

daa Protected Disclosures Policy and Procedures

March 2026

Important: please read this document carefully before making a report. It is a worker's responsibility to ensure they meet the criteria for protection. This document does not purport to be an interpretation of the law or to offer legal guidance or advice. Any daa 'worker' considering making a protected disclosure should first consult with the provisions of the Protected Disclosures Act 2014, as amended, together with this document, and seek legal advice if necessary. Guidance on the Protected Disclosures Act from the Department of Public Expenditure Reform can be found at <https://www.per.gov.ie/en/protected-disclosures-act-2014-and-guidance/> and also at

<https://raiseaconcern.com/legislation/protected-disclosures-act-2014-guidance>.

This policy has regard to the Guidance for Public Bodies and Prescribed Persons. <https://assets.gov.ie/static/documents/protected-disclosures-act-statutory-guidance-for-public-bodies-and-prescribed-persons.pdf>

Contents

1. Policy Statement and Purpose.....	4
2. Key Responsibilities	5
3. Scope of the policy.....	5
4. What is a protected disclosure?	5
5. How to make a report	8
6. Anonymous reports.....	9
7. Process following receipt of a report.....	9
8. Other reporting channels	13
9. Confidentiality and protection of identity	13
10. Protection from penalisation	15
11. Protection from legal liability	17
12. System of review	17
13. Withdrawal of a Protected Disclosure.....	18
14. Related policies and procedures	18
15. Supports and information.....	18
16. Review of this policy	19
Appendix A – Confidential Phone Lines	20
Appendix B – Information to include in Protected Disclosures Report	21
Appendix C: Disclosure Flowchart	22
Appendix D – Record keeping, data protection and freedom of information	23
Appendix E – Other disclosure channels	24

1. Policy Statement and Purpose

daa plc (“**daa**” or the “**Company**”) is committed to the highest standards of propriety and accountability. These principles are reflected in the Company’s Values and Codes of Conduct for employees and directors. daa’s existing management structures are designed to prevent wrongdoings and are generally appropriate for drawing attention to irregularities. Hence the Company:

- (a) Establishes and monitors procedures and controls that will minimise the risk of any wrongdoing occurring.
- (b) Encourages workers to bring any instance of wrongdoing of which they are aware to the attention of the Company, without fear of victimisation, subsequent discrimination, or disadvantage.

Notwithstanding such management structures and systems in place, the Company also recognises the legitimate right of workers to raise concerns through other channels as provided for in the Protected Disclosures Act 2014 as amended by the Protected Disclosures (Amendment) Act 2022 (the “**Act**”) and to be afforded protection when doing so. These concerns may relate to issues that are currently occurring, that took place in the past or are likely to happen in the future. Therefore, the Company:

- (a) Provides a process to facilitate the disclosure and investigation of alleged wrongdoing and take action where warranted;
- (b) Encourages awareness and understanding of this Policy; and
- (c) Confirms that the rights afforded under the Acts are not restricted.

When handling protected disclosures, daa will:

- Keep the identity of the reporting person and any person named in a report confidential (subject to the exceptions outlined in section 9 below);
- Not tolerate any penalisation or threat of penalisation of the reporting person or persons associated with the reporting person;
- Acknowledge receipt of reports within 7 days (where contact details of reporting person are available);
- Promptly conduct an initial assessment in respect of reports received as a matter of routine, and, if required, carry out any follow up-action;
- Follow-up diligently on all reports of relevant wrongdoing;
- Provide feedback to the reporting person (where contact details are available) within a reasonable timeframe, being not more than 3 months from the date of acknowledgement; and
- Provide further feedback at 3 month intervals on written request.

This policy sets out the types of wrongdoing that constitute a protected disclosure, how to make a report, what happens when a report is received, and the protections that are available against penalisation for reporting a concern about wrongdoing.

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 daa Company Secretary. If you require confidential, independent, advice (including legal advice) on the making of a protected disclosure, please refer to section 15 of this document.

2. Key Responsibilities

Overall responsibility for this Policy rests with the board of daa. The Company will designate responsibility for the administration of the policy to the Company Secretary, the Group Head of Internal Audit and the Head of Governance, Insurance and Risk.

