

## APPENDIX 1

The project involved five Australian universities and 14 partner organisations, including the public integrity and management agencies listed in the Acknowledgments and on the project web site (<<http://www.griffith.edu.au/law/whistleblowing>>).

## ABOUT THE PROJECT

The Australian Research Council-funded Linkage Project 'Whistling While They Work: Enhancing the Theory and Practice of Internal Witness Management in Public Sector Organisations', led by Griffith University (2005–09), has examined public officers' experience of and attitudes towards whistleblowing across a wide cross-section of public agencies from the Commonwealth, NSW, Queensland and WA Governments.

The project involved four other Australian universities and 14 partner organisations, including the public integrity and management agencies listed in the Acknowledgments and on the project web site (<<http://www.griffith.edu.au/law/whistleblowing>>). A steering committee representing the partner organisations oversaw the project, while the project team consisted of the lead researchers from each participating university plus three partner investigators, from the NSW, Queensland and WA public sectors.

The research aim was to identify and expand 'current best-practice' systems for the management of public interest disclosures in the Australian public sector, including more effective whistleblower protection. By undertaking empirical research into the performance and potential of existing internal witness management approaches, the project sought to develop new standards for internal disclosure procedures in public sector integrity systems, foster improved coordination between integrity bodies in the handling and oversight of disclosures, and support implementation of improved internal witness management strategies in a range of organisational settings.

The four main objectives of the research have been

- to describe and assess the effects of whistleblower legislative reforms on the Australian public sector over the past decade, including effects on workplace education, willingness to report and reprisal deterrence
- to study comparatively what is working well and what is not in public sector internal witness management, to inform best-practice models for the development of formal internal disclosure procedures and workplace-based strategies for whistleblower management
- to identify opportunities for better integration of internal witness responsibilities into values-based governance at organisational levels, including improved coordination between the roles of internal and external agencies, and strategies for embedding internal witness responsibilities in good management
- to inform implementation strategies for best-practice procedures in case-study agencies, including cost-efficient options for institutionalising and servicing such procedures in a range of organisational, cultural and geographic settings, as well as legislative and regulatory reform where needed.

## THE SURVEYS

As set out in the first report (Brown 2008:15–21), eight surveys were employed in the project to collect data on individual experiences and institutional practices.

- The **Agency Survey** provided data on the extent, content and operation of whistleblowing procedures in agencies (n = 304).
- Similar data on practices and procedures were sought from specialist integrity agencies in each jurisdiction—including partner organisations to the project—through a corresponding **Integrity Agency Survey** (n = 16).
- The **Procedures Assessment** analysed the 175 sets of whistleblowing procedures supplied in response to the Agency Survey by comparing their

comprehensiveness and completeness using a 24-item rating scale.

- The **Employee Survey** was a confidential, anonymous survey of a random sample of staff from each of the 118 participating agencies (n = 7663).
- Of these 118 agencies, 87 volunteered to participate in further research, with 15 of these agencies being selected as **case-study agencies** by the research team (see below for further information on the features and selection of the case-study agencies).
- The **Internal Witness Survey** elicited more extensive information from 242 whistleblowers across the case-study agencies.
- The **Case-Handler and Manager Survey** elicited more extensive, comparable information from these two groups within the case-study agencies (n = 828). Case-handlers (n = 315) were defined as including: internal investigation staff, audit and ethics staff; human resource management staff; internal and external (for example, contracted) employee welfare and assistance staff; and union staff.
- The **Integrity Case-Handler Survey** was distributed to relevant case-handling staff (n = 82) from specialist integrity agencies in each jurisdiction (including partner organisations).

## THE INTERVIEWS

Respondents to the Internal Witness, Case-Handler and Manager Surveys were asked whether they would be willing to be interviewed on their experiences in relation to whistleblowing, and those who volunteered were subsequently contacted for an interview. In total, 92 interviews were conducted between 2006 and 2009 across the four participating jurisdictions.

	Cwlth	NSW	Qld	WA	Total
Internal witnesses	18	21	9	10	58
Case-handlers	2	4	2	4	12
Managers	1	7	9	5	22
<b>Total</b>	<b>18</b>	<b>31</b>	<b>14</b>	<b>19</b>	<b>92</b>

The reporter interviews were semi-structured: a schedule of key themes was utilised that focused upon getting the interviewee to relate the reason why they reported wrongdoing, the sequence of events and their experiences after reporting. More structured interviews were conducted with 34 managers, investigators and whistleblower support staff.

Interviews were conducted either by telephone or face-to-face by interviewers comprising research staff associated with the project and students. All interviews were recorded and transcribed, and each participant was given the opportunity to examine the interview transcript and make clarifications or amendments. The transcripts were coded using NVivo.

