



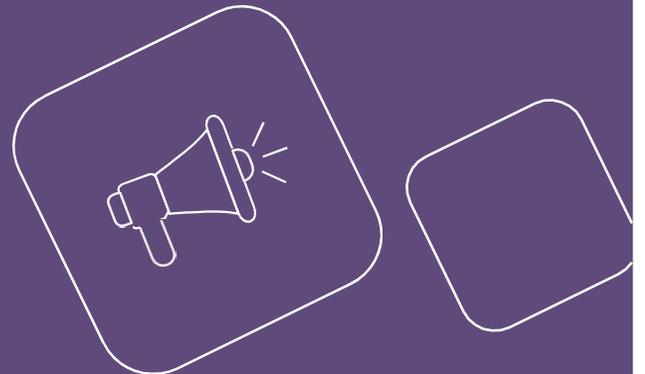
An tÚdarás Rialála
Seirbhíse Dlí
Legal Services
Regulatory Authority

Protected Disclosures



External Protected Disclosures Policy

10 March 2026



External Protected Disclosures Policy

1. INTRODUCTION

The Protected Disclosures Act 2014, as amended by the Protected Disclosures Act 2022 (the Act), enables workers to raise a concern regarding potential wrongdoing in the workplace by ensuring that safeguards exist should reprisals be taken against them. If your employer is the LSRA, you may wish to refer to the *Internal LSRA Protected Disclosures Policy & Procedures* document which is available to all employees.

The purpose of this policy is to set out the Legal Services Regulatory Authority's (LSRA) procedure for dealing with protected disclosures received by the Chief Executive of the LSRA as a prescribed person listed in the Protected Disclosures Act 2014 (Disclosure to Prescribed Persons) Order 2020, as amended.

The Chief Executive of the Legal Services Regulatory Authority ("the LSRA") has been prescribed under the Act, to receive protected disclosures in respect of the following:

All matters relating to the regulation of the provision of legal services by legal practitioners in the State, including the maintenance and improvement of standards, the establishment and maintenance of the Roll of Practising Barristers and the registers of Legal Partnerships, Limited Liability Partnerships and Multi-Disciplinary Practices, and the investigation of complaints against legal practitioners as provided for by the Legal Services Regulation Act 2015 (No.65 of 2015).

The Act protects workers from retaliation if they speak up about certain wrongdoings in the workplace. Persons who make protected disclosures (sometimes referred to as "whistleblowers") are protected by the Act. They should not be treated unfairly or lose their job because they have made a protected disclosure.

A worker may choose to report internally to their employer or, if certain conditions are satisfied, a worker can choose to report externally to a prescribed person.

In accordance with the Act, the LSRA has established a formal channel for workers who wish to make an external report to them in relation to the matters set out above.

The LSRA will:

- Keep the identity of the reporting person and any person named in a report confidential;
- Acknowledge all reports within 7 days unless the reporting person requests otherwise;
- Assess and, where appropriate, follow-up on the information contained in the report;
- Provide feedback to the reporting person; and
- Provide information to the reporting person on the final outcome of their report.

External Protected Disclosures Policy | LSRA

This policy also applies to any reports transmitted to the LSRA by another prescribed person or the Protected Disclosures Commissioner in accordance with the Act.

Please read this document carefully before making a report. It is solely your responsibility to ensure you meet the criteria for protection under the Act. If you have any queries about this policy, please contact the designated person whose contact details are set out below in section 11. If you require confidential, independent, advice (including legal advice) on the making of a protected disclosure, please refer to section 10 of this document.

2. CONDITIONS UNDER WHICH A REPORT TO THE LSRA QUALIFIES AS A PROTECTED DISCLOSURE

2.1 WHAT IS A PROTECTED DISCLOSURE?

A “protected disclosure” is a disclosure of “relevant information” made by a “worker” in the manner specified in the Act. The relevant information must, in the reasonable belief of the worker, tend to show one or more “relevant wrongdoings” and have come to the attention of the worker in a “work-related context”.

To report to the LSRA or any other prescribed person, a worker must also reasonably believe:

(a) that the relevant wrongdoing falls within the description of matters in respect of which the person is prescribed to receive disclosures;

and

(b) that the information disclosed, and any allegation contained in it, came to your attention in connection with your employment, which is outside the LSRA, and the allegations are substantially true (this is a higher standard than is required for disclosure directly to your employer).

You must fulfil all of the requirements set out in the Act in order for your report to qualify as a protected disclosure. These requirements are explained in more detail below.

