



# Independent Commission for Reconciliation and Information Recovery

Raising a concern policy

March 2026

# **Document information**

## **Owner**

The owner of this policy is the **Director of People and Culture**.

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The author of this document is the **Chief of Staff**

## **Approver**

The approver of this document is the **ICRIR Board**.

## **Document location**

The electronic version of this file is located on the ICRIR intranet.

## **Equality, diversity and inclusion (EDI) screening**

This policy has been reviewed by the author in accordance with the ICRIR EDI Screening process.

## **Review date**

The next date for reviewing this policy is March 2027

## **References**

ICRIR Grievance Policy

ICRIR Code of Conduct

ICRIR Counter Fraud, Bribery and Corruption Policy

ICRIR Conduct and Discipline Policy

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# 1.Introduction

All of us at one time or another may have concerns about things that are happening at work. The Independent Commission for Reconciliation and Information Recovery (the ICRIR) wants you to feel able to raise any concerns you may have with your line managers at any time. We expect our line managers to listen to those concerns, take them seriously and take action to resolve the concern, either through providing information which gives assurance or taking action.

When a concern has the potential to be more serious, because it is about a possible danger, professional misconduct or financial malpractice, illegality or wrongdoing that might affect Requesting Individuals (RIs), colleagues, or the ICRIR itself, it can be difficult to know what to do.

The term 'whistleblowing' does not exist in law, but it is a word that has become commonly associated with the action of raising a concern, usually by a member of staff, about what they believe is wrongdoing within their organisation. The relevant legislation uses the term 'Protected Disclosures'. This policy will use the term 'Raising a Concern' which includes both Whistleblowing and Protected Disclosures but is wider than both.

The ICRIR recognises that many issues are raised by staff and addressed immediately by line managers – this is very much encouraged. This policy and procedure are aimed at those issues and concerns which remain unresolved, require help to get resolved, or are about serious underlying concerns. Raising concerns refers to staff reporting suspected wrongdoing at work, for example, concerns about data security, health and safety at work, acts of discrimination or negligence or a criminal offence, such as, fraud. You may be worried about raising such issues and may think it best to keep it to yourself, perhaps feeling it is none of your business, or that it is only a suspicion. You may also feel that raising the matter would be disloyal to colleagues, to managers or to the organisation.

It may also be the case that you have already said something but found that you have spoken to the wrong person or are not confident that anything has been done about the concern you have raised and are not sure what to do next. The ICRIR encourages you to report any concern you may have. If in doubt, please raise it. Rather than wait for proof, raise the matter when it is still just a concern.

If something is troubling you that you think we should know about or look into, please let us know.

## 2.Aims and objectives

The aim of this policy is to promote a culture of openness, transparency and learning in line with the ICRIR values.

### ICRIR values



**Integrity:** Putting the obligations of public service above your own personal interests. Acting in line with other applicable professional obligations and standards.



**Openness:** Being truthful and straightforward in your communications and your engagement while respecting confidences and keeping information safe.



**Accountability:** Operating within legal requirements, including the European Convention on Human Rights, s.75 of the Northern Ireland Act, the Equality Act 2010, the requirements of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, and within the objectives and policies of the Commission. Being willing to justify decisions, actions and omissions.



**Impartiality:** Behaving in a fair and objective manner, treating all equally, remaining open minded and taking decisions based on evidence.



**Respect:** Treating everyone with whom you interact with courtesy, irrespective of their background or beliefs. Engaging in constructive, respectful and professional dialogue even in the case of differing opinions.

The ICRIR's objectives in having this policy are to:

- reassure you that it is safe and acceptable to speak up;
- uphold confidentiality;
- contribute towards improving services provided by the ICRIR;
- demonstrate to all staff and the public that the ICRIR carries out its business ethically, honestly and to high standards; and

- provide an effective and confidential process by which you can raise concerns so that Requesting Individuals, colleagues and members the public can be safeguarded.

The ICRIR has offices and staff in both Northern Ireland and London and as such, this policy takes into account the legal framework relating to raising a concern '(Protected Disclosures') that applies in both jurisdictions including the Public Interest Disclosure (NI) Order 1998 and the Public Interest Disclosure Act 1998.

## **3. Scope**

The ICRIR recognises that existing policies and procedures (Conduct and Discipline, Grievance, the Complaints Handling Procedure and Counter Fraud, Bribery and Corruption) may not always be appropriate for concerns you may wish to raise. This policy provides a procedure for raising concerns where the interests of others or of the organisation itself are at risk and there is no more appropriate alternative method of resolution.