Management is required to support and work with any officials from within the organisation or from any external agency, appointed as part of an investigation. The Company will maintain a secure register setting out the status of each disclosure. The Company will publish an annual report on its website outlining the number of protected disclosures and any other information required by law in the period under review in accordance with Section 22 of the 2014 Act (as amended).

3. Scope of the policy

This policy applies to all “workers”. A “worker” is an individual in a work-related relationship with daa who acquires information on relevant wrongdoings in a work-related context and who is or was:

- current and former employees;
- an independent contractor;
- consultants;
- an agency worker;
- paid or unpaid trainee;
- work experience student;
- interns;
- part-time, full-time, or casual workers;
- a shareholder of an undertaking;
- a member of the administrative, management or supervisory body of an undertaking including non-executive members;
- a volunteer; or
- an individual who acquired information on a relevant wrongdoing during a recruitment process; or an individual who acquired information on a relevant wrongdoing during pre-contractual negotiations (other than a recruitment process).

4. What is a protected disclosure?

Making a report in accordance with the Protected Disclosures Act is referred to as “making a protected disclosure”. A “protected disclosure” means 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. These requirements are explained in more detail below.

Where a protected disclosure is made during an investigation, disciplinary or other process, this will not in the normal course affect those processes except if the process represents, in essence a form of penalisation for making a protected disclosure.

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 should disclose facts about someone or something, such as stating that particular events have occurred, together with pertinent times and dates, rather than a general allegation that is not founded on any facts. Workers must include sufficient factual content and specificity (noting relevant dates and persons) to enable the information to be properly considered. This factual content should be provided at the time of making the disclosure, or otherwise on request in accordance with section 5 below.

Workers should not investigate allegations of wrongdoing. The Designated Officer is responsible for the appropriate follow-up of all reports.

What is a reasonable belief?

To ensure a disclosure is protected under the Act, the worker must have a “reasonable belief” that the information in their report tends to show a wrongdoing has been committed, is being committed or is likely to be committed. The worker’s belief must be based on reasonable grounds, but it is not a requirement that the worker is ultimately correct. Workers are not expected to prove the truth of an allegation, and it is important that they do not attempt to investigate the matter to verify these beliefs.

No disciplinary or other action will be taken against a worker who reasonably believes the information they have reported tends to show a wrongdoing even if the concern raised turns out to be unfounded.

The motivation of the worker in making a report is irrelevant as to whether or not it is a protected disclosure. The worker will be protected if they reasonably believe when making the report that the information disclosed tended to show a relevant wrongdoing.

A report made in the absence of a reasonable belief is not a protected disclosure and may result in disciplinary action. **It is a criminal offence to make a report that contains any information the reporting person knows to be false. A person who suffers damage resulting from the making of a known to be false report has a right to take legal action against the reporting person.**

What are relevant wrongdoings?

To qualify as a protected disclosure, the matter reported must be a “relevant wrongdoing”. The following are relevant wrongdoings:

- that an offence has been, is being or is likely to be committed;
- 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;
- that a miscarriage of justice has occurred, is occurring or is likely to occur;
- that the health or safety of any individual has been, is being or is likely to be endangered;
- that the environment has been, is being or is likely to be damaged;
- 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;
- that an act or omission by or on behalf of a public body is oppressive, discriminatory, or grossly negligent or constitutes gross mismanagement;
- that a breach of EU law as set out in the Act, has occurred, is occurring or is likely to occur; or
- 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.

It does not matter whether a relevant wrongdoing occurred, occurs or would occur in Ireland or elsewhere and whether the law applying to it is that of Ireland or that of any other country or territory.

Matters that are not relevant wrongdoings

A matter is not a relevant wrongdoing where 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. This is intended to prevent routine operational matters from being treated as protected disclosures unless they reveal wrongdoing by the employer.

A matter concerning interpersonal grievances exclusively affecting a worker, such as grievances about interpersonal conflicts involving the reporting person and another worker, or a complaint to the employer or about the employer which concerns the worker exclusively, is not a relevant wrongdoing and will not be dealt with under this procedure. Such matters are dealt with under the Grievance Policy or the Dignity & Mutual Respect Policy.

Failure to comply with a legal obligation that arises solely under the worker's contract of employment or other contract where the worker undertakes to do or perform personally any work or services is not a relevant wrongdoing.