If you are uncertain as to whether your report qualifies as a protected disclosure, you should seek professional advice. If you require confidential, independent, advice (including legal advice) on the making of a protected disclosure, please refer to section 10 of this document.

2.2 WHO CAN MAKE A PROTECTED DISCLOSURE?

You can make a protected disclosure if you are a “worker”. A “worker” is an individual who acquires information on relevant wrongdoings in a work-related context and who is or was:

(a) an employee;

(b) an independent contractor;

(c) an agency worker;

(d) a trainee;

External Protected Disclosures Policy | LSRA

- (e) a shareholder of an undertaking;
- (f) a member of the administrative, management or supervisory body of an undertaking including non-executive members;
- (g) a volunteer;
- (h) an individual who acquired information on a relevant wrongdoing during a recruitment process;
- (i) an individual who acquired information on a relevant wrongdoing during pre-contractual negotiations (other than a recruitment process).

If you are **not** a worker, you cannot make a protected disclosure and you are **not** protected by the Act.

For the avoidance of any doubt, whether or not you are a worker, you can make a complaint about a legal practitioner to the LSRA through the complaints process as set out in Part 6 of the Legal Services Regulation Act 2015, as amended [Legal Services Regulation Act 2015](#) and further information is available on the LSRA's website at www.lsr.ie/make-a-complaint/

2.3 WHAT IS RELEVANT INFORMATION?

Relevant information is information which in the reasonable belief of the worker tends to show one or more relevant wrongdoings and it came to the attention of the worker in a work-related context.

The information you report should disclose facts about someone or something, rather than a general allegation that is not founded on any facts.

You should not investigate allegations of wrongdoing or gather additional evidence or information – just tell us the facts that you know.

2.4 WHAT IS REASONABLE BELIEF?

Your belief must be based on reasonable grounds but it is not a requirement that you are ultimately correct. You are not expected to prove the truth of an allegation. Once the requirements of the Act have been satisfied, you remain entitled to the protections of the Act even if the information you have reported turns out to be unfounded. The Act prohibits any employer from penalising an employee for having reported a relevant wrongdoing or for making a disclosure, see section 7 below.

Your motivation for making a report is irrelevant as to whether or not it is a protected disclosure.

A report made in the absence of reasonable belief is not a protected disclosure and could lead to your employer taking disciplinary action against you. It is a criminal offence to make a report that contains any information that you know to be false. You could also face legal

External Protected Disclosures Policy | LSRA

action from any person who suffers damage resulting from a report you have made that you know to be false.

2.5 WHAT IS A RELEVANT WRONGDOING?

To qualify as a protected disclosure, the information you report must concern a “relevant wrongdoing”. The following are relevant wrongdoings:

- (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;
- (h) that a breach of EU law as set out in the Act, has occurred, is occurring or is likely to occur;
or
- (i) that information tending to show any matter falling within any of the preceding paragraphs 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.

In order to make a report to the LSRA, the information you wish to report must concern a relevant wrongdoing **and** fall within the scope of the matters for which the LSRA has been prescribed under the Act. See section 2.8, below, for further information on what can be reported to us.

2.6 MATTERS THAT ARE NOT RELEVANT WRONGDOINGS

A matter is not a relevant wrongdoing which it is the function of the worker or the worker’s employer to detect, investigate or prosecute and does not consist of or involve an act or omission on the part of the employer.

A matter concerning interpersonal grievances exclusively affecting a worker is not a relevant wrongdoing and will not be dealt with under this procedure. Such grievances should be raised with your employer in accordance with their policy on such matters.

Failure to comply with a legal obligation that arises solely under your contract of employment or any other contract where you undertake to do or perform personally any work or services

External Protected Disclosures Policy | LSRA

is not a relevant wrongdoing. Such matters should be raised with your employer in accordance with their policy in this area.

Protected disclosures can only be made by workers and must meet the requirements of the Act as set out below. For reports that do not fulfil this criteria in so far as the matters alleged relate to a legal practitioner, it may be appropriate to proceed via the complaints process. You can make a complaint about a legal practitioner to the LSRA through the complaints process as set out in Part 6 of the Legal Services Regulation Act 2015 (as amended) and further information is available on the LSRA's website at www.lsr.ie/make-a-complaint/

2.7 WHAT IS A WORK-RELATED CONTEXT?

"Work-related context" means current or past work activities in the public or private sector through which, irrespective of the nature of those activities, you acquire information concerning a relevant wrongdoing and within which you could suffer penalisation if you reported such information.

