



PROTECTED DISCLOSURES

(AMENDMENT) ACT 2022
IN EFFECT FROM 1ST JANUARY, 2023

INFORMATION FOR EMPLOYERS AND PRESCRIBED PERSONS UNPACKED



The Protected Disclosures (Amendment) Act, 2022 significantly alters the legal landscape of protected disclosures / 'whistleblowing' in organisations through expanding the scope of the protections for those making protected disclosures. The resultant extension of responsibilities and obligations for organisations with in excess of 49 employees cannot be understated as they seek to “establish, maintain and operate internal reporting channels and procedures.”

Areas covered will include:

- Flashback on the Protected Disclosures Act 2014
- Outline of key aspects of the 2022 Amendment which contrast with, supplement and extend previous iterations
- Identification of steps for consideration when designing and implementing Protected Disclosures channels and procedure
- Approaches to ensuring that staff have clear and easily accessible information around internal reporting channels and procedures
- Update on what constitutes 'penalization', categories of relevant wrongdoings, including breaches of EU Acts
- Ensuring adherence to the prescribed time scale for receipt of protected disclosures under the Act
- Approaches to ensuring harmonisation of interpretation and adherence to agreed policy within the organisation
- Designation of a person/department/third party to receive protected disclosures, to diligently follow up, maintain communication and ensure continuity of feedback to the reporting person, in line with the Act
- Provision of feedback to reporting person within a reasonable period, not more than three months from the date of acknowledgement of receipt of the report



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