The Act does not oblige a worker to make a protected disclosure, and it also does not absolve any worker from mandatory obligations to report matters contained in other legislation. There are several other pieces of legislation which contain mandatory reporting provisions and any relevant mandatory reporting requirements should be dealt with where necessary and appropriate in separate and distinct policies and procedures.

Protected disclosures can only be made by workers and be made in a work-related context (see next section).

If unsure about whether a matter is a Protected Disclosure or not, please contact your People Leader for guidance.

What is a work-related context?

"Work-related context" means current or past work activities through which, irrespective of the nature of those activities, persons acquire information concerning a relevant wrongdoing and within which those persons could suffer penalisation if they reported such information. The information does not need to become known as part of the worker's own duties or even relate to the worker's own employer.

5. How to make a report

Any person raising a concern must exercise discretion.

If a worker wishes to raise something within the scope of this policy, they should engage with their People Leader in the first instance. Where it is not appropriate for the employee to discuss matters with their People Leader (e.g., if the complaint concerns the direct People Leader), the employee can seek advice from another People Leader or contact one of the following individuals:

- daa Company Secretary;
- daa Group Head of Internal Audit; or
- daa Head of Governance, Insurance and Risk.

If a worker feels that they are unable to raise the matter with one of the above or if they have done so and believe that their concern has not been addressed, or if they prefer not to raise it with them for any reason, the worker should contact another of the above listed parties and make their report to that individual in writing.

Alternatively, the worker may use the confidential telephone service. This service is an independent, confidential service that any worker can use. The line is available 24 hours a day, 7 days a week. The free phone number is 1800 851125 and all calls are taken by NavexGlobal, an independent organisation with staff trained to handle these types of calls. International phone lines are listed in Appendix A of the policy.

There is also a mobile platform that enables anyone to easily report a concern using their mobile phone. The following link can be accessed and contains step by step onscreen instructions to a potential reporting person. <https://daa.ethicspoint.com>

Where a report is made via the confidential phone service or mobile platform, a reporter may be requested to put that the disclosure in writing. The worker will need to be able to demonstrate and support the reasons for their concerns and provide evidence of their concerns where such evidence is available. In the absence of this information, assessing the status of the disclosure may not be possible or it may be more difficult to progress. Any reports setting out an individual's concerns should be factual (to the best of their knowledge). When making a disclosure, the worker should disclose the information that has come to their attention rather than seeking to draw conclusions about particular individuals or specific offences.

Senior management may be kept apprised of protected disclosures received, albeit the level of detail provided may vary from case to case. For a disclosure that raises serious issues for daa, senior management (including some or all of its Executive Team and/or its Board) they may need to be provided with all details of the disclosure, whilst maintaining confidentiality requirements as outlined in Section 9 of this policy.

Appendix B outlines the type of information to include in a report of a wrongdoing. The information must be submitted when making a report or, at the latest, within 10 days of doing so.

6. Anonymous reports

The Company does not encourage workers to make disclosures anonymously. Although anonymous reports will be followed up to the greatest extent possible, 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, maintaining communication, and protecting the reporting person’s identity or protecting them from penalisation – may not be possible.

7. Process following receipt of a report

The Act provides for a “stepped” disclosure regime in which a number of distinct channels (internal and external) are available. It is important that a worker makes a protected disclosure in a manner provided by the Act to gain the protection afforded. This process shall apply to all reports made in the manner specified in section 5 of this policy. This process may not apply if a report or other communication is made in a manner other than that specified in section 5.

Acknowledgement

All reports shall be acknowledged within 7 days of receipt. The acknowledgement shall include:

- Information about the protected disclosures process and enclose or provide a link to the Procedures that will apply to the handling of the report.
- Information in relation to the protection of the identity of the reporting person (and the limits of that protection) and protection from penalisation;
- Information in relation to feedback, including the type of feedback that will be provided, as well as the type of feedback that will not be provided, and that the reporting person may request in writing further feedback at 3-month intervals. It should be made clear that personal information relating to another worker will not be provided, such as whether a disciplinary process has taken place and the outcome of any such process;
- Information on any advice or support services that may be available.

