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དཔལ་ལྷན་འབྲུག་གཞུང་།

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Whistleblower Standard Operating Procedure

1. Definition

“Whistleblowing” refers to a situation where an employee or a Third Party decides to report serious concerns about any misconduct, suspected misconduct, malpractice or irregularity.

2. Objective

- a. To institute a procedure of reporting a wrong doing in the Agency
- b. To motivate whistleblowers with enough protection and safety
- c. To foster a working environment with integrity and ethical behaviour where any misconduct or wrong doings are disclosed in a good faith
- d. To provide guidelines on the investigation process.

3. Scope

a. This policy is intended to encourage and assist Whistleblowers to disclose information relevant to suspected misconduct, malpractice or irregularity through a confidential reporting channel. The Authority is expected to handle the report with care and treat the Whistleblower’s concerns fairly and properly.

The suspected misconduct may include the following:

- i. Fraud
- ii. Corruption
- iii. Bribery or blackmail
- iv. Criminal offences such as breach of trust, theft or embezzlement
- v. Failure to comply with legal or regulatory obligation
- vi. Endangerment of life and safety of individuals
- vii. Sexual harassment



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b. The procedure shall ensure that only genuine concerns should be subjected to further investigation. Any disclosure which is found to be frivolous and troublesome shall not be entertained.

c. All complaints which fall under the whistleblower procedure shall be logged in and to be investigated in accordance with the principle of natural justice.

4. Right of Whistleblowing

i. The employees are presumed to act in good faith when reporting any form of improper conduct.

ii. An employee who knowingly makes statements or disclosures that are not in good faith may be subjected to disciplinary procedures which may include termination.

5. Protection

A whistleblower will be accorded with good protection under whistleblowing guidelines provided that the disclosure is made in a good faith. Such protection is accorded even if the investigation later reveals that the whistleblower is mistaken as to the facts, rules and procedures involved.

6. Confidentiality

Under this procedure, a whistleblower's identity will be kept confidential. Should an investigation lead to a criminal prosecution, it may become necessary for a Whistleblower to provide evidence or be interviewed by the relevant authorities. For his or her part, in order not to jeopardize the investigation, the Whistleblower is also required to keep confidential the fact that he or she has filed a report as well as the nature of concerns and the identities of those involved.

7. Reporting Channels

i. All the reports shall be made in writing as to ensure the clear understanding of issues raised

ii. The complainant (including the employee or third party) may disclose any act of improper misconduct through :

a. Writing to the head of agency



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- b. Writing to focal of organisation integrity plan(OIP)
- c. Writing the misconduct in Authority's official email

8. Disclosure

a. Disclosure of identity in order to enable the Agency to accord the whistleblower with the necessary protection under the guidelines and also obtain more details pertaining to the disclosure, the whistle blower is required to disclose the following details:

- i. Name
- ii. Employee ID and Designation
- iii. Contact details/ Phone number
- b. Any disclosure or report should contain following information:
 - i. Details of person(s) involved
 - ii. Nature of allegation
 - iii. Where and when the alleged misconduct took place
 - iv. Any witness(s) available
 - v. Other relevant information
 - vi. Supporting evidence if available

9. Disclosure of Anonymous whistleblower

Anonymous disclosures are not encouraged and not be considered as any follow up to determine the fact or to obtain further information for the investigation purposes would be difficult. However, the Authority reserves the right to investigate into any anonymous disclosure after having considered the following:

- i. The seriousness of the case disclosed
- ii. The credibility of the claim



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iii. The likelihood of confirming the disclosure from credible sources

10. Investigation procedure

- a. The reports of improper conduct, findings of investigation, corrective actions and monitoring shall be centralised and logged in a log register administered by the Focal person of ACC
- b. The Management should be informed of any new improper conduct and may request to review the log at any time
- c. The Head of Agency will provide whistleblower with an acknowledgment of receipt of the report of improper conduct within two working days
- d. All information obtained during the report to be kept strictly private and confidential at all times

11. Conducting the investigation

- a. Initial investigation to determine the merits of the case where the Head of Agency may assign the dispute settlement committee to manage reports from whistleblower.
- b. The Dispute Settlement Committee should conduct the initial investigation to determine the merits of the case for further investigation within seven days.
- c. The HOA should be informed of findings and recommendations from initial investigation.
- d. After reviewing the findings from Initial Findings, the HOA may:
 - i. Close the case in the event of no merits to the case according to initial investigation
 - ii. Request ACC to carry out full investigation in the event there are merits to the allegation depending on the nature of the case as flows:
 1. A breach of any law and code of conduct
 2. Disciplinary issues such as drug abuse, absenteeism and misuse of Agency's asset.



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12. Disciplinary Action

Any disciplinary action taken against an employee found guilty of the allegation must follow the disciplinary processes of the Agency.

13. Record

OIP focal from ACC should ensure that all reported misconducts, suspected misconducts and any document related to this procedure are kept with care. In the event a reported case leads to an investigation, the person responsible for conducting the investigation shall ensure that all relevant information relating to the case is retained, including details of corrective action taken for a period not exceeding five years.

Whistleblower's complaint form

The Whistleblowing Policy has been established to encourage and assist Whistle blowers to disclose information relevant to the misconducts and suspected misconduct through a confidential reporting channel. The Authority will handle this report with care and will treat the Whistle blower's concerns fairly and properly.

If you wish to make a written report, please use the report form below. Once completed, this report becomes confidential. You may send the report, marked confidential to the Head of Agency, OIP focal or post to the Authority's address

You may be called upon to assist the investigation, if required.



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Reporter's Information	Complaint Against:
Name: Position Title: Designation: Mobile No. : Email ID:	Name: Position Title: Designation: Mobile No.: Email ID:
Details of concerns, misconducts and suspected misconducts : <i>Please refer Section 8b for necessary information required. *</i>	
Please provide the witness's information, if any.	

Signature: _____

Date: _____