2.8 WHO CAN A PROTECTED DISCLOSURE BE MADE TO?

You can report internally to your employer and, if you are comfortable with this, you are encouraged to do so. Most protected disclosures are made internally in the first instance. If your employer is the LSRA, you may wish to refer to the *Internal LSRA Protected Disclosures Policy & Procedures* document which is available to all employees.

You do **not** have to report to your employer before you can report to a prescribed person.

Your employer may have a protected disclosures or whistleblowing policy. All public sector bodies, regardless of size, and all employers with 50 or more employees are required, under the Act, to have formal channels and procedures for their workers to report relevant wrongdoing.

If you don't want to report to your employer or reporting to your employer hasn't worked, you may have the option of reporting to a prescribed person.

The Chief Executive of the LSRA is a prescribed person.

In order to report to us, the information you wish to report must have come to your attention in a work-related context and you must reasonably believe:

- (a) That the information tends to show one or more relevant wrongdoings;
- (b) That the information, and any allegation contained in it, is substantially true;

and

- (c) That the information falls within the description of matters for which the Chief Executive of the LSRA has been prescribed. These matters are:

External Protected Disclosures Policy | LSRA

All matters relating to the regulation of the provision of legal services by legal practitioners in the State, including the maintenance and improvement of standards, the establishment and maintenance of the Roll of Practising Barristers and the registers of Legal Partnerships, Limited Liability Partnerships and Multi-Disciplinary Practices, and the investigation of complaints against legal practitioners as provided for by the Legal Services Regulation Act 2015 (No.65 of 2015).

Legal practitioners include both practising solicitors and practising barristers as per the Legal Services Regulation Act 2015, as amended [Legal Services Regulation Act 2015](#).

If the matter you wish to report is a relevant wrongdoing but does not fall under the description of matters set out above, it may be possible that another prescribed person can deal with your report. A full list of all of the prescribed persons and the matters that can be reported to them can be found at: www.gov.ie/prescribed-persons/.

If you are uncertain as to who the correct prescribed person to report to is or there does not appear to be a prescribed person for the matter you wish to report, you can make a report to the Protected Disclosures Commissioner. Details of how to report to the Commissioner can be found at: <https://www.opdc.ie/>.

If the relevant wrongdoing you wish to report concerns a breach of European Union (EU) law, as set out EU Directive 2019/1937 on the protection of persons who report breaches of Union law, you can report to a relevant institution, body, office or agency of the EU, provided:

- you believe the information you wish to report is true at the time of reporting; and
- the information falls within the scope of EU Directive 2019/1937.

If reporting to your employer and/or reporting to a prescribed person does not work or there are justifiable grounds for not reporting to either your employer or a prescribed person, the Act provides that you can report to:

- A relevant Minister of the Government, if you are employed by a public body; or
- Any other third party.

The conditions for reporting via these channels are more onerous than those that apply to reporting to your employer or a prescribed person or the Protected Disclosures Commissioner. You may wish to seek professional advice before using these channels. Please refer to section 10 of this document for information as to where to seek further advice in this regard.

3. HOW TO MAKE A REPORT

Before you make a report, you may wish to consider seeking independent, confidential professional advice. Reports should be made to the Designated Person within in the LSRA either orally or in writing. Contact details for the Designated Person are provided in section 11 below.

External Protected Disclosures Policy | LSRA

To submit a protected disclosure in writing, please mark any correspondence you wish to submit as strictly private and confidential, “protected disclosure” and for the attention of the external Designated Person only. The Contact details for the Designated Person are provided in section 11 below.

To submit a protected disclosure orally, please use the Contact details for the Designated Person in section 11 below.

A report can be made by way of a physical meeting upon request. If you wish to make a report in person, you can request a meeting with the Designated Person. To arrange a meeting with the Designated Person, please contact the Designated Person using the contact details set out in section 11 below.

Should you raise a report orally, we will keep a written record of our conversation and provide you with a copy after the meeting. We do not record telephone calls.

Should you make a report whether orally or in writing, we ask you to:

- a) Indicate that you are making a protected disclosure;
- b) Provide your name, place of work, position in the organisation and confidential contact details;
- c) Provide the date of the alleged wrongdoing (if known) or the date the alleged wrongdoing commenced or will commence or was identified;
- d) Provide details as to whether the alleged wrongdoing is still ongoing;
- e) Provide details as to whether the alleged wrongdoing has already been disclosed and, if so, to whom, when, and what action was taken;
- f) Provide information in respect of the alleged wrongdoing and any supporting documentation;
- g) Provide the name of any person (s) allegedly involved in the alleged wrongdoing (if you believe this is necessary to expose the wrongdoing); and
- h) Provide any other information that you think may be relevant.