Appointment of a Designated Person

The recipient will designate an impartial person as Designated Person to follow up on the disclosure. The Designated Person may be the same person or persons as the recipient of the protected disclosure. The Designated Person will communicate with and, where necessary, request further information from the reporting person.

Where a disclosure has been made via the confidential helpline or the online portal, the information given to NavexGlobal will be reviewed in the first instance by the Group Head of Internal Audit who will assess and determine the appropriate next steps. An acknowledgement will be made to the reporting person not more than 7 days after receipt of the report where they have provided contact details. A Designated Person may then be appointed if deemed appropriate, to communicate with and, where necessary, request further information from the reporting person, where this is possible.

Initial Assessment

The Designated Person will carry out an initial assessment of the report in a timely manner to assess if there is *prima facie* evidence that a relevant wrongdoing might have occurred. The Reporting Person should provide all the information outlined in Appendix B, within 10 days to enable this decision to be taken in a timely manner.

The Designated Person may, if required, make contact with the reporting person, in confidence, in order to seek further information or clarification regarding the matter(s) reported.

The designated person should, as a minimum:

- record the disclosure and the steps taken to consider and assess it;
- clarify with the worker the nature and extent of the concerns raised, where necessary or appropriate;
- establish what evidence is available to support the concern; and
- carry out all relevant enquiries promptly, sensitively and discretely, ensuring to protect the identity of the parties concerned.

If it is unclear as to whether or not a report is a protected disclosure, the report will be treated as a protected disclosure until a definitive conclusion can be made.

It may be necessary to differentiate the information contained in the report. It may be the case that not all of the matters reported fall within the scope of this policy or the Protected Disclosures Act. Different parts of a report may need to be approached separately, and some matters may be directed to another, more appropriate, policy or procedure (e.g. personal grievances).

The Designated Person may decide that there is no *prima facie* evidence of a relevant wrongdoing and either close the procedure or refer the matter to another relevant procedure or process. If this occurs, the Designated Person will notify the reporting person in writing of this decision and the reasons for it.

If the Designated Person decides that there is *prima facie* evidence of a relevant wrongdoing, appropriate action will be taken to address the wrongdoing, having regard to the nature and seriousness of the matter.

The nature and seriousness of the matter reported will inform whether the matter can or should be investigated internally. In some circumstances it may be more appropriate for an investigation to be carried out by external experts, or a statutory body, or for the matter to be reported to An Garda Síochána or another body.

An informal process may be used to address a disclosure where the alleged relevant wrongdoing is relatively straightforward or not very serious or does not require consideration of the making of adverse findings about any individual.

If a decision to close the matter or refer it to another process is made, the reporting person may request a review of this decision, via the system of review set out in section 12 of this policy.

Investigation

The Designated Person shall decide whether or not an investigation is required. If an investigation is required, the Designated Person shall decide how the matter should be investigated. The scope and terms of reference of any investigation, together with the identity of any investigator (whether internal or external) will be determined prior to the investigation being carried out. The reporting person may be invited to attend additional meetings in order to provide further information.

Where the nature of the report is such that another person in daa with the necessary knowledge, skills, experience, or technical skill in relation to the subject matter of the report should be consulted in order to properly assess or investigate the report, the Designated Person may consult with such person(s). The Designated Person shall not disclose the identity of the reporting person to such person or persons save as is reasonably considered necessary to follow up on the report. The Designated Person shall remain responsible for the co-ordination of the assessment/investigation and the provision of acknowledgement, feedback, and reports.

Investigations will be undertaken in accordance with the general principles of natural justice and fair procedures and any other relevant procedures of daa, as appropriate. Employees subject to an investigation resulting from a disclosure have a right to representation (by a colleague of the employee's choice or a registered trade union but not any other person or body unconnected with the Company) for any meeting if they so wish. It should be noted that fair and due process requires that any person accused of wrongdoing should be made aware of and given the opportunity to respond to any allegations made against them.

Witnesses in any investigation will be advised of their duties of confidentiality. While a person who is subject of allegations may have a right to challenge the evidence against them, the reporting person will also have a right to have their identity protected in accordance with the Act.

Responsibility for investigating and addressing allegations of wrongdoing lies with daa and not the reporting person. Reporting persons should not attempt to investigate wrongdoing themselves.

