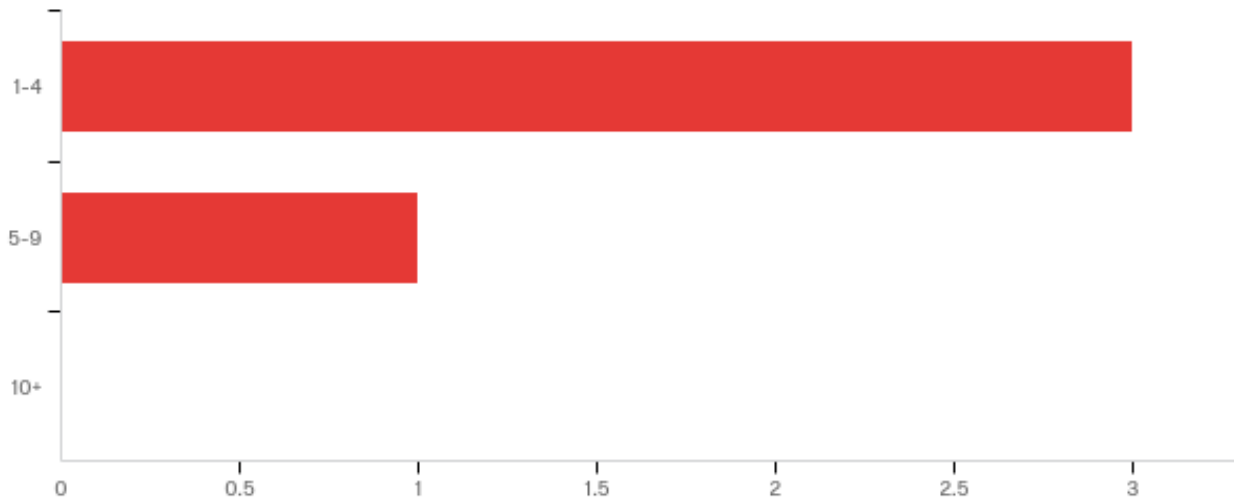
#	Answer	%	Count
1	1-4	71.43%	5
2	5-9	28.57%	2
3	10+	0.00%	0
	Total	100%	7

Q14 - Have you investigated any alleged protected disclosures?



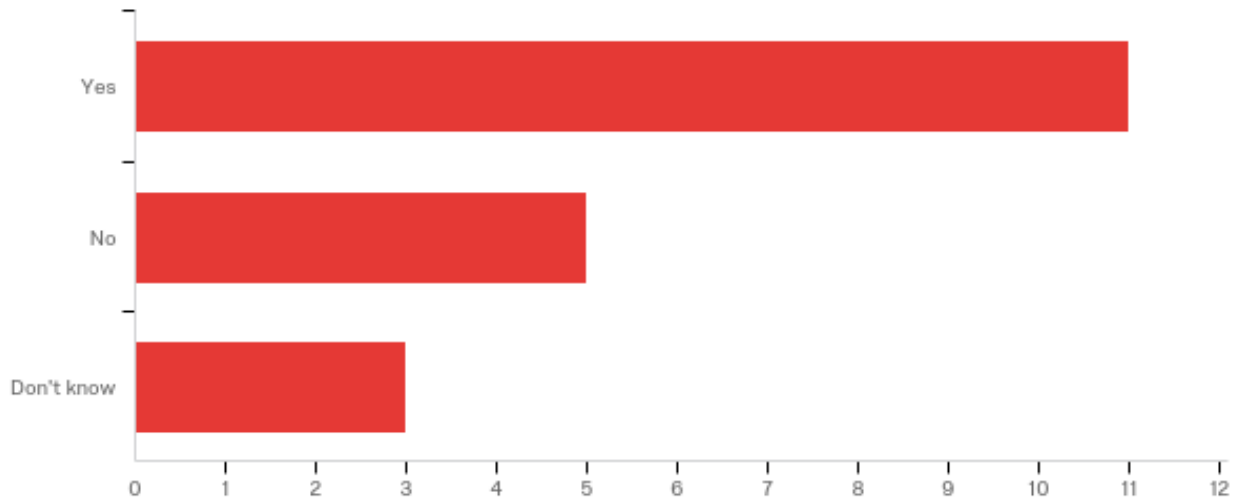
#	Answer	%	Count
1	Yes	71.43%	5
2	No	28.57%	2
	Total	100%	7

Q15 - If you answered 'yes' to Q14, approximately how many alleged protected disclosures have you investigated?



#	Answer	%	Count
1	1-4	75.00%	3
2	5-9	25.00%	1
3	10+	0.00%	0
	Total	100%	4

Q16 - Is there information on your organisation's website which tells external persons how to make a protected disclosure to your organisation?



#	Answer	%	Count
1	Yes	57.89%	11
2	No	26.32%	5
3	Don't know	15.79%	3
	Total	100%	19

Q17 - If you answered 'yes' to Q16, please indicate the type of information on your organisation's website which tells external persons how to make a protected disclosure to your organisation, i.e. procedures, webpage, online form etc.

If you answered 'yes' to Q16, please indicate the type of information on your organisation's website which tells external persons how to make a protected disclosure to your organisation, i.e. procedures, webpage, online form etc.

LGMA Interim Policies and Procedures 2014 - on the Council website

Wicklow CC's Protected Disclosures Policy and Procedures are on the website

Webpage

Procedures

web page and guidance note

Webpage with indication of how to submit a disclosure

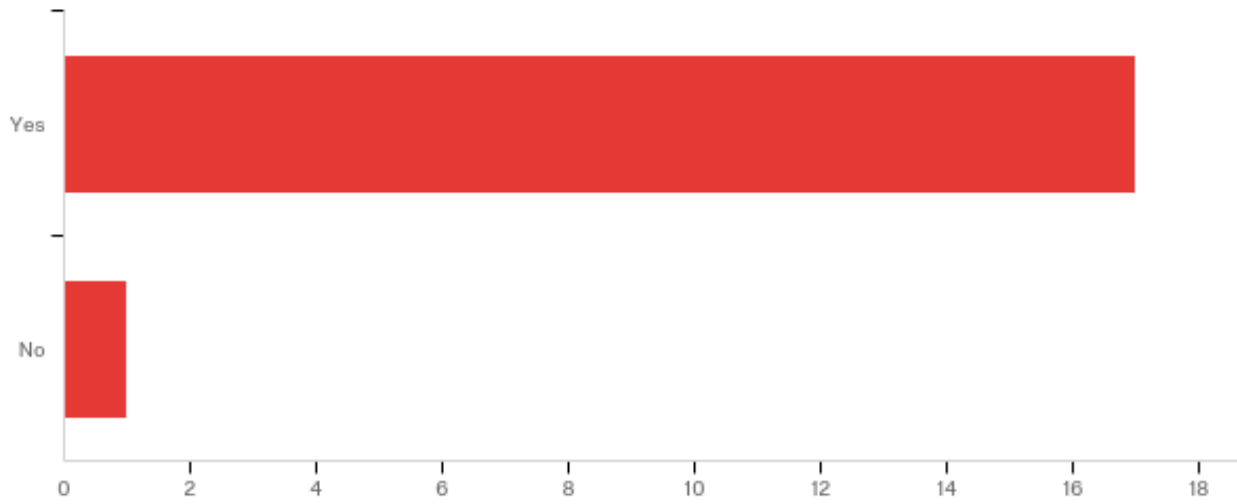
Our Protected Disclosure Policy is available @ www.hia.ie

Policy and Procedures Document on website

Procedures

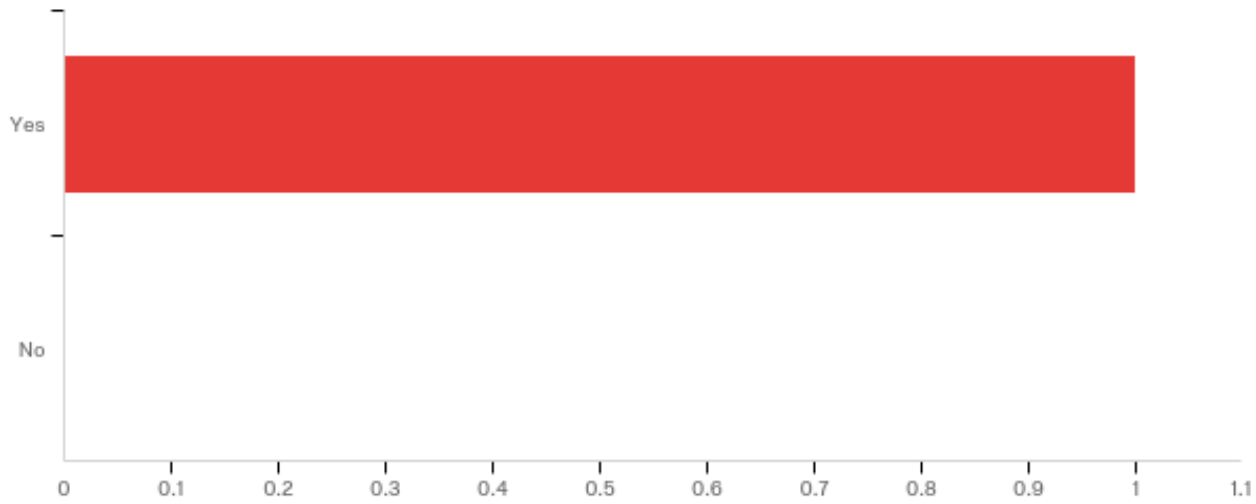
Policy & Procedure

Q18 - If someone requests advice, do you provide it?



