# The Benefits of an Effective Whistleblower Protection Program

PUBLIC INTEREST COMMISSIONER

*Our vision is a change in*

**culture**

*where management and employee share a*

**common goal**

*of detecting and remedying wrongdoing*

A change in

**perspective**

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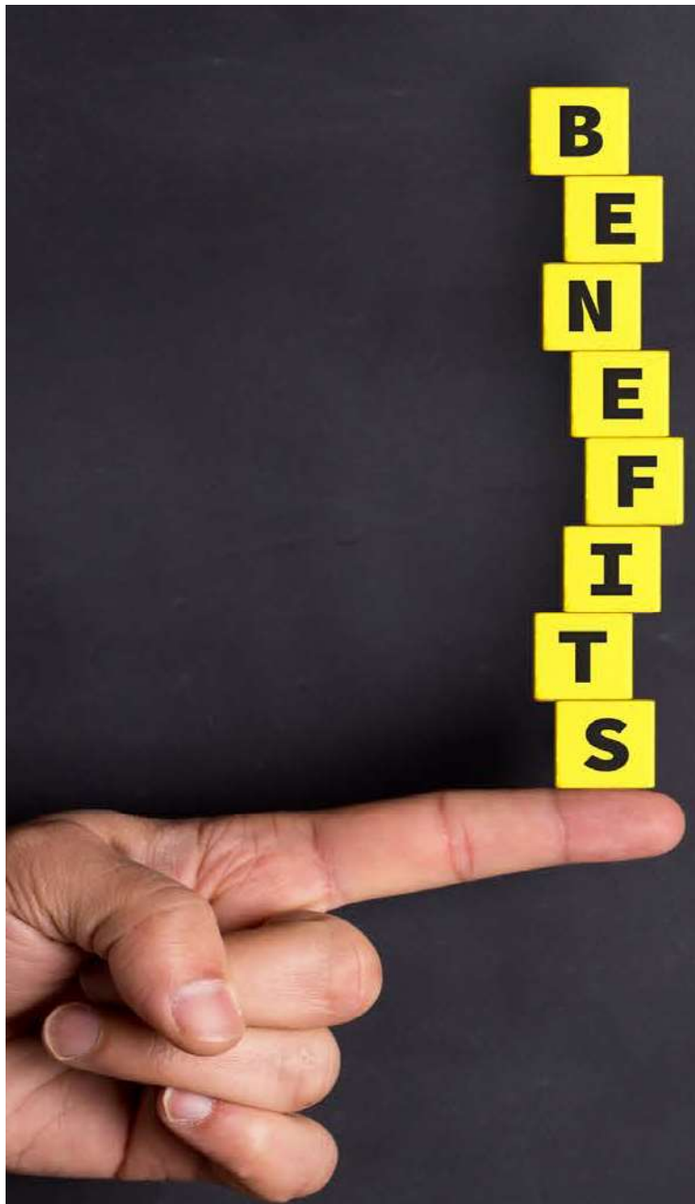


- → Identify wrongdoing that otherwise may go undiscovered
- → Resolve matters internally
- → Channel internal complaints
- → Avoid potential litigation
- → Avoid potential negative publicity
- → Legislative authority
- → Manage querulent complaints
- → Promote public and employee confidence