A review of a decision not to investigate can be requested via the system of review set out in section 12 of this policy.

Assessments undertaken and any necessary actions arising from such assessments will be advised to the Chair of the Board Audit and Risk Committee. An annual report on the status of any protected disclosures received will be provided to the Chair of Audit and Risk Committee.

If the Investigator(s) conclude(s) that the reporting person has knowingly made a false complaint, or that they have made a malicious complaint, they may be subject to disciplinary action in accordance with the Company's disciplinary policies, procedures and regulations.

If the follow-up process determines that no relevant wrongdoing has occurred and/or no further action is required to be taken, the reporting person will be informed of this in writing and the reasons for this decision. A review of this decision may be requested via the system of review set out in section 12 of this policy.

When the investigation has concluded, the investigator will draft a report on the investigation which will be sent to the Company Secretary, who will determine what (if any) action should be taken by the Company. Such action could include changes to the way the Company conducts its operations, use of the Grievance and Disciplinary Policies, referral of the matter for consideration under a specific Company policy or procedure, or a report to an appropriate third party, such as An Garda Síochána. The final outcome of the process triggered by the report will be communicated to the reporting person, subject to any legal restrictions concerning confidentiality, legal privilege, privacy and data protection or any other legal obligation.

Feedback

Feedback will be provided to the reporting person and the person(s) subject to the investigation, within a reasonable time period and no later than 3 months after the initial acknowledgement of the report.

A reporting person can request in writing that the Designated Person, provides further feedback at 3-month intervals until the process of follow-up is completed.

Any feedback is provided in confidence and should not be disclosed by the reporting person other than:

- (a) as part of the process of seeking legal advice in relation to their 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 (see next section).

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.

However, sometimes the need for confidentiality may prevent the Company from giving the reporting person specific details of the investigation or any action taken as a result. 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. In particular, feedback will not include any information on any disciplinary process involving another worker. Such information is confidential between the employer and the worker concerned. The worker should treat any information about the investigation as strictly confidential. Any breach of this confidentiality may result in disciplinary action up to and including dismissal.

8. Other reporting channels

The aim of this policy is to provide a means by which workers can safely and securely raise concerns about relevant wrongdoing and to give certainty that all such concerns will be dealt with appropriately. daa is confident that issues can be dealt with internally and strongly encourages workers to report such concerns internally in accordance with this policy.

There may, however, be circumstances where a worker may not wish to raise their concern internally or if they have grounds to believe that an internal report they have made has not been followed up properly. It will very rarely, if ever, be appropriate to alert the media and, in general, workers should only do so as a last resort, having exhausted internal procedures and where the worker individual believes that the information reported is substantially true.

The Protected Disclosures Act sets out a number of alternative external channels for workers to raise concerns. Information regarding these channels is set out in Appendix D of this policy.

It is important to note, however, that if a worker is considering making a disclosure using these other channels, different and potentially more onerous conditions may apply. Workers are advised to seek professional advice before reporting externally. Information on where to seek independent, confidential advice in this regard can be found at section 15 of this policy.

9. Confidentiality and protection of identity

daa is committed to protecting the confidentiality of the identity of workers who raise a concern under these procedures as well as any information from which their identity may be directly or indirectly deduced. .

The following measures are in place to protect the identity of the reporting person and to ensure confidentiality of the information disclosed:

- Access to disclosure information is restricted to only those who need to know.

- Identifying information is not disclosed without explicit consent unless legally required.
- Strict protocols are in place for document classification, storage, and destruction to ensure secure maintenance of all records and restrict unauthorised access.

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 made under this policy without the explicit consent of the reporting person.

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 without the reporting person's consent. These 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 shared 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 shared 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 a reporting person's identity or information that could identify a reporting person is to be disclosed under exceptions (a) to (d), above, the reporting person will be notified in writing in advance, 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 a crime or the prosecution of a criminal offence.

A reporting person may request a review of a decision to disclose their identity under the System of Review set out in section 12 of this policy.

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

Other employees must not attempt to identify reporting persons. Attempts to do so, save as expressly permitted by this policy, whether successful or not, may result in disciplinary action.