It is recommended that reports, either orally or in writing, contain at least the information set out above and in Appendix A below.

In relation to b) above, you are entitled to make an anonymous disclosure. Whilst we will act upon an anonymous disclosure to the extent possible, we may be restricted in our ability to properly investigate the matter in the absence of knowledge of your identity.

Where the Designated Person receives reports transmitted to us under the Act by other prescribed persons or the Protected Disclosures Commissioner, this policy will apply to those reports.

External Protected Disclosures Policy | LSRA

Any reports made to us via channels other than that set out in this section that, in our opinion, may qualify as a protected disclosure will be transmitted promptly and without modification to the Designated Person and this policy will apply to those reports. If a disclosure is made to an individual in the LSRA who is not a designated person, then the individual receiving the disclosure should advise the reporting person to report the matter to the designated person as set out in section 11 in this policy. If the reporting person indicates that they are unwilling to do this, then the recipient should get consent from the reporting person to receive the disclosure and refer it to the designated person in the LSRA, either by email or phone.

4. ANONYMOUS REPORTS

Reports can be made anonymously. If you choose to report anonymously and your report meets the requirements of the Act, you remain entitled to the protections of the Act if you are subsequently identified and penalised for making your report.

Anonymous reports will be followed-up to the greatest extent possible. However, it may not be possible to fully assess and follow-up on an anonymous report.

In addition, implementing certain elements of this policy – such as seeking further information from you, maintaining communication with you and protecting your identity – may not be possible.

5. PROCESS FOLLOWING RECEIPT OF A REPORT

5.1 ACKNOWLEDGEMENT

We will acknowledge all reports in writing within 7 days of receipt unless you request that no acknowledgement is made or we reasonably believe that to issue an acknowledgement would jeopardise the protection of your identity. The acknowledgement shall include a copy of these procedures.

5.2 ASSESSMENT

We shall assess:

(a) if we consider there is *prima facie* evidence that a relevant wrongdoing might have occurred;

and

(b) whether the report concerns matters that fall within the scope of the matters for which we have been prescribed under the Act, as set out in section 2.8 (c) of this policy.

We may, if required, make contact with you, in confidence, in order to seek further information or clarification regarding the matter(s) you have reported.

The Act requires that you shall cooperate with us in relation to the performance of our functions under the Act. This includes any functions we carry out as part of the assessment process.

External Protected Disclosures Policy | LSRA

We may find it necessary to differentiate the information contained in a report. It may be the case that our assessment finds that not all of the matters reported qualify as relevant wrongdoings under the Act or fall within the matters for which we have been prescribed under the Act. We may deal with different parts of a report differently according to what, in our opinion, is the most appropriate thing to do in each case.

We may decide that there is no *prima facie* evidence that a relevant wrongdoing may have occurred. If this decision is made, we will close the procedure and notify you in writing of this decision as soon as practicable and the reasons for it.

We may decide that there is *prima facie* evidence that a relevant wrongdoing may have occurred but that the relevant wrongdoing is clearly minor and does not require follow up. If this decision is made the procedure will be closed and you will be notified in writing as soon as practicable of the decision and the reasons for it.

We may decide that all or part of a report is a repetitive report that does not contain any meaningful new information compared to a previous report. If this decision is made the procedure will be closed and you will be notified in writing as soon as practicable of the decision and the reasons for it.

We may decide that all or part of a report concerns matters which are not within the scope of matters for which we have been prescribed under the Act. If this decision is made, we will transmit your report – in whole or in part, as appropriate – to such other prescribed person or persons as we consider appropriate or, where, in our opinion, there is no such other prescribed person, to the Protected Disclosures Commissioner. You will be notified in writing as soon as practicable of the decision and the reasons for it.

5.3 FOLLOW-UP

Where, in our opinion, there is *prima facie* evidence that a relevant wrongdoing may have occurred, we shall decide on what further follow-up action is required, having regard to our statutory powers and functions and having regard to the nature and seriousness of the matter.

The Act requires that you shall cooperate with us in relation to the performance of our functions under the Act. This includes any functions we carry out as part of the follow-up process.

The statutory powers and functions of the LSRA are sets out in the Legal Services Regulation Act 2015, as amended - [Legal Services Regulation Act 2015](#).