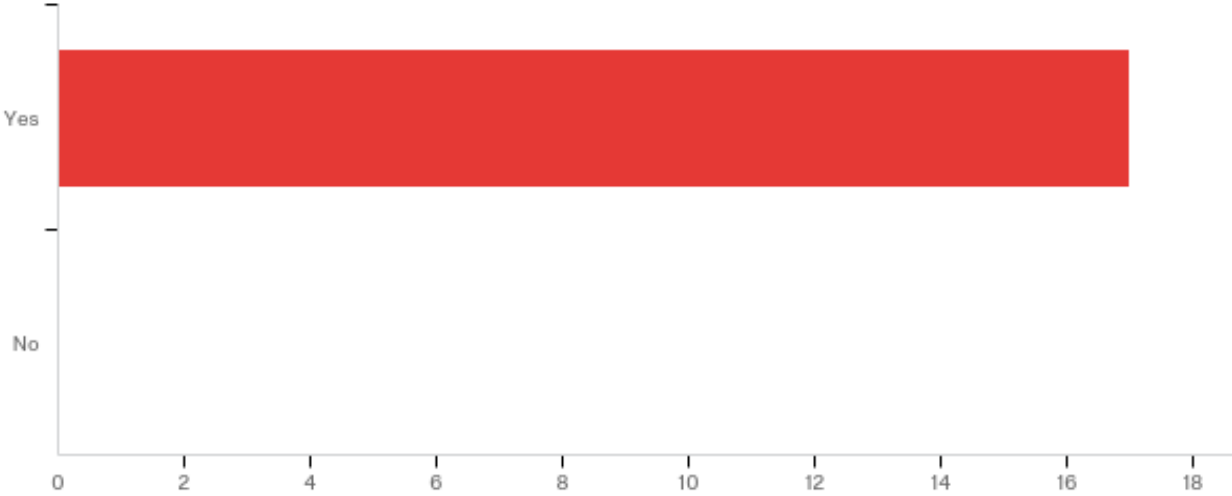
#	Answer	%	Count
1	Yes	94.44%	17
2	No	5.56%	1
	Total	100%	18

Q19 - If you answered 'no' to Q18, do you refer a person who requests advice to organisations that can provide advice?



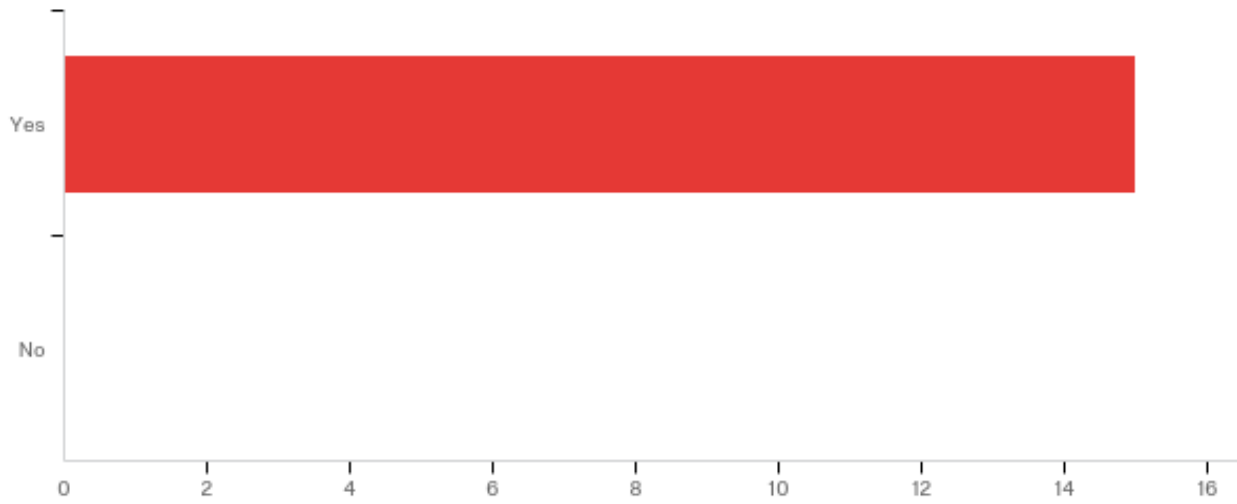
#	Answer	%	Count
1	Yes	100.00%	1
2	No	0.00%	0
	Total	100%	1

Q20 - If someone makes a protected disclosure outside of your remit, do you refer the disclosure to the correct prescribed person?



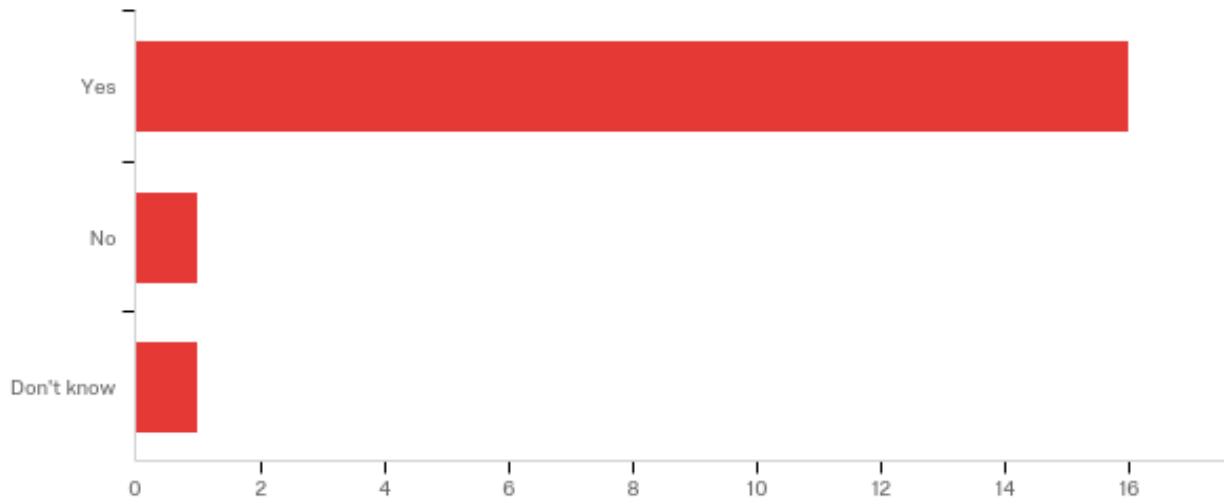
#	Answer	%	Count
1	Yes	100.00%	17
2	No	0.00%	0
	Total	100%	17

Q21 - If you are not the relevant prescribed person, do you tell the worker who is?



#	Answer	%	Count
1	Yes	100.00%	15
2	No	0.00%	0
	Total	100%	15

Q22 - Do you have a system for protecting the identity of the worker who makes a disclosure to you?



#	Answer	%	Count
1	Yes	88.89%	16
2	No	5.56%	1
3	Don't know	5.56%	1
	Total	100%	18

Q23 - If you answered 'yes' to Q22, can you explain briefly what steps you take to protect the identity of the worker who makes a disclosure to you?

If you answered 'yes' to Q22, can you explain briefly what steps you take to protect the identity of the worker who makes a disclosure to you?

Designated Officer for receipt of protected Disclosures will ensure that the name of the discloser remains confidential. File is kept in a locked cabinet in a locked room.

Its in our policy on our websire

We use an external recipient

The identity of the discloser is not made known unless there are lawful reasons for doing so, e.g. if the investigation cannot be conducted without gdisclosing their identity.

Name of compainant withheld at all times

Protected disclosures are treated much the same as any complaint made to us. Where a complaint is received, we follow our established investigation procedures which entail contacting the person/persons against whom an allegation is made, and providing details of the allegation. We protect insofar as possible the identity of the complainant. However, anonymous complaints are not accepted, and the principles of natural justice must also apply.

Meetings held off site, files kept securely locked

6.1 All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal the employees identity, if desired. Any disclosure can sent to the protected disclosure email, accessible only by the designated persons (CEO and Chairperson).