Any person referred to in a protected disclosure, to whom a wrongdoing may be attributed, is also entitled to have their identity protected during the course of any assessment or investigation of the wrongdoing alleged.

Workers who are concerned about possible penalisation if their identity is revealed should come forward to their line manager and appropriate measures can then be taken to preserve confidentiality. Where it is not appropriate for the employee to discuss their concerns with their line manager (e.g., if the complaint concerns the People Leader), the employee can discuss their concerns with another People Leader.

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 C of this policy for further information.

10. Protection from penalisation

daa is committed to protecting workers from penalisation or a threat of penalisation because the worker made a protected disclosure. The Company aims to encourage openness and will support a worker who raises a genuine concern under this policy, even if they turn out to be mistaken. Acts of penalisation will not be tolerated. A worker should not pursue their own investigations, however well intended, as a flawed or improper investigation could compromise the Company's ability to take effective action.

If a worker is penalised or threatened with penalisation this can be reported to the relevant Head of HR for their department immediately. If the matter is not remedied the worker should raise it formally using the Company's Grievance Policy.

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:

- (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.

Appropriate action, which may include disciplinary action, will be taken against a worker who penalises a reporting person or other individual due to the making of a protected disclosure.

If a protected disclosure is made during an investigation or disciplinary process to which the reporting person is subject, it will not automatically follow that the making of the report will affect the investigation or disciplinary process. Separate processes unconnected with the disclosure will ordinarily continue to proceed. Where a worker has made a report, whether or not it has been assessed or investigated, the worker is still required to conduct themselves professionally and to continue to carry out their duties as normal. Normal management of a worker who has made a report does not constitute penalisation.

Disclosure of an alleged wrongdoing does not confer any protection or immunity on a worker in relation to any involvement they may have had in that alleged wrongdoing.

The Protected Disclosures Act provides that a worker who suffers penalisation as a result of making a protected disclosure can make a claim for redress through 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 act of penalisation or the date of dismissal to which the claim relates.

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 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, 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.

Please refer to section 15 of this policy on how to obtain further information and independent, confidential advice in relation to these statutory rights.

11. Protection from legal liability

Civil legal action, with the exception of defamation, cannot be taken against a worker who makes a protected disclosure. Workers can be sued for defamation but are entitled to the defence of “qualified privilege”. This means that it should be very difficult for a defamation case against a worker to succeed if the worker can show they have made a protected disclosure. There is no other basis under which a worker can be sued if they have made a protected disclosure.

If a worker is prosecuted for disclosing information that is prohibited or restricted, it is a defence for the worker to show they reasonably believed they were making a protected disclosure at the time they disclosed the information.

It is not permitted to have clauses in agreements that prohibit or restrict the making of a protected disclosure, exclude or limit any provision of the Act, preclude a person from bringing 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 making a protected disclosure.

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

Please refer to section 15 of this policy on how to obtain further information and independent, confidential advice in relation to these statutory rights.

12. System of review

A review may be sought:

- By the reporting person into a decision, following assessment, to close the procedure or to refer the matter to another process;
- By any affected party in respect of the conduct or outcome of any follow-up actions (including any investigation) taken on foot of the receipt of a report;
- By any affected party in respect of the conduct or outcome of any investigation into a complaint of penalisation; and
- In exceptional cases, by any party affected by any decision to disclose the identity of the reporting person to persons other than those authorised under these procedures to handle reports.

A review can be requested from the Company Secretary up to 10 days after communication of the final outcome in respect of the alleged wrongdoing.

To initiate a review:

- The request must be made in writing to the Company Secretary; and
- The request must clearly outline the grounds for dissatisfaction and specify which part of the process is being challenged.

The outcome of the review will be communicated to the person who requested the review, subject to confidentiality obligations and data protection requirements.

The review process does not constitute a re-investigation of the disclosure but is to address the specific issues the applicant feels have received insufficient consideration.

The outcome of the review is final and there is no entitlement to further reviews of the same issue.

13. Withdrawal of a Protected Disclosure

Once a protected disclosure has been made in accordance with the Act, it is not possible for a reporting person to withdraw the disclosure. Reporting persons are required under the Act to co-operate with a prescribed person, the Commissioner or a person to whom a report is transmitted to such extent as may reasonably and lawfully be required for the purposes of the Act.

