

Protected Disclosures Act, 2014 and Protected Disclosures (Amendment) Act, 2022 - Annual Report for year ended 31st December 2023

The Protected Disclosures Act 2014 as amended by the Protected Disclosures (Amendment) Act 2022, protects workers in the public, private and not-for-profit sectors if they speak up about or raise concerns relating to wrongdoing in the workplace. Workers can report wrongdoing internally to their employer or externally to a third party, such as a prescribed person.

A “**Protected Disclosure**” is defined in the legislation as a disclosure of information which, in the reasonable belief of the worker, tends to show one or more ‘relevant wrongdoings’, which come to the attention of the worker in a work-related context.

“**Worker**” includes employees, contractors, consultants, agency staff, former employees, temporary employees, interns/trainees, volunteers, and elected members.

The following matters are **relevant wrongdoings** and may relate to matters that are occurring now, have happened in the past or may happen in the future:

- a. that an offence has been, is being or is likely to be committed,
- b. that a person has failed, is failing or is likely to fail to comply with any legal obligation, other than one arising under the worker’s contract of employment or other contract whereby the worker undertakes to do or perform personally any work or services,
- c. that a miscarriage of justice has occurred, is occurring or is likely to occur,
- d. that the health or safety of any individual has been, is being or is likely to be endangered,
- e. that the environment has been, is being or is likely to be damaged,
- f. that an unlawful or otherwise improper use of funds or resources of a public body, or of other public money, has occurred, is occurring or is likely to occur,
- g. that an act or omission by or on behalf of a public body is oppressive, discriminatory or grossly negligent or constitutes gross mismanagement, or
- h. that a breach of specified EU law set out in the Directive has occurred, is occurring or is likely to occur, or
- i. that information tending to show any [of the above] has been, is being or is likely to be concealed or destroyed or an attempt has been, is being or is likely to be made to conceal or destroy such information.

Cavan County Council Protected Disclosures Policy

Cavan County Council is committed to ensuring that the culture and work environment are such that any worker is encouraged and supported to report on any issue that may impact adversely on Cavan County Council's ability to deliver its service.

Specifically, the key objectives of the policy are:

- To encourage workers to raise reasonable concerns regarding possible wrongdoing in the workplace so that these concerns can be addressed.
- To underpin a working environment in which the primary focus is on responding to the "message" (i.e., the report of wrongdoing) rather than on the "messenger" (i.e., the worker making the report).
- To reinforce the legal requirement that employers should not penalise a worker who makes a protected disclosure.
- To ensure that a competent and timely assessment and investigation of reports of wrongdoing takes place followed, where necessary, by an appropriate response.

A copy of Cavan County Council's Protected Disclosure Policies and Procedures for Internal and External Reporting are available on the Council's website www.cavancoco.ie

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

In accordance with the Local Government (Audit Committee) Regulations 2014, which requires Cavan County Council Audit Committee to ensure that procedures are in place whereby employees of the Council may, in confidence, raise concerns about possible irregularities in financial reporting or other financial matters, Cavan County Council protocol for dealing with receipt of disclosures about Financial Reporting or other financial matters under the Local Government (Audit Committee) Regulations, 2014 and in accordance with the Protected Disclosures Act, 2014 and Protected Disclosures (Amendment) Act, 2022 has been implemented and is available on the Council's website www.cavancoco.ie

The designated officer to receive protected disclosures for Cavan County Council is Lynda McGavigan, Senior Executive Officer, Human Resources and Corporate Affairs. Telephone 049 4378657 Email: protecteddisclosureprescribedperson@cavancoco.ie

The number of Protected Disclosures received for the 12-month period ended 31st December 2023 in respect of Cavan County Council is 0.