In examining the transcripts of the interviews provided by the reporters, the author was sensitive to the fact that the data being analysed were the perceptions of the reporter as to what had occurred. While managers and investigators from the case-study agencies were also interviewed, they were asked to provide general observations on their organisation's whistleblowing policies and procedures, and were not questioned about specific cases. Consequently, the detailed, fine-grained information on specific cases came only from reporters themselves and is thus interpreted accordingly.

The interviews with reporters were designed to elicit factual material in the context that the participants had come forward to relate their experiences to the project team. In line with the framework suggested by Gubrium and Holstein (2004), a constructionist approach was utilised in analysing the interview data. The transcripts were analysed to record specific factual issues as well as examining the narrative reporters were relating in presenting their version of the issue. This approach enhanced the data analysis by bringing forward key factual information while remaining cognisant of the ethnographic and phenomenological nature of the reporters' narratives.

## FEATURES OF THE CASE STUDY AGENCIES

The purpose of inviting agencies to participate as case-study agencies was to examine a number of agencies' internal witness management systems in greater detail, and engage those agencies in the development of new benchmarks for best practice, both for their own use and for the benefit of agencies more generally.

A total of 87 agencies volunteered to participate in further research as case-study agencies, with 16 agencies selected by the research team for this role in May 2006. Four agencies were chosen from the Commonwealth and Queensland Governments, five agencies from New South Wales, and three from Western Australia.

The selection was based on criteria including

- size
- type/portfolio area
- approximate level of integrity risks
- presence or non-presence of relevant procedures, training and resources
- internal investigation activity and witness case load
- known or suspected good/bad practice in internal witness management.

The aim of the research team was to ensure that the case-study agencies were selected to reflect the considerable diversity among public sector agencies, and even within particular types of organisations, in terms of their nature, size and perceived risk of wrongdoing.

The majority of the case-study agencies are departments of state ( $n = 9$ ), however, there are also three local governments, as well as two statutory bodies, a tertiary education body, and a government-owned corporation. The departments spanned a wide range of portfolio areas, including health, education, law enforcement and transport.

There is also great variation between the case-study agencies in terms of size, with the number of full-time equivalent employees ranging from 174 employees in the smallest agency to 110 000 employees in the largest. The most common organisational size for case-study agencies was between 1000 and 5000 employees, with seven agencies of this size.

The 16 case-study agencies were thus a representative snapshot of the larger group of 118 agencies from which the Employee Survey data set is drawn. In all, 2116 responses to the Employee Survey were received from the case-study agencies, meaning that while these agencies represent only 13 per cent of the larger group, their respondents account for 28 per cent of the total Employee Survey data set.

A further analysis of the interview data collected by the project was undertaken in the course of a doctoral project associated with the *Whistling While They Work* project (Annakin, 2011). That study focused upon whistleblowers who reported to external accountability agencies as well as their own organisations.

COMPARATIVE ANALYSIS OF THE CASE-STUDY AGENCIES

As part of the research, the case-study agencies were compared on a range of measures. One was the comprehensiveness of their written procedures (Roberts 2008).

In addition, the agencies were compared on eight key indicators relevant to whistleblowing based on the responses to the Employee Survey. The indicators used were

- 1 (positive) employee attitudes to reporting
- 2 level of employee awareness of reporting-related legislation
- 3 level of employee awareness of relevant policies
- 4 whistleblowing propensity of employees
- 5 trust in organisational response to whistleblowing
- 6 (low) inaction rate in response to perceived serious wrongdoing
- 7 reporters' knowledge of whether investigation has occurred
- 8 (positive) treatment of reporters by management following report.

These indicators were selected as a result of the analysis in the first *Whistling While They Work* report, from which they emerged as key, relatively objective measures of success in relation to the management of whistleblowing.

There were significant variations between agencies on many of these measures, just as the first report recorded major variations in results between agencies across the board. The guide contain charts comparing the case-study agencies—identified by the letters A through to P—against some of the criteria listed above. (Agency J participated in the Agency Survey, Analysis of Procedures, the Employee Survey and the Manager and Case-Handler Survey but not the Internal Witness Survey. Consequently, this agency appears in some of the comparative analyses, but not in others.)

The performance of agencies was then consolidated into a ranking of their overall level of success against these indicators. Individual agencies were ranked as follows.

Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Agency	B	A	M	P	N	E	C	F	D	O	L	G	K	H	I

The results were shared between representatives of the agencies in a project workshop, for the purposes of provoking discussion about their strategies for encouraging reporting and supporting whistleblowers. The results of this discussion, along with the quantitative data and results from interviews, were used to inform the content of this guide. Additionally, on the basis of a ranking, the authors were able to make observations about what was the most effective way of handling whistleblowers and these observations informed the suggestions in this guide.