14. Related policies and procedures

This policy should be read in conjunction with the following Company policies:

- Disciplinary Policy;
- Dignity & Mutual Respect at Work Policy; and
- Grievance Policy.

15. Supports and information

daa's Employee Assistance Programme (EAP) can be accessed through the free phone confidential counselling service at 1800 995 956 or by email at eap@vhics.ie. Workers may call this number at any time.

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 by Freephone 1800 844 866 (+353 1 554 3965 from outside of Ireland).

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: [Protection for whistleblowers](#).

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

daa acknowledges the right of any individual to seek independent legal advice in relation to a protected disclosure. However, daa shall not be responsible for covering or reimbursing any

legal fees or expenses incurred by a Reporting Person in the course of making a disclosure or participating in any related investigation or proceedings. This provision applies equally to both legal representation at any stage of the process and to the payment of legal costs. Reporting persons may be accompanied by a co-worker or trade union representative in investigation meetings concerning a report made by them.

16. Review of this policy

This policy will be reviewed every 2 years. In addition, the policy may be reviewed in the event of any of:

- A change in legislation;
- Significant changes in the workplace; or
- After a formal request and review by key stakeholder

Appendix A – Confidential Phone Lines

Ireland - 1800 85 11 25

Bahrain - 8000 6876

Canada – (833) 430-0256

Cyprus - 80 077162

India - 000 800 0502 249

Indonesia - 0800 1503048

Montenegro - (770) 743-1823

New Zealand - 0800 753 240

Oman - 800 74570

Saudi Arabia - 800 850 0766

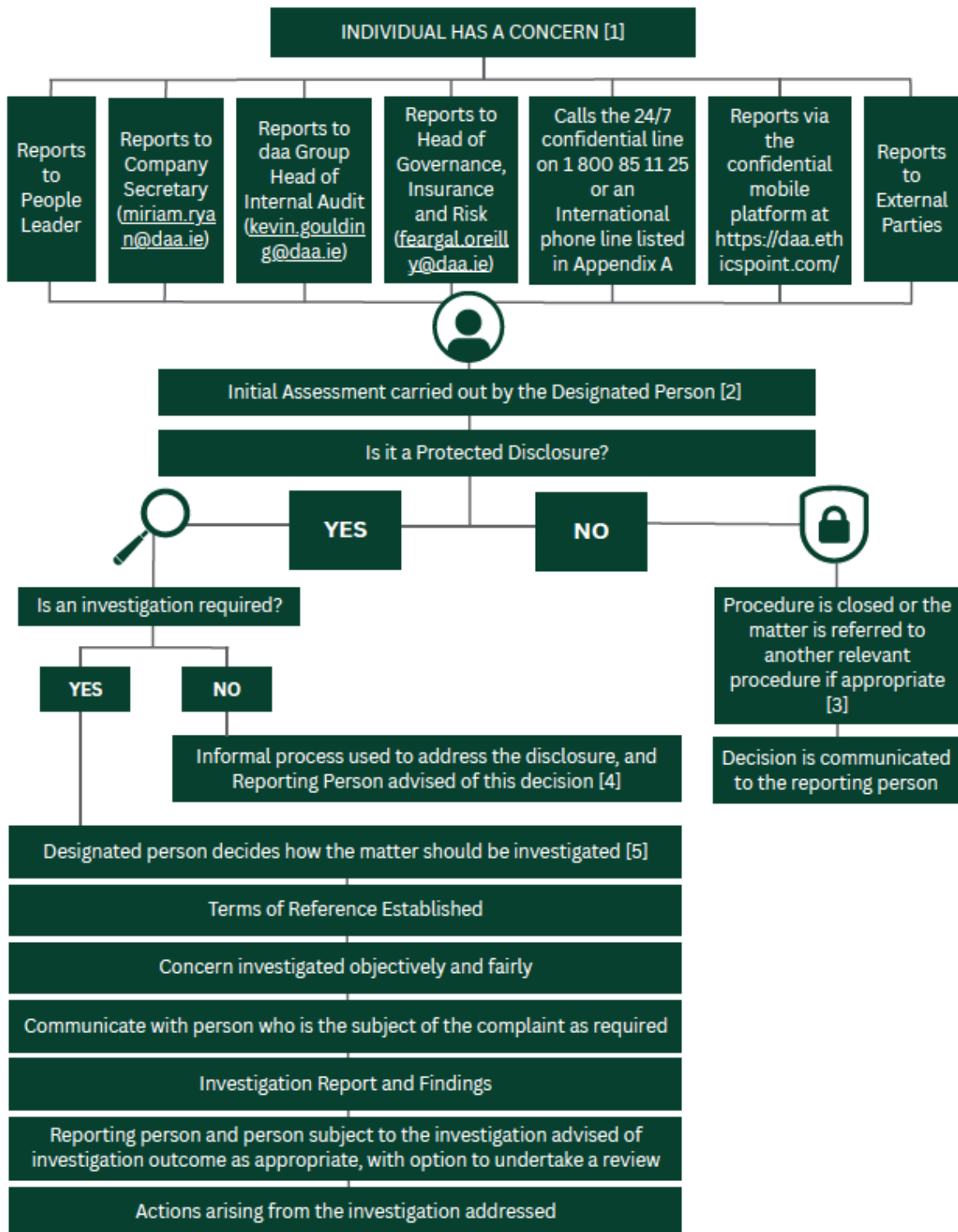
United Arab Emirates - 800 0321074

Appendix B – Information to include in Protected Disclosures Report

Disclosures should include the following information:

- (a) confirmation that the disclosure is being made under this Policy;
- (b) the reporting person's name, position in the organisation, place of work and confidential contact details;
- (c) the date of the alleged wrongdoing (if known) or the date the alleged wrongdoing commenced or was identified;
- (d) whether or not the alleged wrongdoing is still ongoing;
- (e) whether the alleged wrongdoing has already been disclosed and if so, to whom, and when, and what action was taken;
- (f) information in respect of the alleged wrongdoing (what is occurring/has occurred and how) and any supporting information;
- (g) 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 expose the wrongdoing disclosed); and
- (h) any other relevant information.

Appendix C: Disclosure Flowchart



[1] Concern can be reported via any of the following channels

