

IRISH GREYHOUND BOARD

Bord na gCon

POLICY AND PROCEDUES

FOR

RAISING MATTERS OF CONCERN

Policy and Procedures for Raising Matters of Concern

TABLE OF CONTENTS

		Page
1.	Introduction	
2.	Background	
3.	Policy Statement	
4.	Aims	
5.	Definition and Scope	
6.	Other relevant Policies and Procedures	
7.	Safeguards	
	7.1 Harassment or Victimisation	
	7.2 Allegations	
	7.3 False Allegations	
	7.4 Confidentiality	
8.	Responsible Manager	
9.	How to raise a Concern	
10.	How Bord na gCon will respond	
11.	How the matter can be taken further	
12.	Publication	
13.	Revision	
14.	Approval	

Policy and Procedures for Raising Matters of Concern

1. Introduction

- 1.1 The Bord na gCon Code of Business Conduct for Staff states that all employees and staff should conform and be seen to conform to the highest ethical standards in conducting the business activities of Bord na gCon with its customers, suppliers, contractors and other third parties. A strong tradition of trust and commitment has been enjoyed by the vast majority of employees and staff over many years. When, occasionally, people fall below the high standards expected, the Company will take appropriate action.
- 1.2 Employees are often in a good position to identify concerns regarding misconduct within an organisation. However, they may not express their concerns because they are fearful of repercussions and/or worried that speaking up would be disloyal to their colleagues or to the organisation. In these circumstances, employees may consider that it is easier to ignore something rather than report what may just be a suspicion of misconduct.
- 1.3 This Policy and Procedures for Raising Matters of Concern (hereinafter referred to as the policy) is intended to encourage and enable employees to raise serious concerns within Bord na gCon rather than overlooking a problem or taking the matter outside of Bord na gCon.

Policy and Procedures for Raising Matters of Concern

2. Background

- 2.1 The business culture in relation to reporting matters of serious concern is changing and employers generally would wish employees to report their concerns and to report them internally rather than externally.
- 2.2 The Revised Code of Practice for the Governance of State Bodies published in July 2009, states that;

“The Board should put in place procedures whereby employees of the State Body may, in confidence, raise concern about possible irregularities in financial reporting or other matters and for ensuring meaningful follow up of matters raised in this way.”

3. Policy Statement

Concerns raised are taken very seriously and Bord na gCon is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, employees who have serious concerns about any aspect of Bord na gCon’s activities are encouraged and expected to come forward and voice those concerns and they may do so without fear of victimisation, subsequent discrimination or disadvantage at the organisation’s hands.

4. Aims

The aims of this policy are to:

- (i) reassure employees that the organisation will do its utmost to protect them from reprisals or victimisation if they have reasonable belief that they have made any disclosure in good faith and that the disclosure falls within the categories set out in paragraph 5 below.
- (ii) encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice in the organisation;
- (iii) ensure that employees understand their responsibilities when reporting concerns;
- (iv) provide avenues for employees to raise concerns and receive an appropriate response on any action taken;

Policy and Procedures for Raising Matters of Concern

5. Definition and Scope

5.1 This policy refers to the disclosure, by employees or others associated with Bord na gCon, of misconduct as well as illegal acts or omissions at work. Such misconduct can take many forms and can cover many different aspects of working life. Examples of issues that persons are encouraged to report include:

- Fraud or deliberate error in the preparation, evaluation, review or audit of the organisation's management accounts or annual financial statements;
- Fraud or deliberate error in the recording and maintaining of the Company's financial records;
- Misrepresentations, untrue statements or omissions by or to management or the organisation's independent auditor or to the internal auditor regarding the financial records, financial reporting or annual financial statements.
- Deficiencies in or non-compliance with the Company's internal controls; and
- Fraud or other irregularities i.e. control weaknesses, causing loss or damage to Bord na gCon, its customers or its agents.

Thus, serious concerns about any aspect of service provision or conduct of directors, managers, employees, or others acting on behalf of Bord na gCon can be reported under this policy. These may include:

- Management or control practices that lead to financial loss for Bord na gCon
- Misuse of Petty Cash
- Unauthorised Discounts
- Falsifying Attendance Record
- Pilferage of Stock in Trade
- Abuse of Authority for Personal Gain
- A criminal offence
- Where the health and safety of any individual has been or is likely to be endangered
- Discrimination or physical abuse of any member of staff or service provider
- Discrimination to any member of staff or service recipient on grounds of sex, race disability or sexual orientation
- Any conflict of interest in any activity that is, or appears to be, opposed to the best interest of the Company and the Group.
- Information relating to any of the above being deliberately concealed or attempts are being made to conceal the same.

5.2 In addition, the procedures outlined in this document may be used to report any instances of illegal or unethical behaviour by any of the subsidiary companies directors, managers, employees, agents or contractors.

Policy and Procedures for Raising Matters of Concern

- 5.3 This policy is intended to cover concerns that fall outside the scope of other procedures and, therefore, does not replace the Procedures for dealing with Grievances and Disputes, the Bullying and Harassment Procedures or other procedures that enable employees to raise issues relating to their own employment.

6. Other Relevant Policies and Procedures

- 6.1 This policy should be read in conjunction with the Bord na gCon Code of Business Conduct for Staff and other procedures for investigating concerns which may be developed from time to time and which will be brought to the notice of employees and others to whom this policy applies.

7. Safeguards

7.1 Harassment or Victimisation

7.1.1 Bord na gCon recognises that the decision to report a concern can be a difficult one to make not least because of the fear of reprisal from those responsible for the misconduct. If employees make allegations in good faith they should have nothing to fear from the organisation as they will be doing their duty to their employer, their colleagues and those to whom they provide a service.