Reporting when shared with others is anonymised by me

It is kept confidential to the prescribed person only

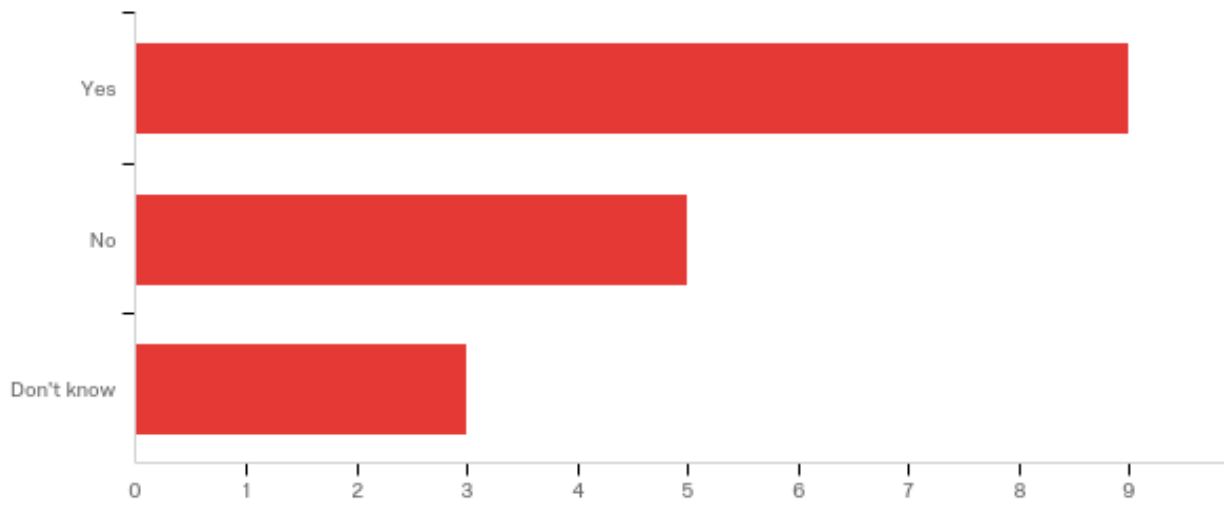
All information is held in a confidential file with restricted access

We havent had a disclosure yet, but should we have, every effort will be made to protect the identity of the worker involved.

Follow the guidelines for dealing with an investigation

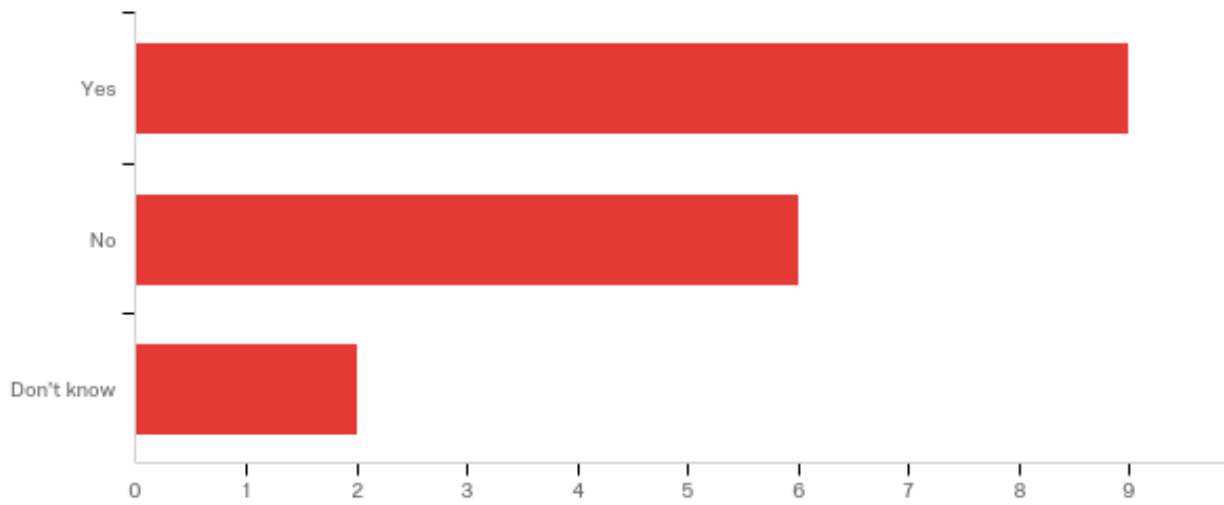
Set out in our procedure

Q24 - Does your organisation's annual report under section 22 of the Protected Disclosures Act 2014 include protected disclosures received as a prescribed person?



#	Answer	%	Count
1	Yes	52.94%	9
2	No	29.41%	5
3	Don't know	17.65%	3
	Total	100%	17

Q25 - Does your organisation's annual report under section 22 of the Protected Disclosures Act 2014 include protected disclosures received as an employer?



#	Answer	%	Count
1	Yes	52.94%	9
2	No	35.29%	6
3	Don't know	11.76%	2
	Total	100%	17

Q26 - How does your organisation decide whether or not a disclosure is a protected disclosure for the purposes of the section 22 annual report?

How does your organisation decide whether or not a disclosure is a protected disclosure for the purposes of the section 22 annual report?

Dont know

If the disclosure is treated as a protected disclosure under the Act, it is reported in the Annual report.

Reviewed by protected disclosure officer in line with policy

by the individual circumstances

Matter referred to prescribed person for consideration;

We follow our own guidance procedure

It is extremely difficult to determine. The only way to know for sure is if the worker is penalised, claims protection and the claim is upheld. Therefore we report on the numbers of disclosures 'processed according to our protected disclosures procedure.'

Legal advice

We assess whether the complaint falls within remit, is a valid complaint, and is made by a person to whom the Protected Disclosure Act applies

Prescribed perso makes the judgement

Disclosures that relate to 'relevant wrongdoings' as defined in the Protected Disclosure Act 2014 (section 5 subsections 3(a) to (h)

has not arisen

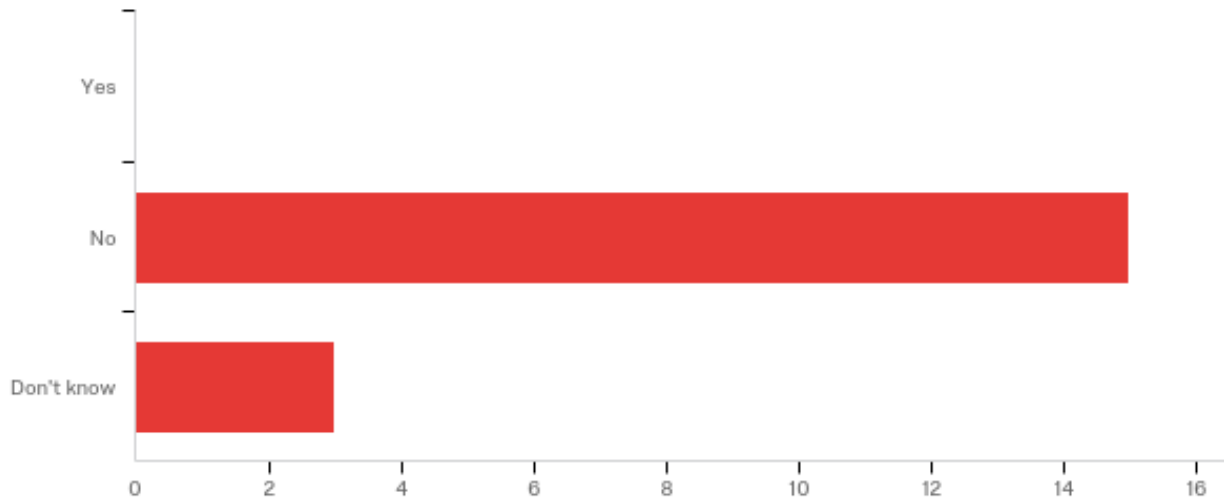
Our only disclosure will be in the 2018 annaul report

We haven't had any disclosures so this hasn't arisen

No protected disclosures made since introduction of this legislation

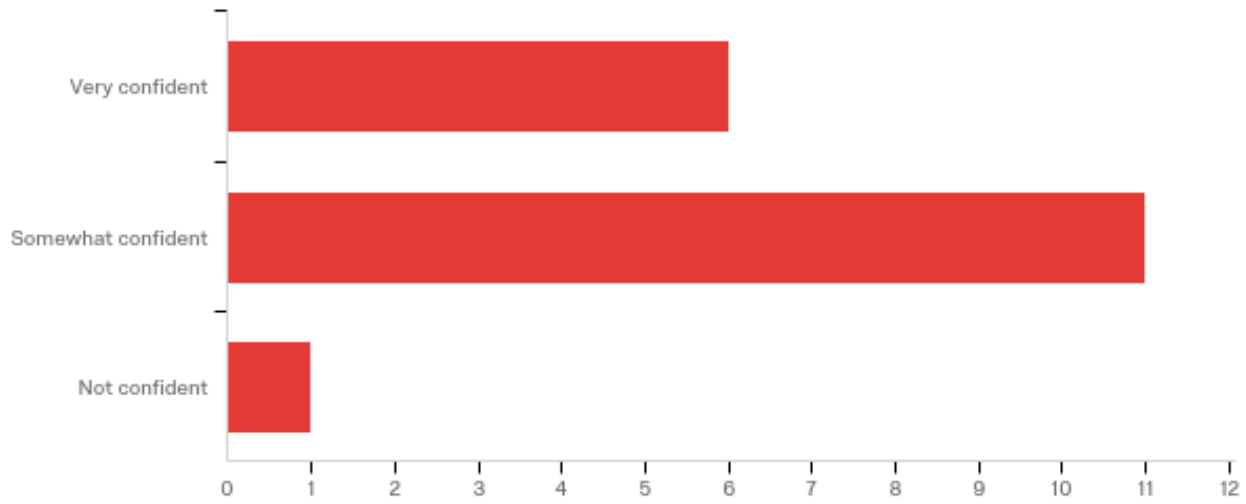
Investigate submission and consider

Q27 - Was your organisation given additional funding to assist with the additional costs this role as a prescribed person may incur?