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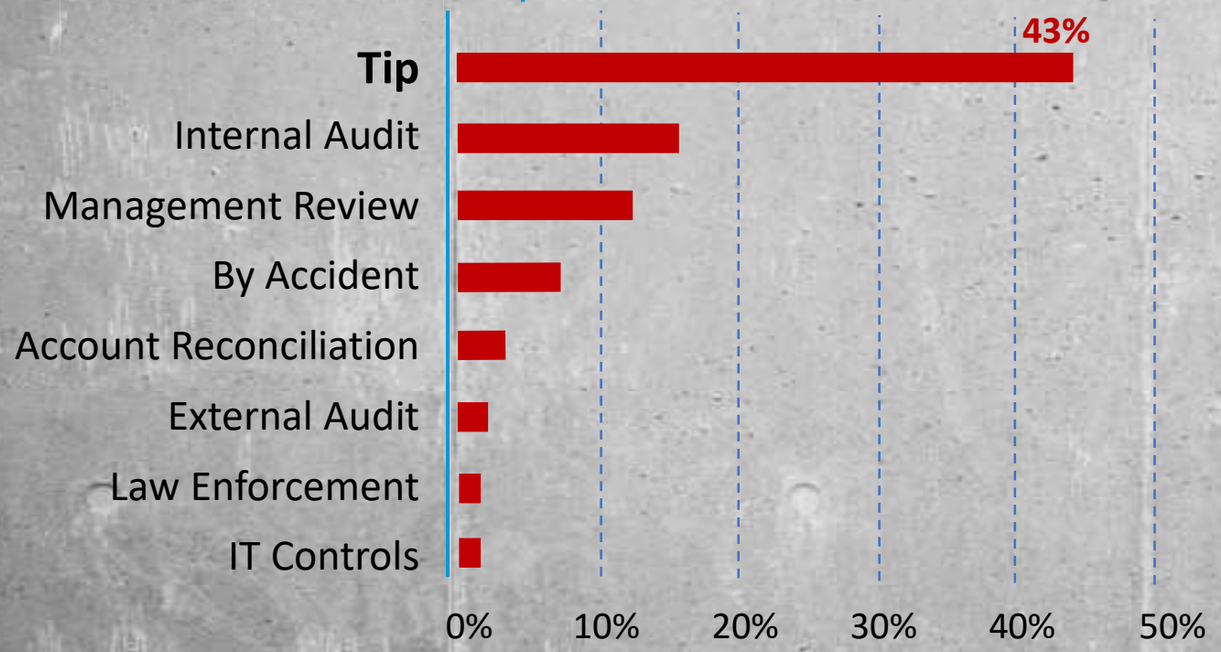
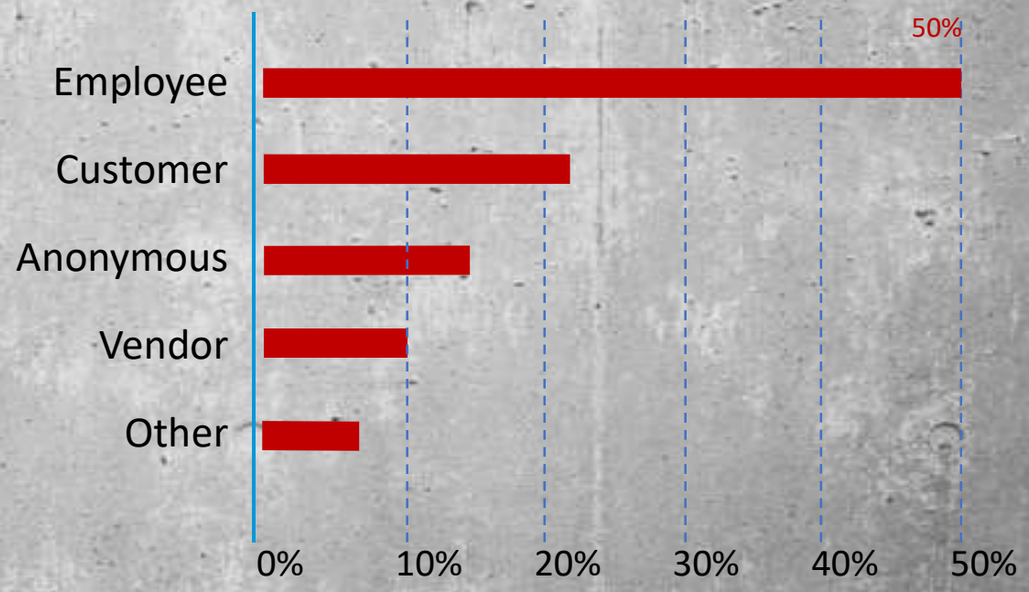
# 1 Identify wrongdoing that may otherwise go undetected

## Initial Detection of Occupational Frauds




## Source of Tips




*"Tips are consistently the most common detection method for cases of occupational fraud"*

