Appendix C. A new framework for internal witness management systems

This document sets out a framework of the ‘dimensions’ of internal witness management systems that are currently found and/or might be desirable in public sector agencies. The ultimate aim of the research is to fully understand what makes a comprehensive and viable whistleblowing system within an organisation.

These seven dimensions and 39 sub-dimensions were drawn from a variety of sources: background literature; a July 2005 symposium held by the project in Canberra; issues emerging from empirical data collected by the project (including the agency survey); an analysis of the written whistleblowing procedures supplied to the project by 175 agencies; workshops with the project’s case study agencies in July 2007 and July 2008; and revised findings from and comments on the draft report of October 2007.

The framework provides a consistent approach for description and comparison of the different approaches to whistleblower management and support found among different agencies. It also provides a structure for the analyses to be presented in the second project report, outlining current and prospective best practice across a diverse range of organisations.
The dimensions of an internal witness management system

**Dimension and sub-dimensions**

1. **Organisational commitment**
   1.1. Management commitment to the principle of whistleblowing and statements of the organisation’s support for the reporting of wrongdoing through appropriate channels.
   1.2. Understanding of the benefits and importance to the entity of having a whistleblowing mechanism.
   1.3. Commitment that a credible investigation process will follow the receipt of a whistleblowing report and that any confirmed wrongdoing will be remedied.
   1.4. Commitment to protect and respect internal witnesses.
   1.5. Positive organisational engagement on whistleblowing issues with external integrity agencies, staff associations and client groups.

2. **Reporting pathways**
   2.1. Clear internal pathways setting out how, to whom and about whom whistleblowing reports may be made, including guidance on the most appropriate pathways for different types of reports.
   2.2. Clear external pathways setting out how, to whom and about whom whistleblowing reports may be made, including guidance on the most appropriate pathways for different types of reports.
   2.3. Clear and understood relationships between internal and external reporting.
   2.4. Clear advice to employees on who may invoke the whistleblowing mechanism (that is, employees, contractors, and so on).
   2.5. Clear advice to employees on the types of concerns about which it is appropriate to use the whistleblowing mechanism, including levels of proof required (for example, certainty versus suspicion regarding the truth of concerns).
   2.6. Organisational capacity for differentiating, where appropriate, between employment-related grievances and public interest disclosures.
   2.7. Mechanisms for ensuring responses to whistleblowing are undertaken with the appropriate informality/formality, as the case requires.
   2.8. Commitment that anonymous reports will be acted on.

3. **Management obligation to employees**
   3.1. Realistic assurance of the confidentiality of reports.
   3.2. Assessment of the risk of reprisal against internal witnesses.
   3.3. Procedures and resources for responding to reprisal risks against internal witnesses.
   3.4. Commitment that staff who report wrongdoing will not suffer any disciplinary or similar action as a result.
   3.5. Mechanisms to ensure positive action by the entity to protect internal witnesses, including restitution/compensation when protective action becomes unsuccessful or impossible.
   3.6. Continuing monitoring of the welfare of whistleblowers.
   3.7. Clear procedures for the protection of the rights of people against whom allegations have been made.
   3.8. Appropriate sanctions against false or vexatious allegations.

4. **Organisational support for internal witnesses**
   4.1. Systems and/or services for providing active management and support of internal witnesses.
   4.2. Procedures and resources for the investigation of reprisal action against internal witnesses, including action against any people found responsible.
   4.3. Provision of information, advice and feedback to internal witnesses on actions being taken in response to disclosure.
   4.4. Exit strategies for finalising whistleblowing cases.
   4.5. Regular evaluation of the effectiveness of the program.
Dimension and sub-dimensions

5. **Institutional arrangements**
   - 5.1. Clear understanding of the whistleblowing-related roles and responsibilities of key players—internal and external to the organisation.
   - 5.2. Effective sharing of responsibility for the support and management of whistleblowers between line managers, corporate management and external agencies.
   - 5.3. Effective separation of investigation and support functions.
   - 5.4. Proactive (not reactive) operation of the whistleblower support program.
   - 5.5. Embedding of policies and procedures in existing management systems and corporate governance arrangements, including mechanisms for recording, tracking and reporting all whistleblowing reports.

6. **Skills and resources**
   - 6.1. Financial resources dedicated to the whistleblower program.
   - 6.2. Investigation competencies and training.
   - 6.3. Reprisal investigation competencies and training.
   - 6.4. Support, counselling and management competencies and training.

7. **Promulgation of procedures**
   - 7.1. Multiple strategies for ensuring staff awareness of the whistleblowing program.
   - 7.2. Clear information about legislative protection.
   - 7.3. Easy-to-comprehend procedures, including relationship with other procedures.
   - 7.4. High level of employee awareness and comprehension of and confidence in procedures.