#	Answer	%	Count
1	Yes	0.00%	0
2	No	83.33%	15
3	Don't know	16.67%	3
	Total	100%	18

Q28 - How confident are you in carrying out your role as a prescribed person?



#	Answer	%	Count
1	Very confident	33.33%	6
2	Somewhat confident	61.11%	11
3	Not confident	5.56%	1
	Total	100%	18

Q29 - As a prescribed person, do you have anything to share that could be considered good practice?

As a prescribed person, do you have anything to share that could be considered good practice?

No

No

Haven't received any protected disclosures to date so limited experience in dealing with same.

No

No

No

We are a small public body of 11 staff. We have not received a protected disclosure from either an employee or an external stakeholder and therefore are not able to offer an opinion until our policy and procedures require implementing.

No

No

It is difficult to become an expert when no disclosures have been received to learn from and gain experience from

Not at this stage. i have only dealt with a small number of enquireies / cases to-date

Q30 - Is there anything else you would like to add about your role as a prescribed person?

Is there anything else you would like to add about your role as a prescribed person?

I have recently been appointed to the role of Ascting Senior Executive Officer Corporate Services and have been designated as the Protected Disclosures Recipient. I have reviewed the legislation and have a general understanding of the requirements but would need to complete some training and seek specialist advice in the event of receipt of a protected disclosure

There should be annual revisiopn training as the disclosures are so infrequent that one forgets the policy and procedure where it only forms a title but is not the substantative duties.

No

Limited knowledge and experience in delaing with protected disclosures

No

There should be government wide standardised training that is offered to all prescribed persons.

No

The big weakness in the Act are the lack of formal investigative processes. There are limited powers under our establishing legilsation to investigate the type of complaint I am prescribed to receive. It is hard to envisage a type of protected disclosure that I could actually investigate as envisaged under the 2014 Act.

No

As per Q29

No

Appendix 3(a):

DPER Checklist for Prescribed Persons' Protected Disclosures Procedures

- Policy statement:**
- Do the Procedures confirm that the Board/Management is committed to creating a workplace culture that encourages the making of protected disclosures and provide protection for disclosers?
- Does it cover the workplace disclosure options available?
- Does it cover the protections available for disclosers?

- Application:**
- Do the Procedures set out clearly to whom the Procedures apply?
- Do the Procedures cover all workers defined in section 3 of the 2014 Act?
- Do the Procedures include a consideration of how disclosures from volunteers will be dealt with?
- Do the Procedures address the protection considered appropriate for volunteers who make disclosures?
- Do the Procedures address how volunteers will be made aware of any risks that may arise for them in making a disclosure?
- Do the Procedures confirm that any disclosures from volunteers will be appropriately assessed and/or investigated?

- What is a Protected Disclosure?**
- Do the Procedures define what a Protected Disclosure is?
- Do the Procedures provide guidance as to what is a relevant wrongdoing?
- Do the Procedures refer to the geographical scope of a disclosure?
- Do the Procedures refer to other relevant employment specific/profession-specific obligations?
- Do the Procedures provide that a protected disclosure should contain 'information'?
- Do the Procedures define what 'information' is?
- Do the Procedures provide that disclosers are not required to investigate matters themselves?
- Do the Procedures define what 'reasonable belief' is?
- Do the Procedures confirm that a discloser will not be penalised for getting it wrong when making a disclosure?
- Do the Procedures provide that the information disclosed must come to the discloser's attention in connection with his/her employment?
- Do the Procedures provide that where it is the employee's/employer's function to detect, investigate or prosecute then a disclosure will not be a protected disclosure?

- Making a protected disclosure:**
- Is it made clear in the Procedures that a worker must make a disclosure in the manner set out in the Act in order to gain the protections of the Act?

- Do the Procedures make it clear that higher standards apply when a protected disclosure is made externally?
- Do the Procedures provide that a disclosure can be made to the Employer?
- Do the Procedures not oblige workers to make disclosures internally?
- Do the Procedures encourage workers to make disclosures internally?
- Do the Procedures confirm that internal disclosures will be taken seriously?
- Do the Procedures confirm that workers making the disclosure will receive appropriate protection?
- Do the Procedures stipulate to whom within the organisation disclosures can be made?
- Do the Procedures allow for an internal disclosure to an alternative recipient?
- Is the disclosure recipient(s) someone who would normally be viewed as being part of an 'independent' function typically outside of any normal line management responsibility?
- Is the disclosure recipient(s) a person of authority within the public body?
- Is the making of disclosures outside of the employer provided for in the Procedures?
- Do the Procedures provide that a disclosure can be made to another responsible person?
- Is there an explanation of the legal requirements of a disclosure made to another responsible person included in the Procedures?
- Do the Procedures provide that a disclosure can be made to a prescribed person?
- Is there an explanation of the legal requirements of a disclosure made to a prescribed person included in the Procedures?
- Do the Procedures specify any person prescribed under SI339 that is relevant to the particular public body?
- Do the Procedures specify any matters prescribed under SI339 that is relevant to the particular public body?
- Do the Procedures reference the S.I. so as to enable a worker to identify the prescribed person for any other wrongdoing that is not relevant to the particular public body, but which has come to the attention of the worker in connection with his/her employment?
- Do the Procedures provide that a disclosure can be made to a Minister of the Government?
- Is there an explanation of the legal requirements of a disclosure made to a Minister included in the Procedures?
- Is the Minister with primary statutory functions in relation to that public body identified in the Procedures?
- Do the Procedures provide that a disclosure can be made to a legal advisor?
- Is there an explanation of the legal requirements of a disclosure made to a legal advisor included in the Procedures?
- Do the Procedures provide information on alternative external disclosures (section 10)?
- Do the Procedures explain that there are stringent requirements for alternative disclosures to qualify as protected disclosures under section 10 of the 2014 Act?

- Do the Procedures confirm that it is preferable in most circumstances to disclose to the employer and that if it is not appropriate, to make a disclosure to another responsible person, a prescribed person, to a Minister, or to a legal advisor?

- Disclosure in the area of law enforcement, security, defence, international relations and intelligence (sections 17-18)**
- Do the relevant public bodies have detailed information pertaining to section 17 of the 2014 Act included in their procedures?
- Do the relevant public bodies have detailed information pertaining to section 18 of the 2014 Act included in their procedures?

- Protection against penalisation (including dismissal and detriment)**
- Is the definition of ‘penalisation’ as defined in section 3(1) of the 2014 Act included in the Procedures?
- Do the Procedures include a commitment that penalisation of disclosers will not be tolerated?
- Do the Procedures provide that disclosers who feel that he/she is being subjected to adverse treatment should report the matter immediately to management?
- Do the Procedures contain a commitment to assess/investigate notifications of penalisation?
- Do the Procedures contain a commitment to take appropriate action (which may include disciplinary action against supervisors and co-workers) where necessary if a report of penalisation has been made?

- Confidentiality/ protection of identity**
- Do the Procedures confirm that the 2014 Act imposes an obligation on the recipient of a disclosure and any person to whom it is referred to protect the identity of the discloser?
- Do the Procedures set out the extent of the obligation to protect the identity of the discloser?
- Do the Procedures provide that where action is to be taken following a protected disclosure, the discloser will be consulted with, where possible, in order to gain his/her informed consent, prior to any action being taken that could identify them?
- Do the Procedures explain that where it is decided that it is necessary to disclose information that may/will disclose the identity of the discloser, he/she will be informed of this decision in advance of the disclosure, except in exceptional cases?
- Do the Procedures include an assurance that the identity of the discloser must be protected under the 2014 Act, with the exception of a number of specific cases?
- Are these exceptions outlined in the Procedures?
- Do the Procedures include a request that disclosers who are concerned that their identity is not being protected to notify their employer of this concern?
- Do the Procedures include a commitment to assess/investigate a notification by a discloser that his/her identity is not being protected?

- Do the Procedures include a commitment to take appropriate action where necessary when a notification by a discloser that his/her identity is not being protected is received?