5.4 FEEDBACK

Feedback will be provided to you within a reasonable time period and no later than 3 months after the initial acknowledgement of your report or, if no acknowledgement was sent, no later than 3 months after your report was received. This time period applies whether your report was initially made directly to us or initially made to another prescribed person or the Protected Disclosures Commissioner and then transmitted to us.

External Protected Disclosures Policy | LSRA

In duly justified circumstances, the time period for the provision of feedback may be extended to 6 months having regard to the nature and complexity of the report. We will inform you, in writing, of any decision to extend the feedback period as soon as practicable after the decision is made.

You may request, in writing, that we provide further feedback at 3 month intervals until the process of follow-up is completed.

Any feedback we give is provided in confidence and should not be disclosed to anyone else other than:

- (a) as part of the process of seeking legal advice in relation to your report from a solicitor or a barrister or a trade union official; or
- (b) if required in order to make a further report through this or another reporting channel provided for under the Act.

Feedback will include information on the action taken or envisaged to be taken as follow-up to that report and also the reasons for such follow-up.

Feedback will not include any information that could prejudice the outcome of an investigation or any other action that might follow.

Feedback will not include any information relating to an identified or identifiable third party.

The requirement to provide feedback does not override any statutory or legal obligations that may apply as regards confidentiality and secrecy.

If the follow-up process determines that no relevant wrongdoing has occurred, you will be informed of this in writing.

If no further action is required to be taken, you will be informed of this in writing.

We will give you information concerning the final outcome of any investigation triggered by your report, subject to any legal restrictions concerning confidentiality, legal privilege, privacy and data protection or any other legal obligation as may arise from time to time, in line with LSRA's regulatory remit or otherwise.

6. CONFIDENTIALITY AND PROTECTION OF IDENTITY

The LSRA is committed to protecting the identity of all workers who raise a concern under these procedures and to protecting the confidentiality of any information disclosed.

Subject to the exceptions below, the identity of the reporting person or any information from which their identity may be directly or indirectly deduced will not be shared with anyone other than persons authorised to receive, handle or follow-up on reports under this policy without the reporting person's explicit consent.

External Protected Disclosures Policy | LSRA

The Protected Disclosures Act provides for certain exceptions where a reporting person's identity or information that could identify the reporting person can be disclosed with or without the reporting person's consent. There are:

- (a) Where the disclosure is a necessary and proportionate obligation imposed by EU or national law in the context of investigations or judicial proceedings, including safeguarding the rights of defence of persons connected with the alleged wrongdoing;
- (b) Where the person to whom the report was made or transmitted shows they took all reasonable steps to avoid disclosing the identity of the reporting person or any information that could identify the reporting person;
- (c) Where the person to whom the report was made or transmitted reasonably believes disclosing the identity of the reporting person or information that could identify the reporting person is necessary for the prevention of serious risk to the security of the State, public health, public safety or the environment; and
- (d) Where the disclosure is otherwise required by law.

Where disclosure of your identity or information that could identify you is to be disclosed under one or more of these exceptions, you will be notified in writing in advance with reasons for the disclosure, unless such notification would jeopardise:

- The effective investigation of the relevant wrongdoing reported;
- The prevention of serious risk to the security of the State, public health, public safety or the environment; or
- The prevention of crime or the prosecution of a criminal offence.

Circumstances may arise where protection of identity is difficult or impossible – e.g. if the nature of the information you have disclosed means that you are easily identifiable. If this occurs, the risks and potential actions that could be taken to mitigate them will be outlined and discussed with you.

Records will be kept of all reports, including anonymous reports, in accordance with applicable policies concerning record keeping, data protection and freedom of information. Please refer to Appendix B for further information.

7. PROTECTION FROM PENALISATION

The Act provides a range of statutory protections for workers who are penalised for making a protected disclosure.

Penalisation is any direct or indirect act or omission that occurs in a work-related context, which is prompted by the making of a protected disclosure and causes or may cause unjustified detriment to a worker.

Penalisation includes, but is not limited to:

External Protected Disclosures Policy | LSRA

- (a) Suspension, layoff or dismissal;
- (b) Demotion, loss of opportunity for promotion or withholding promotion;
- (c) Transfer of duties, change of location of place of work, reduction in wages or change in working hours;
- (d) The imposition or administering of any discipline, reprimand or other penalty (including a financial penalty);
- (e) Coercion, intimidation, harassment or ostracism;
- (f) Discrimination, disadvantage or unfair treatment;
- (g) Injury, damage or loss;
- (h) Threat of reprisal;
- (i) Withholding of training;
- (j) A negative performance assessment or employment reference;
- (k) Failure to convert a temporary employment contract into a permanent one, where the worker had a legitimate expectation that he or she would be offered permanent employment;
- (l) Failure to renew or early termination of a temporary employment contract;
- (m) Harm, including to the worker's reputation, particularly in social media, or financial loss, including loss of business and loss of income;
- (n) Blacklisting on the basis of a sector or industry-wide informal or formal agreement, which may entail that the person will not, in the future, find employment in the sector or industry;
- (o) Early termination or cancellation of a contract for goods or services;
- (p) Cancellation of a licence or permit; and
- (q) Psychiatric or medical referrals.

