

The Public Interest Disclosure (Northern Ireland) Order 1998

The Certification Officer's role as a Prescribed Person

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This Order gives protection to workers who “blow the whistle” on wrongdoing. It makes it unlawful for employers to subject their employees/workers to a detriment if they make disclosures about certain types of wrongdoing to persons or bodies that are authorised to receive such information (known as “prescribed persons”).

The Certification Officer for Northern Ireland is a prescribed person. He is authorised to receive information about fraud or other irregularities relating to the financial affairs of trade unions or employers' associations from employees/workers of these organisations.

Requirements for protection

For a disclosure to the Certification Officer to qualify for protection it must meet certain requirements. The employee/worker must:

- make the disclosure in good faith,
- reasonably believe that the disclosure concerns the matters for which the Certification Officer is prescribed (i.e. fraud or other irregularities relating to the financial affairs of trade unions or employers' associations), and
- reasonably believe that the information disclosed, and any allegation contained within it, are substantially true.

Making a protected disclosure to the Certification Officer

If you wish to make a protected disclosure to the Certification Officer about fraud or other irregularities in the financial affairs of the trade union or employers' association for which you work, you can contact the office by e-mail (info@nicertoffice.org.uk) or by post at:

The Certification Office
10-16 Gordon Street
Belfast BT1 2LG

Further Information

The Department for Employment and Learning has produced a guide to the provisions of the Public Interest Disclosure Order, which can be downloaded at www.delni.gov.uk

NOTES: (1) The provisions of the Public Interest Disclosure Order apply only to employees or workers of organisations. They do not apply to members of trade unions or employers' associations, unless those members are also employees' of the organisation concerned. Members of trade unions or employers' associations who believe that there has been fraud or other misconduct in the management of their organisation's financial affairs may make a complaint to the Certification Officer under Article 12E of the Industrial Relations (NI) Order 1992.

(2) The relevant provisions of the Public Interest Disclosure Order are incorporated, by amendment, in Part VA of the Employment Rights (Northern Ireland) Order 1996. Disclosures to prescribed persons are covered at Article 67F of the latter Order. The Certification Officer is designated a prescribed person by the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 (Statutory Rule No.401).

Certification Office, April 2012