- Anonymous disclosures**
- Do the Procedures draw a distinction between an anonymous disclosure and a confidential disclosure?
- Do the Procedures make a commitment that anonymous disclosures will be acted upon to the extent that it is possible while recognising that an organisation may be restricted in their ability to investigate the matter without knowing the discloser's identity?
- Do the Procedures make it clear that important elements of the Procedures may be difficult or impossible to apply unless the discloser's identity is known?
- Do the Procedures make it clear that a discloser cannot obtain redress under the 2014 Act without identifying himself or herself?

- Personal complaint vs protected disclosure**
- Do the Procedures confirm the distinction between a personal employment complaint and a protected disclosure?
- Do the Procedures confirm that they are not intended to act as a substitute for normal day-to-day operational reporting or other internal employment procedures?
- Do the Procedures provide that personal employment complaints should generally be dealt with under the internal grievance/dignity at work procedures?
- Do the Procedures provide examples of a personal employment complaint?

- Motivation**
- Do the Procedures confirm that motivation is irrelevant when determining whether a disclosure is protected by the 2014 Act?
- Do the Procedures provide that a disclosure made in the absence of reasonable belief will not attract the protections of the 2014 Act?
- Do the Procedures provide that a disclosure made in the absence of reasonable belief may result in disciplinary action against the discloser?
- Do the Procedures confirm that disclosure of a wrongdoing does not necessarily confer any protection or immunity on a worker in relation to any involvement that he/she may have had in that wrongdoing?

- Assessment and investigation**
- Is a 'screening process' referred to in the Procedures?
- Do the Procedures explain that this screening process will involve an assessment of a disclosure to seek to determine whether it should be treated as a protected disclosure, having regard to the provisions of the 2014 Act?
- Do the Procedures explain that as part of the screening process, where it is unclear whether the disclosure qualifies as a protected disclosure, the recipient will treat it as a protected disclosure (and protect the identity of the discloser in accordance with the Procedures) until satisfied that the information is not a protected disclosure?

- Do the Procedures explain that as part of the screening process, it may be necessary to differentiate between protected disclosures and personal employment complaints?
- Do the Procedures refer to a risk assessment?
- Do the Procedures provide that the risk assessment will consider whether the alleged wrongdoing is something that can or should be investigated?
- Do the Procedures explain that the nature and extent of any investigation will be determined by the gravity of the wrongdoing, e.g. an informal approach for less serious wrongdoing, a detailed and extensive investigation of serious wrongdoings, or an external investigation by another body?
- Do the Procedures highlight that a disclosure may be of such seriousness that it may need to be reported to, and investigated by, An Garda Síochána (the police) or another body with the statutory power and function of investigation of particular matters?
- Is a general framework for investigation procedures, with a set of guiding principles, included in the Procedures?
- Is there a reference in the Procedures that a complaint of penalisation will be assessed and investigated?
- Is there a reference in the Procedures that a complaint of a breach of confidentiality will be assessed and investigated?

- Protection of the rights of Respondents**
- Do the Procedures confirm that where an allegation is made against an individual (the Respondent) that he/she will be afforded appropriate protection?
- Do the Procedures explain that where an allegation is made against a Respondent, the public body will comply with the general principles of natural justice and fair procedures?
- Do the Procedures explain that the rights of a Respondent will be balanced against the rights of the discloser contained in the 2014 Act?

- Disciplinary record of discloser and other related matters**
- Is it stated in the Procedures that where a protected disclosure is made during an investigation, disciplinary or other process, this will not affect those distinct processes, except where the investigation, disciplinary or other action represents a form of penalisation for making a protected disclosure?

- Feedback**
- Do the Procedures state that when feedback is provided to a discloser that no information will be communicated that could prejudice the outcome of the investigation or any action that ensues?
- Do the Procedures explain that a discloser will be provided with periodic feedback in relation to their disclosure, except in exceptional circumstances?
- Do the Procedures explain that a discloser will be advised when consideration of the disclosure is complete, except in exceptional circumstances?

- Do the Procedures explain that in providing feedback, the public body is not required to give a complete account of what progress has been made at a particular point in time?
- Do the Procedures provide that reassurance and affirmation that the matter is receiving attention will be given?
- Do the Procedures confirm that a discloser will be informed that appropriate action has been taken but that he/she is generally not entitled to know what that action was?
- Do the Procedures explain that any information and feedback will be provided in confidence?
- Do the Procedures provide that the public body is not obliged to inform the discloser of the progress, or outcome of any disciplinary process involving another worker, which may arise out of an investigation occasioned by a protected disclosure?

- Support and advice**
- Do the Procedures provide information on the support available for disclosers?

- Review**
- Do the Procedures allow for a review of any decision made to disclose the identity of the discloser (except in exceptional cases)?
- Do the Procedures allow for a review of the outcome of any assessment/investigation undertaken in respect of the protected disclosure?
- Do the Procedures allow for a review of the outcome/investigation in respect of any complaint of penalisation?
- Do the Procedures provide that the aforementioned reviews will be undertaken by a person who has not been involved in the initial assessment, investigation, or decision?
- Does the review process included in the Procedures ensure that there is no entitlement to two reviews in respect of the same issue?

- Non-restriction of rights to make protected disclosures**
- Do the Procedures explain that it is not permitted to have clauses in agreements that prohibit or restrict the making of protected disclosures, exclude or limit the operation of any provision of the Act, preclude a person from bringing any proceedings under, or by virtue of, the Act and /or precluding a person from bringing proceedings for breach of contract in respect of anything done in consequence of the making of a protected disclosure?

- Mandatory reporting**
- Do the Procedures explain that the 2014 Act does not oblige a worker to make a protected disclosure?
- Do the Procedures confirm that the 2014 Act does not absolve any worker from pre-existing mandatory obligations to report contained in other legislation?
- Do the Procedures provide that any relevant mandatory reporting requirements are dealt with in separate and distinct policies and procedures?

- The information that should be provided in a disclosure**
- Are workers entitled to make disclosures in accessible formats, e.g. verbally, electronically or in writing?
- Do the Procedures explain that when a disclosure appears to be a protected disclosure and it is made verbally that the recipient of the disclosure will document it?
- Do the Procedures explain that where practicable, the discloser will be asked to confirm the information provided to avoid dispute at a later date in relation to the information disclosed?
- Is a similar list to Appendix A of the DPER Guidance included in the Procedures?

Appendix 3(b):

Coding of DPER Checklist for Prescribed Persons' Protected Disclosures Procedures

A. Policy statement:

A1. Do the Procedures confirm that the Board/Management is committed to creating a workplace culture that encourages the making of protected disclosures and provide protection for disclosers?

A2. Does it cover the workplace disclosure options available?

A3. Does it cover the protections available for disclosers?

B. Application:

B1. Do the Procedures set out clearly to whom the Procedures apply?

B2. Do the Procedures cover all workers defined in section 3 of the 2014 Act?

B3. Do the Procedures include a consideration of how disclosures from volunteers will be dealt with?

B4. Do the Procedures address the protection considered appropriate for volunteers who make disclosures?

B5. Do the Procedures address how volunteers will be made aware of any risks that may arise for them in making a disclosure?

B6. Do the Procedures confirm that any disclosures from volunteers will be appropriately assessed and/or investigated?

C. What is a Protected Disclosure?

C1. Do the Procedures define what a Protected Disclosure is?

C2. Do the Procedures provide guidance as to what is a relevant wrongdoing?

C3. Do the Procedures refer to the geographical scope of a disclosure?

C4. Do the Procedures refer to other relevant employment specific/profession-specific obligations?

C5. Do the Procedures provide that a protected disclosure should contain 'information'?

C6. Do the Procedures define what 'information' is?

C7. Do the Procedures provide that disclosers are not required to investigate matters themselves?

C8. Do the Procedures define what 'reasonable belief' is?

C9. Do the Procedures confirm that a discloser will not be penalised for getting it wrong when making a disclosure?

C10. Do the Procedures provide that the information disclosed must come to the discloser's attention in connection with his/her employment?

C11. Do the Procedures provide that where it is the employee's/employer's function to detect, investigate or prosecute then a disclosure will not be a protected disclosure?

D. Making a protected disclosure:

D1. Is it made clear in the Procedures that a worker must make a disclosure in the manner set out in the Act in order to gain the protections of the Act?

D2. Do the Procedures make it clear that higher standards apply when a protected disclosure is made externally?

D3. Do the Procedures provide that a disclosure can be made to the Employer?

D4. Do the Procedures oblige workers to make disclosures internally?

D5. Do the Procedures encourage workers to make disclosures internally?

D6. Do the Procedures confirm that internal disclosures will be taken seriously?

D7. Do the Procedures confirm that workers making the disclosure will receive appropriate protection?

D8. Do the Procedures stipulate to whom within the organisation disclosures can be made?

D9. Do the Procedures allow for an internal disclosure to an alternative recipient?

D10. Is the disclosure recipient(s) someone who would normally be viewed as being part of an 'independent' function typically outside of any normal line management responsibility?

D11. Is the disclosure recipient(s) a person of authority within the public body?

D12. Is the making of disclosures outside of the employer provided for in the Procedures?

D13. Do the Procedures provide that a disclosure can be made to another responsible person?