The Act provides that a worker who suffers penalisation as a result of making a protected disclosure can make a claim for redress at either the Workplace Relations Commission or the courts, as appropriate.

A claim concerning penalisation or dismissal must be brought to the Workplace Relations Commission within 6 months of the date of the instance of penalisation or the date of dismissal to which the claim relates.

External Protected Disclosures Policy | LSRA

A claim for interim relief pending proceedings at the Workplace Relations Commission or the courts must be made to the Circuit Court within 21 days of the last date of penalisation or date of dismissal.

It is a criminal offence to penalise or threaten penalisation or to cause or permit any other person to penalise or threaten penalisation against any of the following:

- The reporting person;
- A facilitator (a person who assists the reporting person in the reporting process);
- A person connected to the reporting person, who could suffer retaliation in a work-related context, such as a colleague or a relative; or
- An entity the reporting person owns, works for or is otherwise connected with in a work-related context.

The LSRA cannot determine if a report qualifies for protection under the Act nor can it intervene or offer legal advice in any employment dispute or any other dispute concerning allegations of penalisation under the Act. Please refer to section 10 of this document on how to obtain further information and independent, confidential advice in relation to these statutory rights.

8. PROTECTION FROM LEGAL LIABILITY

In general, the Act provides that no civil legal action can succeed against you for making a protected disclosure. The one exception to this is in relation to defamation.

You can be sued for defamation but you are entitled to a defence of “qualified privilege”. This means that it should be very difficult for a person to win a case against you if you can show you made a protected disclosure in accordance with the Act and did not act maliciously.

There is no other basis under which you can be sued if you have made a protected disclosure in accordance with the Act – e.g. for breach of confidentiality.

If you are prosecuted for disclosing information that is prohibited or restricted, it is a defence to show that, at the time of the alleged offence, you reasonably believed you were making a protected disclosure.

The Act also provides that any provision in any agreement is void insofar as it would:

- Prohibit or restrict the making of a protected disclosure;
- Exclude or limit any provision of the Act;
- Preclude a person from taking any proceedings under or by virtue of the Act; or
- Preclude a person from bringing proceedings for breach of contract in respect of anything done in consequence of the making of a protected disclosure.

External Protected Disclosures Policy | LSRA

Bear in mind that, if you make a report that you know is false, it is not a protected disclosure. You could be exposed to legal risks, such as being sued for defamation or breach of confidentiality. You could also face criminal prosecution.

If you are in any doubt as to whether these protections apply to you, you should seek professional advice. Please refer to section 10 of this document on how to obtain further information and independent, confidential advice in this regard.

9. PROTECTION OF PERSONS CONCERNED

A “person concerned” is a person who is referred to in a report made under the Act as a person to whom the relevant wrongdoing is attributed or with whom that person is associated.

Persons concerned are entitled to protection of their identity for as long as any investigation triggered by the making of a report under this Policy is ongoing.

This protection of identity does not preclude the disclosure of said identity where the LSRA reasonably considers such disclosure is necessary for the purposes of the Act or where such disclosure is otherwise authorised or required by law.

Persons concerned have the right to take legal action against a person who knowingly makes a false report against them, if they suffer damage as a result of the false report.

10. SUPPORTS AND INFORMATION

Before you make a protected disclosure, you may wish to consider seeking support, information or independent confidential professional advice.

There are a number of agencies that can provide confidential support and advice to workers considering making a protected disclosure. Information about what wrongdoings can be reported as protected disclosures, how to make a protected disclosure and how to obtain protection from penalisation for having made a protected disclosure can be found on the Department of Public Expenditure and Reform [website](#).

Transparency International Ireland operates a free Speak-Up Helpline that offers support and referral advice (which may include referral to legal advice) for workers who have reported or plan to report wrongdoing. The helpline can be contacted on 1800 844 866.

For workers who are members of a trade union, many unions offer free legal advice services on employment-related matters, including protected disclosures.