### **3.1 Who can raise a concern?**

ICRIR staff are encouraged to refer to this policy if they want to raise a concern. The policy applies to the following groups:

- Those employed by or who were previously employed by the ICRIR, including permanent, temporary and bank staff;
- staff in training/placements working within the ICRIR;
- independent contractors engaged to provide services;
- volunteers;
- agency staff;
- Board Members; and
- in certain circumstances, members of the public.

While aimed primarily at ICRIR staff, this Policy also explains how the general public can raise concerns and how these will be treated by the ICRIR. Although not covered by public interest disclosure legislation, concerns raised by the general public can play a vital role in identifying wrongdoing, risk or malpractice.

A member of the public may witness potential wrongdoing or know about potentially fraudulent behaviour by the ICRIR. Even though they are not directly affected by the matter and therefore not able to make a complaint through the ICRIR complaints policy, they may wish to raise a more general concern. The ICRIR will treat such

concerns seriously and deal with them in the same way as concerns raised by staff members.

### 3.2 What type of concern falls within this policy?

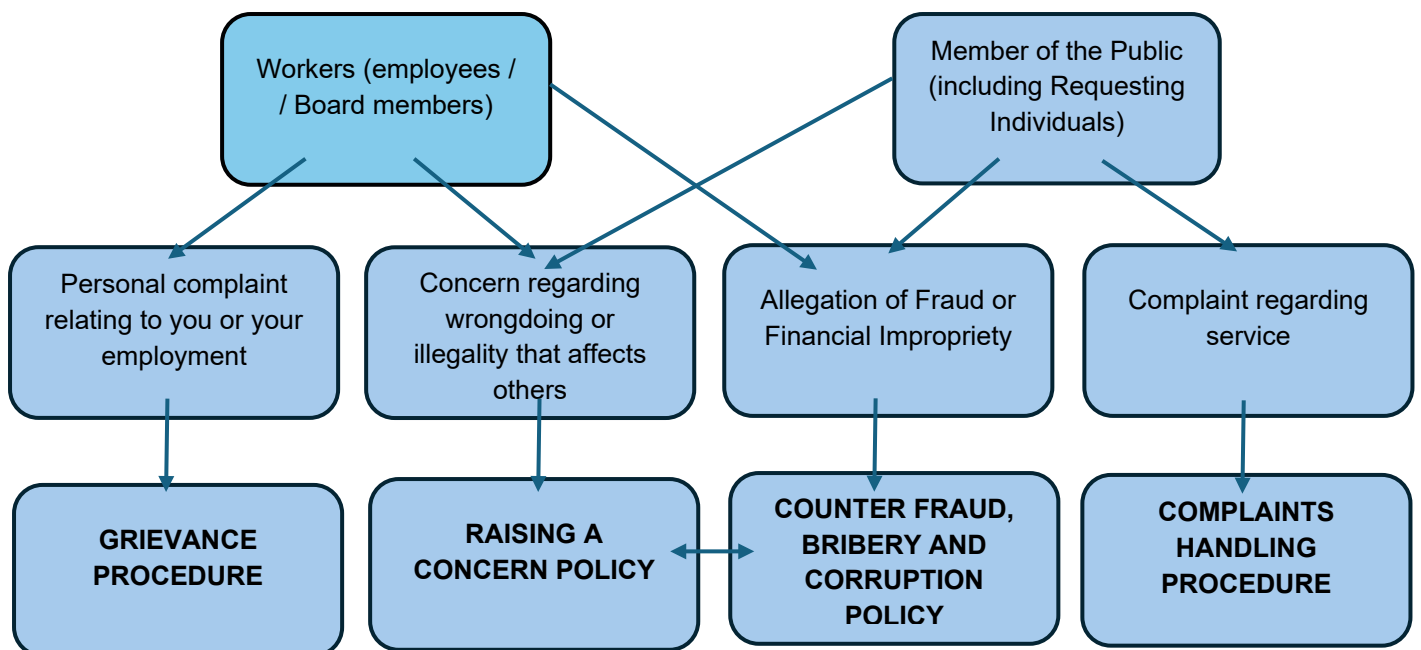
The nature of the issue raised and the person who is raising it, will determine whether it is a concern, a grievance, or a complaint.

If a member of staff feels that they personally are being treated poorly then they can raise a grievance. If, however, they are not directly or personally affected but are concerned about potential wrongdoing that affects others, then they can raise a concern.

