

[REDACTED]

From: [REDACTED]
Sent: 26 July 2014 08:54
To: Euro-Ombudsman
Subject: [EOWEB] Comments on Ombudsman whistle blowing system

Sender

Sender [REDACTED]
Date Saturday, July 26, 2014 8:54:26 AM CEST

Your data

Part 1 - Contact information

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Language you would like to receive an answer in	en - English
Other language you would accept an answer in (if applicable)	en - English

Part 2 - Data

Subject Comments on Ombudsman whistle blowing system
My comments on the European Ombudsman's draft internal rules on whistleblowing

Article 2 *Serious misconduct* includes, for example, fraud, corruption, theft, serious violation of rules on public procurement, and serious violation of professional obligations.

Content The European Ombudsman's internal whistleblowing rules will likely serve as a guide to many other EU organisations. Or possibly even more internationally. It may be worthwhile including under serious misconduct, therefore, wrongdoings which are universal, even though these concerns are unlikely to be committed by a member of the Ombudsman's Officer. The following are suggestions:

"violation of law, rule, regulation, including the organisational code of ethics, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety"

Article 4, "approach a designated staff member", Perhaps it would be best to indicate the actual office that the potential whistleblower could approach. There are two advantages: One is that the whistleblower could talk through his/her doubts with that staff member and two, the staff member will be able to more readily identify malicious whistleblowing, and dissuade the potential whistleblower

Article 10. The statement “If such retaliation occurs, the Ombudsman will take appropriate action, including, if necessary, disciplinary measures, against any member of staff concerned.” appears somewhat weak, especially in the light of some whistleblower protection legislation imposing up to a two year prison sentence, and considerable fines.

Article 15 - Reporting This section should specify what should be reported Suggestions are number of disclosures, types, numbers investigated, numbers resolved, reasons for not investigating

If I can be of any further assistance , please let me know



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