

IFE guidance for members on whistleblowing

"Recognising the role of whistleblowing in corruption-fighting efforts, many countries have pledged to enact whistleblower protection laws through international conventions. And, ever more governments, corporations and non-profit organisations around the world are putting whistleblower procedures in place. It is essential, however, that these policies provide accessible disclosure channels for whistleblowers, meaningfully protect whistleblowers from all forms of retaliation, and ensure that the information they disclose can be used to advance needed reforms."

[1]

This guidance to IFE members uses the definition of 'whistleblowing'.

'The raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrongdoing which affects others'. [2]

A concern may include something in which you may not be directly involved but of which you become aware in the course of your work.

Your obligations when you have a concern can be categorised as ethical, professional and legal.

You have an ethical responsibility as an engineer to act when you encounter a material and unmanaged risk, danger, malpractice or wrongdoing which adversely affects others.

You have an obligation as a member of a professional engineering institution to act in line with the Institution's Code of Professional Conduct.

You have a legal obligation to comply with the laws of the country in which you operate.

If you encounter a situation which you feel is in breach of the IFE's Code of Professional Conduct, you have an obligation to take appropriate action. You may become liable in law if you fail to take some action when it is part of your own professional duty.

[View the IFE's Code of Professional Conduct here.](#)

In considering how to act, the underlying law applicable to you or your employer may be that of the country where you are working.

Therefore, you should ensure that you are aware of local legislation and local culture.

Members who cannot easily address a concern on their own should discuss it with, or report the concern to, their immediate employer or manager or, otherwise, a trusted peer. If appropriate, or if you believe that the issue will not be resolved easily, ensure that all communications are in writing and dated.



If this does not address the concern, you should ensure you are aware of, and make use of, existing company and any regulatory reporting systems available (see below). Where there is no whistleblowing policy, you should still try to raise any concern internally. If this approach has not resolved the concern, or if your immediate employer or manager is part of the cause, you are obliged by the IFE's Code of Professional Conduct to escalate your concern, which could mean raising it externally.

Provided you have a reasonable belief that you are acting in the public interest, UK law offers individuals protection from action taken by an employer for simply reporting a concern [3] [4]. The law in other countries may be different and you will need to take account of that in your decision of how to raise the concern.

You should make use of any reporting systems which have been put in place.

For example, in the UK, these have been put in place by the Health and Safety Executive (HSE) [5]; Civil Aviation Authority (CAA); Maritime and Coastguard Agency (MCA); Office of Rail and Road (ORR). There are other prescribed persons or bodies which are listed by UK for reporting of a concern [6].

You should therefore establish whether, in the country in which you are working, the relevant national legislation requires or recommends that you report your concern to a particular body.

You should not try to use the protection which relevant legislation may offer whistleblowers simply to air or extend a personal disagreement or grievance with your employer.

How to report your concerns to the IFE:

If the matter relates to an alleged breach of the IFE's Code of Professional Conduct, you should provide sufficient information regarding the identity of the member concerned and details of the alleged breach. The contact for this is ethics@ife.org.uk.

If your concern relates to a situation placing persons at risk you should report your concern directly to the statutory authority with the ability to carry out the appropriate enforcement. The IFE is not able to do this on your behalf.

If you believe a crime has been committed your duty is to report your concerns to the relevant law enforcement bodies. The IFE is not able to do this on your behalf.



IFE support for Members

Despite the fact that whistleblowing legislation is generally intended to protect whistleblowers from retaliation, whistleblowing will usually place the whistleblower in a stressful situation. It is therefore quite likely that an IFE member reporting his or her concerns may experience significant anxiety and feelings of isolation.

Whilst the IFE may only be able to act for the member reporting a concern in cases involving an alleged breach of the IFE Code of Professional Conduct by another member, a member can still contact the IFE for support in relation to whistleblowing that remains the member's responsibility.

Where a member contacts the IFE to request support in connection with a concern that the member is taking whistleblowing action on, the IFE will liaise with the member with a view to providing the member with peer level support from another volunteer member who will treat the subject in strictest confidence.

References

1. [UK Whistleblowing Commission](#) Accessed on 18 March 2018
2. INTERNATIONAL PRINCIPLES FOR WHISTLEBLOWER LEGISLATION. BEST PRACTICES FOR LAWS TO PROTECT WHISTLEBLOWERS AND SUPPORT WHISTLEBLOWING IN THE PUBLIC INTEREST. Transparency International 2013. Accessed on 18 March 2018
3. <https://www.gov.uk/whistleblowing>. Accessed on 14 February 2018
4. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf. Accessed on 14 February 2018
5. <http://www.hse.gov.uk/foi/internalops/og/og-00033.htm>. Accessed on 14 February 2018
6. Guidance. [Whistleblowing: list of prescribed people and bodies](#). Accessed on 18 March 2018

IFE Competency and Ethics Committee