If a member of the public is also a service user, e.g. a Requesting Individual then they may raise a complaint about potential poor service they have received from the ICRIR. If, however, the member of the public is not personally affected but wished to raise potential wrongdoing that they are aware of, then they can raise a concern.

Both staff and members of the public can also raise allegations of fraud and or potential impropriety which may be addressed under our Counter Fraud, Bribery and Corruption policy.

### 3.3 Types of issues that can be raised and relevant policy



A series of examples of the types of wrongdoing which someone may want to highlight under the raising a concern policy are provided below:

- a culture of bullying, harassment or intimidation by senior staff;

- failure to comply with equality and diversity legislation;
- a breach of Standing Financial Instructions;
- attempts to hide wrongdoing or discourage reporting;
- mishandling or neglect of complaints from the public;
- altering or destroying evidence;
- failing to declare a conflict of interest or properly mitigate conflicts of interest;
- a miscarriage of justice has occurred, is occurring, or is likely to occur;
- the health and safety of an individual has been, or is likely to be, endangered;
- showing undue favour over a contractual matter or to a job applicant;
- investigatory misconduct;
- where a potential criminal offence has been committed, is being committed or is likely to be committed; or
- information on any of the above has been, is being, or is likely to be concealed.

Whilst contractors and agency staff must rely on their contractual arrangements for relevant matters, the scope of this Policy will be interpreted widely to enable them to raise other concerns through it.

This list is not intended to be exhaustive or restrictive. If you feel that something is of concern, and that it is something that the ICRIR should know about or look into, you should use this procedure.

## **4. Vexatious, malicious or manifestly unfounded concerns**

The ICRIR is committed to listening to concerns raised in good faith and will take all genuine concerns seriously. However, we reserve the right not to pursue concerns raised by staff and or members of the public that are deemed to be malicious, knowingly false, or manifestly unfounded. Where appropriate, the ICRIR may take steps to restrict communication or take further action in line with our policies on unacceptable behaviour. This does not affect the right of individuals to raise legitimate concerns, nor does it prevent appropriate review of concerns that may initially appear unclear or incomplete.

## **5. Suspected fraud**

If your concern is about possible fraud, bribery or corruption the ICRIR has a number of avenues available to report your concern. These are included in more detail in the ICRIR's Counter Fraud, Bribery and Corruption policy and are summarised below.

Suspicions of fraud or bribery should initially be raised with the appropriate line manager, but where you do not feel this is not appropriate and/or wish to report the suspected fraud, bribery or corruption anonymously then a form is provided.

The ICRIR expects all staff and third parties to perform their duties impartially, honestly, and with the highest integrity.

## **6. ICRIR commitment to you**

### **6.1. Your safety**

The ICRIR Board, the Executive Leadership Team and wider Senior Leadership Team (SLT) are committed to this policy. If you raise a concern under this policy, you will not be at risk of losing your job or suffering any detriment (such as a reprisal or victimisation). The ICRIR will not tolerate the harassment or victimisation of anyone who raises a concern in the public interest. If any action is taken that deters anyone from raising a concern in the public interest or victimises them, this will be viewed as a disciplinary matter.

Provided you raise a concern in the public interest with a reasonable belief in its truth, it does not matter if it turns out that you are mistaken, or if there is an innocent explanation for your concerns. you will be protected under the law.

If staff raise a matter they know to be untrue, protection under the law cannot be guaranteed and the ICRIR reserves the right to take disciplinary action, if appropriate.

### **6.2. Confidentiality**

With these assurances, the ICRIR hopes that you will raise concerns. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. Where possible, the ICRIR is committed to maintaining confidentiality for everyone involved in a concern. This includes the person raising the concern and the person(s) whom the concern is about.

As far as possible, confidentiality will be maintained throughout the process and after the issue has been resolved. If you ask for your identity not to be disclosed, we will not do so without your consent, unless required by law. You should however understand that there may be times when we will be unable to resolve a concern without revealing your identity, for example, where your personal evidence is

essential. In such cases, we will discuss with you whether and how the matter can best proceed.

### **6.3. Anonymity**

If you do not disclose your identity, it may be much more difficult for us to look into the matter. It may also not be possible to protect your position or give you feedback. Further, without additional evidence, it may be difficult to investigate such concerns properly in order to establish the facts.