[2] All reports will be acknowledged within 7 days of receipt. Feedback will be provided to the reporting person within a reasonable time period and no later than 3 months after the initial acknowledgement of the report.

[3] The reporting person will be advised in writing of this decision and the reasons for it and may request a review of this decision.

[4] A review of a decision not to investigate can be requested via the system of review set out in section 12 of this policy

[5] Designated Person, with appropriate legal or other professional advice, will decide how investigation is to be undertaken

Appendix D – Record keeping, data protection and freedom of information

RECORD KEEPING

A record of all reports – including all anonymous reports – will be kept. Where a report is made orally via a physical meeting with an authorised member of staff, the report shall be documented by way of accurate minutes of the conversation taken by the staff member who receives the report. The reporting person shall be offered an opportunity to check, rectify and agree these minutes.

The reporter, or any other person interviewed in relation to the protected disclosure, will be informed in advance of any interview that a formal record of the interview will be taken. The reporting person or other third party will receive a draft of the meeting notes for review and confirmation of accuracy. Any amendments or clarifications suggested will be considered and incorporated where appropriate.

daa is required under the Act to publish an annual report setting out the number of protected disclosures received in the preceding year and the action taken (if any). This report is statistical in nature and does not result in any persons making disclosures being identifiable.

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 Protected Disclosures 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.

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 it was made.

Appendix E – Other disclosure channels

OVERVIEW

The aim of this policy is to provide a means by which workers can safely and securely raise concerns about relevant wrongdoing and to give certainty that all such concerns will be dealt with appropriately. daa is confident that issues can be dealt with internally and it is preferable in most circumstances for workers to report such concerns internally in accordance with this policy. Internal reports are therefore strongly encouraged.

There may, however, be circumstances where a worker may not wish to raise their concern internally or if they have grounds to believe that an internal report they have made has not been followed up properly.

The Protected Disclosures Act sets out a number of alternative external channels for workers to raise concerns. Workers should note that different and potentially more onerous conditions may apply when using these channels. Workers are advised to seek professional advice before reporting externally. Information on where to seek independent, confidential advice in this regard can be found at section 15 of this policy.