Further information regarding the Act is available from Citizens Information at: <https://www.citizensinformation.ie/en/employment/enforcement-and-redress/protection-for-whistleblowers/>

External Protected Disclosures Policy | LSRA

Information in relation to making a complaint of penalisation to the Workplace Relations Commission can be found at: <https://www.workplacerelations.ie/en/>

The information provided above is not a legal interpretation of Protected Disclosures Act 2014, as amended by the Protected Disclosures Act 2022. This Policy is intended to provide information and should not be regarded or be used as a substitute for legal advice. See our disclaimer set out below in section 14.

11. CONTACT DETAILS

| Designated Individual | Contact Details |
|---|--|
| Designated Person (Protected Disclosure –External Channel) | <p>Please mark all correspondence as <u>“Strictly Private and Confidential - Protected Disclosure - For the attention of the external designated person Tony Watson only”</u></p> <p>Name: Mr Tony Watson, Interim CEO</p> <p>If the designated person is on leave, another senior member of staff will act as designated person</p> <p>Telephone: 01 8592915</p> <p>Email: protecteddisclosures@lsra.ie</p> <p>Postal Address:</p> <p>Protected Disclosures – Designated Person, Legal Services Regulatory Authority, PO Box 12906, Dublin 7</p> |
| Chief Executive (Prescribed Person for the profession of legal services) | <p>Please mark all correspondence as <u>“Strictly Private and Confidential - Protected Disclosure - For the attention of the prescribed person Tony Watson only”</u></p> <p>Name: Mr Tony Watson Interim CEO</p> <p>Telephone: 01 8592915</p> <p>Email: protecteddisclosures@lsra.ie</p> <p>Postal Address:</p> <p>Protected Disclosures – Prescribed Person, Chief Executive, Legal Services Regulatory Authority, PO Box 12906, Dublin 7</p> |

External Protected Disclosures Policy | LSRA

12. REVIEWS

If a reporting person is not satisfied with the final outcome, they can request a review of that decision in writing within three weeks of the notification of the decision. It will be reviewed, where possible, by a person designated by the prescribed person who has not been involved in the initial assessment, investigation or decision. Reviews can be made in relation to the following:

- Any decision made to disclose the identity of the discloser (except in exceptional cases)
- The final outcome.

If a decision is taken to disclose the identity of the discloser, where at all possible, the discloser will be offered a review before their identity is disclosed. The review process will ensure that there is no entitlement to two reviews in respect of the same issue.

13. OUR COMMITMENT

The LSRA is committed to maintaining an open culture with the highest standards of honesty and accountability where workers can report any concerns in confidence. The LSRA is guided and operates by our four core values which are independence, consumer protection, innovation and transparency and accountability. All workers are encouraged to raise genuine concerns about possible improprieties at the earliest opportunity and in an appropriate way through their employer's internal channel and procedure first.

The objective of this policy is to enable workers to raise concerns about possible wrongdoing in the workplace, external to LSRA so that these concerns can be addressed in accordance with the Act and in a manner appropriate to the circumstances of the case. The LSRA is committed to ensuring that all workers who contact the prescribed person are listened to and relevant actions are taken to address their concerns, as appropriate, and/or that the information is referred, in line with the legislation, to another prescribed person and/or the Office of the Protected Disclosures Commissioner.

14. DISCLAIMER

The information provided above is not a legal interpretation of the Protected Disclosures Act 2014, as amended by the Protected Disclosures Act 2022 (the Act). This policy is intended to provide information and should not be regarded or be used as a substitute for legal advice. The LSRA cannot advise you on whether the disclosure you may intend to make, whether to it or any other body will qualify, as a protected disclosure.

15. REVIEW

This policy is a live document and subject to change from time to time. The Policy and the procedures under it will be subject to periodic review, at least every three years.

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APPENDIX A – WHAT TO INCLUDE IN A DISCLOSURE

It is recommended that reports should contain at least the following information:

that the report is a protected disclosure and is being made under the procedures set out in this policy;

the reporting person's name, position in the organisation, place of work and confidential contact details;

the date of the alleged wrongdoing (if known) or the date the alleged wrongdoing commenced or was identified;

whether or not the alleged wrongdoing is still ongoing;

whether the alleged wrongdoing has already been disclosed and if so, to whom, when, and what action was taken;

information in respect of the alleged wrongdoing (what is occurring / has occurred and how) and any supporting information;

the name of any person(s) allegedly involved in the alleged wrongdoing (if any name is known and the worker considers that naming an individual is necessary to report the wrongdoing disclosed); and

any other relevant information.