D14. Is there an explanation of the legal requirements of a disclosure made to another responsible person included in the Procedures?

D15. Do the Procedures provide that a disclosure can be made to a prescribed person?

D16. Is there an explanation of the legal requirements of a disclosure made to a prescribed person included in the Procedures?

D17. Do the Procedures specify any person prescribed under SI339 that is relevant to the particular public body?

D18. Do the Procedures specify any matters prescribed under SI339 that is relevant to the particular public body?

D19. Do the Procedures reference the S.I. so as to enable a worker to identify the prescribed person for any other wrongdoing that is not relevant to the particular public body, but which has come to the attention of the worker in connection with his/her employment?

D20. Do the Procedures provide that a disclosure can be made to a Minister of the Government?

D21. Is there an explanation of the legal requirements of a disclosure made to a Minister included in the Procedures?

D22. Is the Minister with primary statutory functions in relation to that public body identified in the Procedures?

D23. Do the Procedures provide that a disclosure can be made to a legal advisor?

D24. Is there an explanation of the legal requirements of a disclosure made to a legal advisor included in the Procedures?

D25. Do the Procedures provide information on alternative external disclosures (section 10)?

D26. Do the Procedures explain that there are stringent requirements for alternative disclosures to qualify as protected disclosures under section 10 of the 2014 Act?

D27. Do the Procedures confirm that it is preferable in most circumstances to disclose to the employer and that if it is not appropriate, to make a disclosure to another responsible person, a prescribed person, to a Minister, or to a legal advisor?

E. Protection against penalisation (including dismissal and detriment)

E1. Is the definition of ‘penalisation’ as defined in section 3(1) of the 2014 Act included in the Procedures?

E2. Do the Procedures include a commitment that penalisation of disclosers will not be tolerated?

E3. Do the Procedures provide that disclosers who feel that he/she is being subjected to adverse treatment should report the matter immediately to management?

E4. Do the Procedures contain a commitment to assess/investigate notifications of penalisation?

E5. Do the Procedures contain a commitment to take appropriate action (which may include disciplinary action against supervisors and co-workers) where necessary if a report of penalisation has been made?

F. Confidentiality/ protection of identity

F1. Do the Procedures confirm that the 2014 Act imposes an obligation on the recipient of a disclosure and any person to whom it is referred to protect the identity of the discloser?

F2. Do the Procedures set out the extent of the obligation to protect the identity of the discloser?

F3. Do the Procedures provide that where action is to be taken following a protected disclosure, the discloser will be consulted with, where possible, in order to gain his/her informed consent, prior to any action being taken that could identify them?

F4. Do the Procedures explain that where it is decided that it is necessary to disclose information that may/will disclose the identity of the discloser, he/she will be informed of this decision in advance of the disclosure, except in exceptional cases?

F5. Do the Procedures include an assurance that the identity of the discloser must be protected under the 2014 Act, with the exception of a number of specific cases?

F6. Are these exceptions outlined in the Procedures?

F7. Do the Procedures include a request that disclosers who are concerned that their identity is not being protected to notify their employer of this concern?

F8. Do the Procedures include a commitment to assess/investigate a notification by a discloser that his/her identity is not being protected?

F9. Do the Procedures include a commitment to take appropriate action where necessary when a notification by a discloser that his/her identity is not being protected is received?

G. Anonymous disclosures

G1. Do the Procedures draw a distinction between an anonymous disclosure and a confidential disclosure?

G2. Do the Procedures make a commitment that anonymous disclosures will be acted upon to the extent that it is possible while recognising that an organisation may be restricted in their ability to investigate the matter without knowing the discloser's identity?

G3. Do the Procedures make it clear that important elements of the Procedures may be difficult or impossible to apply unless the discloser's identity is known?

G4. Do the Procedures make it clear that a discloser cannot obtain redress under the 2014 Act without identifying himself or herself?

H. Personal complaint vs protected disclosure

H1. Do the Procedures confirm the distinction between a personal employment complaint and a protected disclosure?

H2. Do the Procedures confirm that they are not intended to act as a substitute for normal day-to-day operational reporting or other internal employment procedures?

H3. Do the Procedures provide that personal employment complaints should generally be dealt with under the internal grievance/dignity at work procedures?

H4. Do the Procedures provide examples of a personal employment complaint?

I. Motivation

I1. Do the Procedures confirm that motivation is irrelevant when determining whether a disclosure is protected by the 2014 Act?

I2. Do the Procedures provide that a disclosure made in the absence of reasonable belief will not attract the protections of the 2014 Act?

I3. Do the Procedures provide that a disclosure made in the absence of reasonable belief may result in disciplinary action against the discloser?

I4. Do the Procedures confirm that disclosure of a wrongdoing does not necessarily confer any protection or immunity on a worker in relation to any involvement that he/she may have had in that wrongdoing?

J. Assessment and investigation

J1. Is a 'screening process' referred to in the Procedures?

J2. Do the Procedures explain that this screening process will involve an assessment of a disclosure to seek to determine whether it should be treated as a protected disclosure, having regard to the provisions of the 2014 Act?

J3. Do the Procedures explain that as part of the screening process, where it is unclear whether the disclosure qualifies as a protected disclosure, the recipient will treat it as a protected disclosure (and protect the identity of the discloser in accordance with the Procedures) until satisfied that the information is not a protected disclosure?

J4. Do the Procedures explain that as part of the screening process, it may be necessary to differentiate between protected disclosures and personal employment complaints?

J5. Do the Procedures refer to a risk assessment?

J6. Do the Procedures provide that the risk assessment will consider whether the alleged wrongdoing is something that can or should be investigated?

J7. Do the Procedures explain that the nature and extent of any investigation will be determined by the gravity of the wrongdoing, e.g. an informal approach for less serious wrongdoing, a detailed and extensive investigation of serious wrongdoings, or an external investigation by another body?

J8. Do the Procedures highlight that a disclosure may be of such seriousness that it may need to be reported to, and investigated by, An Garda Síochána (the police) or another body with the statutory power and function of investigation of particular matters?

J9. Is a general framework for investigation procedures, with a set of guiding principles, included in the Procedures?

J10. Is there a reference in the Procedures that a complaint of penalisation will be assessed and investigated?

J11. Is there a reference in the Procedures that a complaint of a breach of confidentiality will be assessed and investigated?

K. Protection of the rights of Respondents

K1. Do the Procedures confirm that where an allegation is made against an individual (the Respondent) that he/she will be afforded appropriate protection?

K2. Do the Procedures explain that where an allegation is made against a Respondent, the public body will comply with the general principles of natural justice and fair procedures?

K3. Do the Procedures explain that the rights of a Respondent will be balanced against the rights of the discloser contained in the 2014 Act?

L. Disciplinary record of discloser and other related matters

L1. Is it stated in the Procedures that where a protected disclosure is made during an investigation, disciplinary or other process, this will not affect those distinct processes, except where the investigation, disciplinary or other action represents a form of penalisation for making a protected disclosure?

M. Feedback

M1. Do the Procedures state that when feedback is provided to a discloser that no information will be communicated that could prejudice the outcome of the investigation or any action that ensues?

M2. Do the Procedures explain that a discloser will be provided with periodic feedback in relation to their disclosure, except in exceptional circumstances?

M3. Do the Procedures explain that a discloser will be advised when consideration of the disclosure is complete, except in exceptional circumstances?

M4. Do the Procedures explain that in providing feedback, the public body is not required to give a complete account of what progress has been made at a particular point in time?

M5. Do the Procedures provide that reassurance and affirmation that the matter is receiving attention will be given?

M6. Do the Procedures confirm that a discloser will be informed that appropriate action has been taken but that he/she is generally not entitled to know what that action was?

M7. Do the Procedures explain that any information and feedback will be provided in confidence?

M8. Do the Procedures provide that the public body is not obliged to inform the discloser of the progress, or outcome of any disciplinary process involving another worker, which may arise out of an investigation occasioned by a protected disclosure?

N. Support and advice

N1. Do the Procedures provide information on the support available for disclosers?

O. Review

O1. Do the Procedures allow for a review of any decision made to disclose the identity of the discloser (except in exceptional cases)?

O2. Do the Procedures allow for a review of the outcome of any assessment/investigation undertaken in respect of the protected disclosure?

O3. Do the Procedures allow for a review of the outcome/investigation in respect of any complaint of penalisation?

O4. Do the Procedures provide that the aforementioned reviews will be undertaken by a person who has not been involved in the initial assessment, investigation, or decision?

O5. Does the review process included in the Procedures ensure that there is no entitlement to two reviews in respect of the same issue?

P. Non-restriction of rights to make protected disclosures

P1. Do the Procedures explain that it is not permitted to have clauses in agreements that prohibit or restrict the making of protected disclosures, exclude or limit the operation of any provision of the Act, preclude a person from bringing any proceedings under, or by virtue of, the Act and /or precluding a person from bringing proceedings for breach of contract in respect of anything done in consequence of the making of a protected disclosure?