7.1.2 Harassment or victimisation of individuals, who have raised concerns, including informal pressures, will not be tolerated by Bord na gCon and will be treated as a serious disciplinary offence which will be dealt with under the disciplinary procedures.

7.1.3 Any investigation into allegations of misconduct will not influence or be influenced by any discipline or other procedures that may already affect an employee. Nor does it mean that any disciplinary or other procedures to which an employee is already subject will be halted as a result of raising concerns.

7.1.4 Allegations

This policy requires employees to communicate their concerns either by telephone or in writing and to put their names to any documents sent by post. Concerns expressed anonymously are much less persuasive but may still be submitted. If employees do not reveal their identities, it may be more difficult, depending on the level of detail provided, to investigate allegations and it will be impossible to give feedback.

If, initially, employees do not feel that they can put their concerns in writing, they may telephone or meet the appropriate manager. Employees are advised to confirm their concerns in writing setting out the

Policy and Procedures for Raising Matters of Concern

background and history of the concern, giving names, dates and places where possible and the reason why they are particularly concerned about the situation. The earlier concerns are expressed, the easier it is to take action.

7.2 Unproven Allegations

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee who made the allegation. If however, an allegation is vexatious or is made frivolously, maliciously or for personal gain, disciplinary action may be taken against the employee in accordance with Bord na gCon's disciplinary procedures.

7.3 Confidentiality

All disclosures will be treated in confidence and every effort will be made to protect an employee's identity if the employee so wishes. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by an employee may be required as part of the investigation process. The person raising the concern must maintain confidentiality throughout the process.

8. Responsible Manager

The Head of Human Resources has overall responsibility for the maintenance and operation of this policy within Bord na gCon. The Head of Human Resources will maintain a record of concerns raised and the outcomes and will report as necessary to the Chief Executive Officer.

9. How to Raise a Concern

9.1 Employees are encouraged to raise their concerns with their managers. However, this may depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the misconduct. It may be more appropriate for employees to approach a manager at a higher level. Should it be necessary, employees may also approach the Human Resource Manager or a Board member.

9.2 Concerns about matters in subsidiary and associated companies should be raised within the relevant company in the first instance. However, if, because of the nature of the concerns and the persons involved, this is not practicable; employees may, as appropriate, approach the Bord na gCon Human Resource Manager. Although employees are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there is reasonable and sufficient grounds for their concerns.

- Jim O'Dwyer (Head of Human Resources), Irish Greyhound Board, Greenpark, Dock Road, Limerick. Email: jim.odwyer@igb.ie

Policy and Procedures for Raising Matters of Concern

- Riona Heffernan (Board Member and Audit Committee Chairperson),
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10. How Bord na gCon will Respond

10.1 Action taken by Bord na gCon will depend on the nature of the concern.
The matters raised may:

- Be investigated internally:
- Be referred to the Head of Human Resources
- Be referred to the Health, Safety & Security Manager
- Be referred to the Internal Auditor
- Be referred to an independent external Third Party
- Be referred to relevant professional bodies
- Be referred to the Standards in Public Office Commission or other relevant statutory bodies
- Be referred to An Garda Siochana.
- Form the subject of an independent inquiry.

10.2 In order to protect individuals and Bord na gCon, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures will normally be referred for consideration under those procedures.

10.3 Some concerns may be resolved by agreed action without the need for investigation.

10.4 Within 20 working days of a concern being received, the relevant person will write to the employee to:

- Acknowledge that the concern has been received
- Give a general indication as to how it is proposed to deal with the matter

The employee will be given an appropriate level of feedback, but sometimes precise action will not be set out where this would infringe on a duty of confidence between Bord na gCon and someone else.

10.5 The parties may, on occasion and by mutual agreement, modify the time limits referred to in this policy.

Policy and Procedures for Raising Matters of Concern

- 10.6 The amount of contact between an employee and the manager(s) considering the issue will depend upon the nature of the matter raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the employee making the allegation.
- 10.7 When any meeting is arranged, the employee has the right to be accompanied by a work colleague who is not involved in the immediate area of work to which the concern relates.
- 10.8 Steps will be taken to minimise any difficulties which an employee may experience as a result of raising a concern. For instance, if employees are required to give evidence in criminal or disciplinary proceedings, Bord na gCon will, if requested, arrange for them to receive advice about the procedure.
- 10.9 It is accepted that an employee may wish to be assured that a matter raised has been properly addressed. Thus, subject to legal constraints, the employee may be given summary information about the outcome of any investigation on a confidential basis.

11. How the Matter can be taken Further

- 11.1 This policy is intended to provide an avenue for raising serious concerns within Bord na gCon. Hopefully, the employee will be satisfied with any action taken. If not, and if the employee feels that it is right to take the matter outside Bord na gCon, the following are suggested as appropriate contact points:-
- An agreed independent external Third Party
 - Relevant professional bodies
 - The Standards in Public Office Commission or other relevant statutory bodies
 - An Garda Siochana
- 11.2 Employees are reminded that pursuant to their contracts of employment, they are bound to maintain confidentiality in relation to the affairs of Bord na gCon and not to disclose confidential information obtained while performing their duties in Bord na gCon.
- 11.3 If employees do feel that it is necessary to take a matter outside Bord na gCon, they are strongly advised to seek independent legal advice before doing so.

12. Publication

- 12.1 A copy of the Policy and Procedures for Raising Matters of Concern shall be available to each employee in Bord na gCon and its subsidiary companies.

Policy and Procedures for Raising Matters of Concern

13. Review

- 13.1 Bord na gCon shall review the Policy and Procedures for Raising Matters of Concern at least every two years or earlier as appropriate.

14. Approval

This policy was approved by the Board of Bord na gCon on April 8th, 2010.