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APPENDIX B – RECORD KEEPING, DATA PROTECTION AND FREEDOM OF INFORMATION

B.1 RECORD KEEPING

A record of all reports – including all anonymous reports – will be kept.

Where a report is made via telephone using the contact details above, the report shall be documented by way of accurate minutes of the conversation taken by the person who receives the report. Where practicable, at the end of the telephone call the designated person will confirm the information provided by the reporting person. The reporting person will be asked to confirm the information documented by the designated person is accurate to avoid any ambiguity at a later date in relation to the information disclosed.

Where a report is made via a physical meeting with the designated person, the report shall be documented by way of accurate minutes of the conversation taken by the person who receives the report. The reporting person shall be afforded the opportunity to check, rectify and agree these minutes either by means of reviewing contemporaneous notes at the meeting or by way of sending a draft of those contemporaneous notes by email or as otherwise agreed between the designated person and the reporting person.

B.2 DATA PROTECTION

All personal data will be processed in accordance with applicable data protection law, including the General Data Protection Regulation (GDPR).

It is important to note that section 16B of the Act imposes certain restrictions on data subject rights, as allowed under Article 23 of the GDPR.

Where the exercise of a right under GDPR would require the disclosure of information that might identify the reporting person or persons concerned, or prejudice the effective follow up of a report, exercise of that right may be restricted.

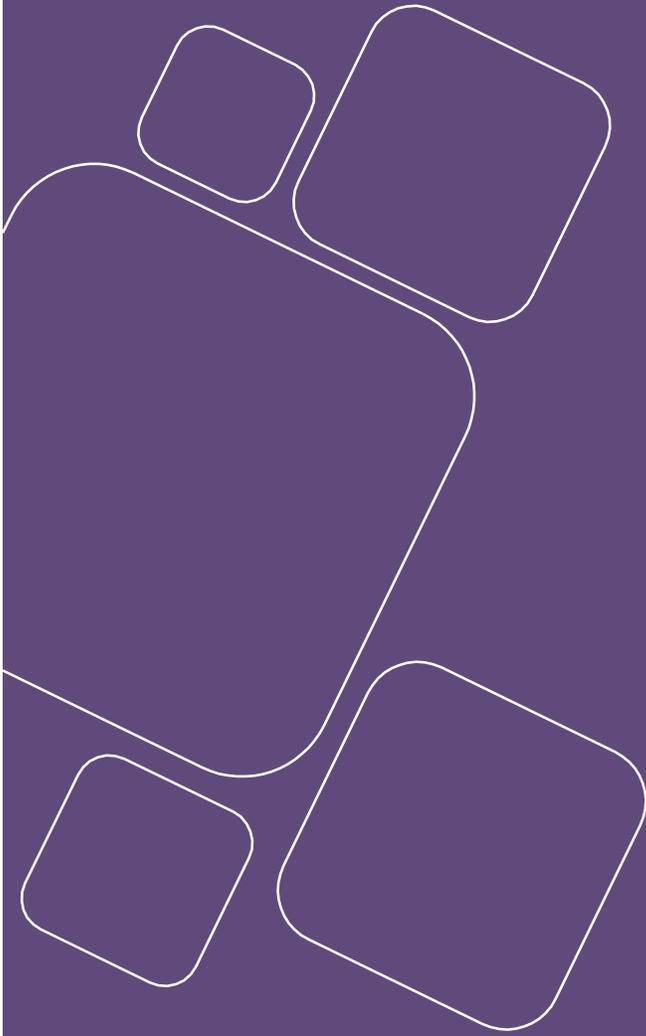
Rights may also be restricted to the extent, and as long as, necessary to prevent and address attempts to hinder reporting or to impede, frustrate or slow down follow-up, in particular investigations, or attempts to find out the identity of reporting persons or persons concerned.

If a right under GDPR is restricted, the data subject will be given the reasons for the restriction, unless the giving of such reasons would identify the reporting person or persons concerned, or prejudice the effective follow up of a report, or prejudice the achievement of any important objectives of general public interest as set out in the Act.

A person whose data subject rights are restricted can make a complaint to the Data Protection Commissioner or seek a judicial remedy in respect of the restriction. You can find the LSRA's Data Privacy Notice on our website [LSRA-Privacy-Notice-External-Website.pdf](#)

B.3 FREEDOM OF INFORMATION

The Freedom of Information Act 2014 does not apply to any records relating to disclosures made in accordance with the Protected Disclosures Act, irrespective of when they were made.



An tÚdarás Rialála
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