## **7. Who should I raise a concern with?**

You can raise your concerns in person, by phone or in writing (including email). Both staff and members of the public may raise a concern by sending an email to our dedicated raising a concern email [raisingaconcern@icrir.independent-inquiry.uk](mailto:raisingaconcern@icrir.independent-inquiry.uk)

Whichever route you choose, please be ready to explain as fully as you can the information and circumstances that gave rise to your concerns.

In many circumstances for staff the easiest way to get your concern resolved will be to raise it with your line manager. Many concerns may be able to be informally resolved by your immediate management through the provision of additional information or context. More serious concerns which are not suitable for informal resolution, will need to be investigated, e.g., including, but not limited to, suspected malpractice, abuse or wrongdoing, unauthorised use of public funds, fraud and corruption.

Where you do not think your concern is appropriate to raise with your line manager. or having done so the matter has not been resolved, you can contact one of the following people:

- **A more senior manager.**
- **The ICRIR Chief of Staff**

If you still remain concerned after this, you can contact:

- **The Director of People & Culture**, who has operational responsibility for delivery of the raising of concerns policy.

If for any reason you do not feel comfortable raising your concern internally, you can raise concerns with relevant external bodies (see section 10).

If, the concern is about a member of the ICRIR Board it can be raised with the ICRIR Whistleblowing Champion, or if about the Champion, the Chief Commissioner, who will decide on how the concern raised should progress.

## 8. Independent advice

If you are unsure whether to use this policy, or if you require confidential advice at any stage, advice is available through the independent charity (Protect) on 020 3117 2520. [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

The Northern Ireland Audit Office and the National Audit office both also provide useful information on raising a concern:

[Raising Concerns - Public Information Leaflet.pdf](#)

[Guidance for whistleblowers - National Audit Office \(NAO\)](#)

## 9. Raising a concern externally

The ICRIR hopes this policy reassures you of its commitment to have concerns raised under the policy taken seriously and, where appropriate and/or necessary, fully investigated, and to protect an individual who raises such concerns. Whilst there may be occasions where individuals will wish to report their concerns to external agencies, the ICRIR would hope that the robust implementation of this policy will reassure staff that they can raise such concerns internally in the first instance.

The ICRIR recognises that there may be circumstances where you can raise a concern in the public interest with an outside body as specified in either the schedule to the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 as amended by the Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2014 [here](#) or in the schedule to The Public Interest Disclosure (Prescribed Persons) Order 1999 as amended by The Public Interest Disclosure (Prescribed Persons) Order 2014 [here](#) for a full list of contacts.

Disclosure to these organisations/persons will be protected provided you honestly and reasonably believe the information and associated allegations are substantially true. We would prefer you to raise a matter with the external agencies listed above than not at all.

Protect will be able to advise you on such an option and on the circumstances in which you may be able to contact an outside body safely.

## 10. The media

You may be considering going to the media in respect of your concerns if you feel the ICRIR has not properly addressed them. If so, you should carefully consider any information you choose to put into the public domain to ensure that appropriate investigatory confidentiality is maintained at all times.

The ICRIR reserves the right to take disciplinary action if confidentiality is breached. Communications with the media are coordinated by the Strategic Communications Directorate on behalf of the ICRIR. Staff approached by the media should direct the media to [press@icrir.independent-inquiry.uk](mailto:press@icrir.independent-inquiry.uk) in the first instance.

## 11. Conclusion

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

Please note, this policy has been developed to meet best practice and is underpinned by the relevant raising a concern legislation applicable in both England and Wales and Northern Ireland. The Public Interest Disclosure Act 1998 (as amended) and The Public Interest Disclosure (NI) Order 1998 (as amended) provide employment protection for raising concerns in the public interest.

To be protected under the law an employee must act with an honest and reasonable belief that the matters specified in the concern raised occurred, is occurring or is likely to occur. Disclosures may be made to certain prescribed persons or bodies external to the ICRIR listed in the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 as amended by the Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2014 or in the schedule to The Public Interest Disclosure (Prescribed Persons) Order 1999 as amended by The Public Interest Disclosure (Prescribed Persons) Order 2014.

The ICRIR is committed to ensuring compliance with the legislative frameworks on both jurisdictions and fostering an environment where concerns can be raised safely and with confidence.

## **12. Equality, human rights and Disability Discrimination Act**

This policy has been drawn up and reviewed in the light of Section 75 of the Northern Ireland Act (1998) which requires the ICRIR to have due regard to the need to promote equality of opportunity. It has been screened to identify any adverse impact on all equality categories. The policy has been screened out without mitigation.