Q. Mandatory reporting

Q1. Do the Procedures explain that the 2014 Act does not oblige a worker to make a protected disclosure?

Q2. Do the Procedures confirm that the 2014 Act does not absolve any worker from pre-existing mandatory obligations to report contained in other legislation?

Q3. Do the Procedures provide that any relevant mandatory reporting requirements are dealt with in separate and distinct policies and procedures?

R. The information that should be provided in a disclosure

R1. Are workers entitled to make disclosures in accessible formats, e.g. verbally, electronically or in writing?

R2. Do the Procedures explain that when a disclosure appears to be a protected disclosure and it is made verbally that the recipient of the disclosure will document it?

R3. Do the Procedures explain that where practicable, the discloser will be asked to confirm the information provided to avoid dispute at a later date in relation to the information disclosed?

R4. Is a similar list to Appendix A of the DPER Guidance included in the Procedures?

Appendix 3(c):

Findings of Prescribed Persons' Protected Disclosures Procedures using the DPER Checklist for Prescribed Persons

Coding	CORU	CRU	HEA	IAASA	PSI	SFPA
A1	X	X	X	X	X	X
A2	X	X	X	X	X	X
A3	X	X	✓	X	X	X
B1	X	X	X	X	X	X
B2	X	X	X	X	X	X
B3	X	X	X	X	X	X
B4	X	X	X	X	X	X
B5	X	X	X	X	X	X
B6	X	X	X	X	X	X
C1	✓	X	✓	X	X	✓
C2	✓	X	✓	X	✓	✓
C3	X	X	✓	X	X	X
C4	X	X	X	X	X	X
C5	X	X	✓	X	✓	✓
C6	X	X	✓	X	X	✓
C7	X	X	✓	X	X	X
C8	X	X	✓	X	X	✓
C9	X	X	✓	X	X	X
C10	✓	X	✓	X	X	✓
C11	X	X	✓	X	X	X
D1	X	X	✓	X	X	X
D2	X	X	✓	X	X	X
D3	X	X	X	X	✓	X
D4	✓	✓	X	✓	✓	✓
D5	X	X	X	X	X	X
D6	X	X	X	X	X	X
D7	X	X	X	X	X	X
D8	✓	✓	✓	X	✓	✓
D9	X	X	X	X	X	X
D10	X	X	✓	✓	X	X
D11	✓	✓	✓	✓	✓	X
D12	X	X	X	X	✓	X
D13	X	X	X	X	X	X
D14	X	X	X	X	X	X
D15	✓	✓	✓	✓	✓	✓
D16	✓	X	✓	✓	✓	✓
D17	✓	✓	✓	✓	✓	X

D18	✓	✓	✓	X	✓	✓
D19	✓	✓	✓	✓	X	X
D20	X	X	X	X	✓	X
D21	X	X	X	X	X	X
D22	X	X	X	X	X	X
D23	X	X	X	X	✓	X
D24	X	X	X	X	X	X
D25	X	X	X	X	✓	X
D26	X	X	X	X	✓	X
D27	X	X	X	X	X	X
E1	X	X	X	X	X	✓
E2	X	X	X	X	X	X
E3	X	X	X	X	X	X
E4	X	X	X	X	X	X
E5	X	X	X	X	X	X
F1	X	X	X	X	X	✓
F2	X	✓	X	X	✓	✓
F3	X	X	X	X	X	✓
F4	X	✓	X	X	X	✓
F5	✓	✓	X	X	X	✓
F6	X	X	X	X	✓	✓
F7	X	X	X	X	X	✓
F8	X	X	X	X	X	✓
F9	X	X	X	X	X	✓
G1	X	X	X	X	X	X
G2	✓	X	X	X	X	✓
G3	X	X	X	X	X	X
G4	X	X	X	X	X	✓
H1	X	X	X	X	X	X
H2	X	X	X	X	X	X
H3	X	X	X	X	X	X
H4	X	X	X	X	X	X
I1	X	X	X	X	X	✓
I2	X	X	X	X	X	X
I3	X	X	X	X	X	✓
I4	X	X	X	X	X	X
J1	X	X	X	X	X	✓
J2	X	X	✓	X	X	✓
J3	X	X	X	X	X	X
J4	X	X	X	X	X	X

J5	X	X	X	X	X	X
J6	X	X	X	X	X	X
J7	X	X	X	X	X	X
J8	X	X	X	X	X	X
J9	X	X	X	X	X	X
J10	X	X	X	X	X	X
J11	X	X	X	X	X	✓
K1	X	X	X	X	X	✓
K2	X	X	X	X	X	✓
K3	X	X	X	X	X	X
L1	X	X	X	X	X	X
M1	X	X	X	X	X	✓
M2	X	X	X	X	X	✓
M3	X	X	X	X	X	✓
M4	X	X	X	X	X	X
M5	X	X	X	X	X	X
M6	X	X	X	X	X	X
M7	X	X	X	X	X	X
M8	X	X	X	X	X	✓
N1	X	X	X	X	X	X
O1	X	X	X	X	X	X
O2	X	X	X	X	X	X
O3	X	X	X	X	X	X
O4	X	X	X	X	X	X
O5	X	X	X	X	X	X
P1	X	X	X	X	X	X
Q1	X	X	X	X	X	X
Q2	X	X	X	X	X	X
Q3	X	X	X	X	X	X
R1	X	X	X	X	X	✓
R2	X	X	X	X	X	✓
R3	X	X	X	X	X	✓
R4	X	✓	X	✓	X	✓

Appendix 3(d):

Findings of Prescribed Persons' Protected Disclosures Procedures using the DPER Checklist for Prescribed Persons

Coding	CIÉ	Local Authorities	SEC	HEA
A1	X	✓	✓	X
A2	X	✓	X	X
A3	X	X	X	X
B1	X	✓	✓	✓
B2	X	✓	X	✓
B3	X	X	X	✓
B4	X	X	X	X
B5	X	X	X	X
B6	X	X	X	X
C1	X	✓	✓	✓
C2	✓	✓	✓	✓
C3	X	X	✓	✓
C4	X	X	X	X
C5	✓	✓	✓	✓
C6	X	X	✓	✓
C7	X	✓	✓	✓
C8	X	X	✓	✓
C9	X	✓	✓	✓
C10	X	✓	✓	✓
C11	X	X	✓	X
D1	X	✓	✓	✓
D2	X	X	✓	✓
D3	✓	✓	✓	✓
D4	✓	✓	✓	✓
D5	✓	✓	✓	✓
D6	✓	✓	✓	✓
D7	✓	✓	✓	✓
D8	✓	✓	✓	✓
D9	✓	✓	✓	✓
D10	✓	✓	✓	✓
D11	✓	✓	✓	✓
D12	X	✓	✓	✓
D13	X	X	✓	✓
D14	X	X	✓	✓
D15	X	✓	✓	✓
D16	X	X	✓	✓
D17	X	X	X	✓

D18	X	X	X	✓
D19	X	X	✓	✓
D20	X	X	✓	✓
D21	X	X	✓	✓
D22	X	X	✓	✓
D23	X	X	✓	✓
D24	X	X	✓	✓
D25	X	X	✓	✓
D26	X	X	✓	✓
D27	X	X	✓	✓
E1	X	X	✓	✓
E2	X	✓	✓	X
E3	X	X	✓	✓
E4	X	X	✓	✓
E5	X	X	✓	✓
F1	X	✓	✓	✓
F2	X	✓	✓	✓
F3	X	X	✓	✓
F4	X	X	✓	✓
F5	X	✓	✓	✓
F6	X	✓	✓	✓
F7	X	X	✓	✓
F8	X	X	✓	✓
F9	X	X	✓	✓
G1	X	X	✓	✓
G2	X	X	✓	✓
G3	X	✓	✓	✓
G4	X	X	✓	✓
H1	X	X	X	✓
H2	X	✓	✓	✓
H3	✓	✓	X	✓
H4	X	X	X	✓
I1	X	✓	✓	✓
I2	X	X	✓	✓
I3	✓	✓	✓	✓
I4	X	X	✓	✓
J1	X	✓	✓	✓
J2	X	✓	✓	✓
J3	X	X	✓	✓
J4	X	X	✓	✓

J5	X	X	✓	✓
J6	X	✓	✓	✓
J7	X	X	✓	✓
J8	X	X	✓	✓
J9	X	X	✓	X
J10	X	X	✓	X
J11	X	X	✓	X
K1	X	✓	X	X
K2	X	X	✓	✓
K3	X	X	✓	X
L1	X	X	✓	✓
M1	X	X	✓	✓
M2	X	X	✓	✓
M3	X	X	✓	✓
M4	X	X	X	X
M5	X	X	✓	X
M6	X	X	X	X
M7	X	X	✓	✓
M8	X	X	X	X
N1	X	X	✓	✓
O1	X	X	✓	✓
O2	X	X	✓	✓
O3	X	X	✓	✓
O4	X	X	✓	✓
O5	X	X	✓	✓
P1	X	X	X	✓
Q1	X	X	✓	✓
Q2	X	X	✓	✓
Q3	X	X	X	✓
R1	✓	X	✓	✓
R2	✓	X	✓	✓
R3	X	X	✓	✓
R4	X	X	✓	✓