*2020 Report to the Nations - Association of Certified Fraud Examiners*

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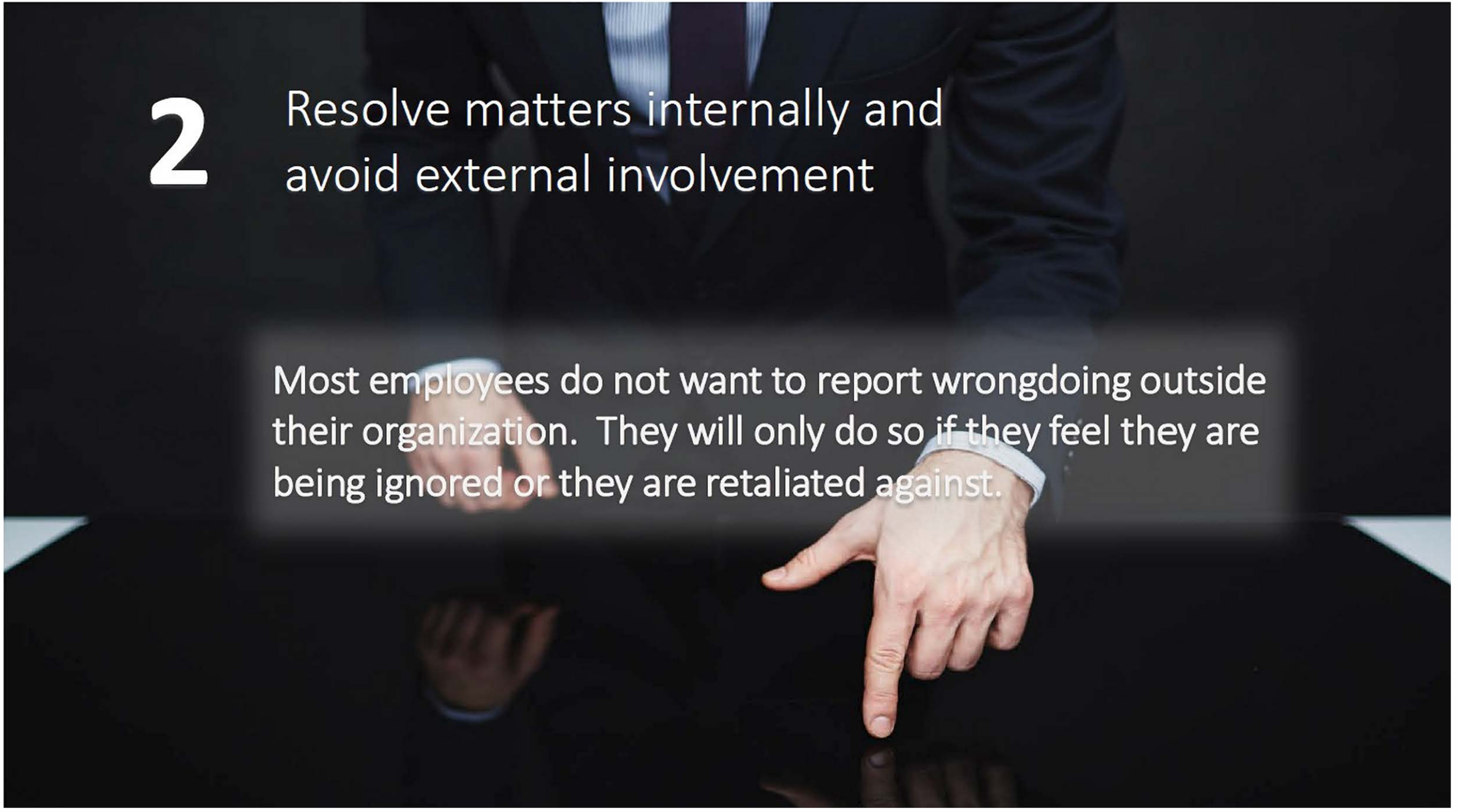
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Resolve matters internally and avoid external involvement
Most employees do not want to report wrongdoing outside their organization. They will only do so if they feel they are being ignored or they are retaliated against.

Other internal complaint mechanisms frequently used:

- → Human Resource Policies
- → Code of Conduct
- → Management
- → Legal
- → Corporate Security
- → Governance Departments
- → Risk Management
- → Ethics and Compliance
- → Executive Leaders
- → Board of Directors

# 3 Channel internal complaint reporting

An effective whistleblower policy and procedure will funnel employee whistleblower complaints through a single complaint process, and avoid significant amounts of human resource time when multiple business areas are engaged to look in to the same issue.

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# 4 Avoid potential litigation

## Common scenarios resulting in litigation:

- An employee trying to find a way to report wrongdoing is terminated by the wrongdoer without senior management being aware.
- A frustrated employee who didn't believe they had a safe avenue to report their concerns discloses confidential information to an external party (i.e., the media) and is subsequently terminated.
- An employee trying to bring to light potential wrongdoing makes multiple complaints through various mechanisms, is deemed a nuisance and terminated.

*Having an effective whistleblower policy and procedure will give an organization a better opportunity to identify and resolve a potential wrongdoing before decisions are made that can result in costly and time-consuming litigation*

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# 5 Avoid potential negative publicity

*Most employees do not want to be a public whistleblower. They only want to be heard and to have their issue addressed. When an employee has no clear place to go or clear mechanism to safely report wrongdoing within an organization, or the system in place allows for concerns to be easily ignored, they may feel the only option they have is to try and bring the wrongdoing to light by public means.*

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*The Public Interest Commissioner works collaboratively with designated officers to assist organizations in detecting and remedying wrongdoing.*

*The Commissioner has broad authority to access and compel information and records, including from private individuals and companies.*

# 6 Legislative Authority

The Act provides legislative authority for *designated officers* to collect, use and disclose personal information, individually identifying health information and *any other information that is considered necessary* to manage and investigate disclosures. (Section 29)

This authority may not exist through other internal complaint mechanisms.

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# 7 Manage querulent complaints

Complainant

Designated Officer

Commissioner
(Final Decision)

*Where a repeat complainant is unconvinced by the efforts and decisions of the organization to address and resolve the allegations, the Act is a mechanism that can bring a degree of finality to an issue*

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# 8 Promote Employee and Public Confidence

*Finding wrongdoing is not a bad thing. It's how an organization responds when wrongdoing is found that determines public confidence.*

*Employees are happier, more productive and have a stronger sense of loyalty when they respect and are confident in their employer. A strong and effective whistleblower policy is one way to help achieve that confidence.*

# Need advice?

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