Appendix 3(e):

Findings of Prescribed Persons' Protected Disclosures Procedures using the DPER Checklist for Prescribed Persons

Coding	C&AG	HIA	Marine Institute	Revenue	Local Authorities
A1	X	✓	✓	✓	✓
A2	X	✓	✓	X	X
A3	X	✓	✓	X	X
B1	✓	✓	✓	✓	✓
B2	X	X	X	X	✓
B3	X	X	X	X	X
B4	X	X	X	X	X
B5	X	X	X	X	X
B6	X	X	X	X	X
C1	X	✓	✓	X	✓
C2	X	✓	✓	✓	✓
C3	X	X	✓	X	X
C4	X	X	X	✓	X
C5	X	✓	✓	✓	✓
C6	X	X	✓	X	X
C7	X	✓	✓	X	✓
C8	X	✓	✓	X	✓
C9	X	X	✓	X	✓
C10	✓	✓	✓	X	✓
C11	X	X	X	X	✓
D1	X	✓	✓	X	✓
D2	X	X	✓	X	✓
D3	X	✓	✓	✓	✓
D4	✓	✓	✓	✓	✓
D5	X	✓	✓	✓	✓
D6	X	✓	✓	✓	✓
D7	X	✓	✓	✓	✓
D8	✓	✓	✓	✓	✓
D9	X	✓	✓	✓	✓
D10	X	✓	✓	✓	✓
D11	X	✓	✓	✓	✓
D12	✓	✓	✓	✓	✓
D13	X	X	✓	X	✓
D14	X	X	✓	X	✓
D15	X	✓	✓	✓	✓
D16	✓	✓	✓	X	✓

D17	X	✓	✓	✓	✓
D18	✓	✓	✓	✓	X
D19	✓	X	✓	X	✓
D20	✓	X	✓	✓	✓
D21	X	X	✓	X	✓
D22	X	X	✓	✓	✓
D23	X	X	✓	✓	✓
D24	X	X	✓	X	✓
D25	X	X	✓	X	X
D26	X	X	✓	X	X
D27	X	X	✓	✓	✓
E1	X	X	✓	X	✓
E2	X	✓	✓	X	X
E3	X	X	✓	X	✓
E4	X	X	✓	X	✓
E5	X	✓	✓	✓	✓
F1	X	X	✓	X	✓
F2	X	X	✓	X	✓
F3	✓	X	✓	✓	✓
F4	X	X	✓	X	✓
F5	X	X	✓	X	✓
F6	X	X	✓	X	✓
F7	X	X	✓	X	✓
F8	X	X	✓	X	✓
F9	X	X	✓	X	✓
G1	X	✓	✓	X	X
G2	X	X	✓	X	X
G3	X	X	✓	X	✓
G4	X	X	✓	X	✓
H1	X	✓	✓	X	✓
H2	X	X	✓	X	✓
H3	X	✓	✓	✓	✓
H4	X	X	✓	X	✓
I1	X	X	✓	X	✓
I2	X	X	✓	X	✓
I3	X	X	✓	X	✓
I4	X	✓	✓	X	X
J1	X	✓	✓	X	✓
J2	X	X	✓	X	✓
J3	X	X	✓	X	✓

J4	X	X	✓	X	X
J5	X	✓	✓	✓	X
J6	X	✓	✓	X	✓
J7	X	X	✓	X	✓
J8	X	X	✓	X	✓
J9	X	✓	✓	X	✓
J10	X	X	✓	X	✓
J11	X	X	✓	X	✓
K1	X	X	✓	X	X
K2	✓	X	✓	X	✓
K3	X	X	✓	X	X
L1	X	✓	✓	X	X
M1	X	X	✓	X	X
M2	X	✓	✓	X	✓
M3	X	✓	✓	X	✓
M4	X	✓	✓	X	✓
M5	X	✓	✓	X	✓
M6	X	✓	X	X	X
M7	X	X	✓	X	✓
M8	X	✓	✓	X	X
N1	X	X	✓	X	X
O1	X	X	✓	X	✓
O2	X	X	✓	X	✓
O3	X	X	✓	X	✓
O4	X	X	✓	X	✓
O5	X	X	✓	X	✓
P1	X	X	✓	X	X
Q1	X	X	✓	X	X
Q2	X	X	✓	X	X
Q3	X	X	X	X	X
R1	✓	X	✓	X	✓
R2	X	X	✓	X	✓
R3	X	X	✓	X	✓
R4	✓	✓	✓	X	✓

Appendix 4(a): Prescribed Persons' Annual Reports' Data

No	Name	PD AR 17	PDAR 16	PDAR 15	PDAR 14	AR16	AR15	AR 14	None
1	Adoption Authority		0						
2	Aviation Regulation								X
3	Broadcasting Authority								X
4	Bord na gCon								X
5	C&AG		3 (PP) 0 (ER) 3 (Anon)	9 (PP) 0 (ER) 3 (Anon)	6 (PP) 0 (ER)				
6	Central Bank	79	44	1					
7	CIÉ								X
8	Communications Regulation	0	0	0					
9	CORU		2	0					
10	CRO								X
11	CRU								X
12	Data Protection Commission	2 (PP) 0 (ER)	2 (PP) 0 (ER)	1 (PP) 0 (ER)					
13	Dental Council								X
14	Environmental Protection Agency		0						
15	EOLAS					0			
16	Fáilte Ireland			0					
17	Food Safety Authority					0			
18	GSOC					7	4	3	
19	Health & Safety Authority					3 (PP)			
20	Health Insurance Authority								X
21	Health Products Regulatory Authority								X

22	Higher Education Authority		3 (PP) 0 (ER)	5 (PP) 0 (ER)					
23	HIQA					1,334 ¹ 1 (staff)	1,175 ² 1 (staff)		
24	Horse Racing Ireland								X
25	IAASA		0	0	0				
26	Inland Fisheries Ireland		0	0	0				
27	Insolvency Service of Ireland					0	0	0	
28	Irish Aviation Authority		1 (PP) 1 (ER)						
29	Irish Coursing Club								X
30	Irish Film Classification Office								X
31	Irish Lights								X
32	Irish Takeover Panel		0						
33	Irish Turf Club								X
34	Local Authorities: Carlow CC		0						
35	Cavan CC	0							
36	Clare CC		0						
37	Cork City Co	0							
38	Cork CC								X
39	Donegal CC		0						
40	Dublin City Co					2	0		
41	Dún Laoghaire-Rathdown CC		0	0					
42	Fingal CC						0		
43	Galway CC		0	1					

¹ Staff, services users, and the general public.

² Workers, service users and other people.

44	Galway City Co					0	0	0	
45	Kerry CC						0	0	
46	Kildare CC		0	0					
47	Kilkenny CC	0							
48	Laois CC					0			
49	Leitrim CC		0						
50	Limerick City & CC	1	0	0					
51	Longford CC					2			
52	Louth CC		0						
53	Mayo CC								X
54	Meath CC	0							
55	Monaghan CC	0	0						
56	Offaly CC					0			
57	Roscommon CC								X
58	Sligo CC	0							
59	South Dublin CC					0	0	1	
60	Tipperary CC								X
61	Waterford City & CC	0							
62	Westmeath CC					0	0		
63	Wexford CC						0	0	
64	Wicklow CC	1							
65	Marine Institute								X
66	Medical Council		1						
67	Mental Health Commission					0 (PDA & Health Act 2007)			
68	National Milk Agency								X
69	National Standards Authority of Ireland					0	0		
70	National Transport Authority					1	0		
71	Nursing & Midwifery		0						

	Board of Ireland								
72	ODCE					4	3 (PP)	1	
73	Patents Office								X
74	Pensions Authority		2	0	0				
75	Pharmaceutical Society of Ireland		0 (ER) 4 (PP) 0 (s10)	0 (ER) 11 (PP)	0 (ER) 0 (PP) 1 (s10)				
76	Pre-Hospital Emergency Care Council								X
77	Press Council								X
78	Private Residential Tenancies Board					0 (ER)	0 (ER)	0	
79	Private Security Authority					0			
80	Property Services Regulatory Authority					1			
81	Public Service Appointments	0	0						
82	Quality & Qualifications Ireland								X
83	Railway Safety Commission								X
84	Revenue					1 (PP)	1 (PP) 0 (ER)		
85	Road Safety Authority								X
86	Sea Fisheries Protection Authority		0	0	0				
87	SOLAS					1			
88	Standards in Public Office Commission		0	0	0				

89	State Examinations Commission		0	0	0				
90	Teaching Council		0 (ER & PP)						
91	Veterinary Council of Ireland		0 (ER) 0 (PP) 0 (s 10)	0 (ER) 0 (PP) 0 (s 10)	0 (ER) 0 (PP) 0 (s 10)				
92	Waterways Ireland		0	0					