

Reporting as a whistleblower?

THE FEDERAL OMBUDSMAN CAN HELP YOU

Have you witnessed an abuse, an irregularity or a fraud within a federal the Federal Civil Service or a company for which you work or are involved with ?

You can report these wrongdoings as a whistleblower to the Federal Ombudsman.

Whistleblowers play a key role as they are often the first to notice problems at work. They participate in a culture of accountability and integrity. However, many worry that reporting their concerns or suspicions will be met with retaliation.

The Center for Integrity of the Federal Ombudsman examines, in complete confidentiality, reports from whistleblowers concerning integrity violations and breaches of law in a professional context. It also protects whistleblowers against retaliation.



Our role differs depending on the sector concerned by the report.



This brochure will allow you to discover how our Integrity Centre can help you.

Federal public sector

We examine reports of integrity violations in the various Federal Civil Services. It could be an abuse, fraud, favouritism or an irregularity. We also carry out investigations and write investigation reports that may contain recommendations.

Private sector

We examine the admissibility of reports of breaches of law within companies and forward them to the competent authorities in charge of carrying out investigations. The law has ensured that there are such competent authorities in most domains.

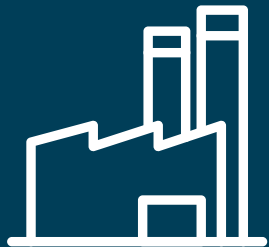


In both sectors, you can file a report anonymously

Whistleblower protection

Both in the Federal public sector and in the private sector, we protect whistleblowers from possible retaliations.

Private sector



We can help you

In the private sector, we examine reports of breaches of law:

- ✓ from former or current employees or other persons who have obtained information in a work-related context: interns, volunteers, suppliers, shareholders, etc. (the financial sector excepted)
- ✓ concerning actions that have taken place within a company or association (including non-profit, de facto associations, hospitals)
- ✓ in one of the areas provided for by law

An anonymous report is possible

Find the list of areas provided for by law at www.federalombudsman.be under the “Whistleblowers” header



Your report may concern, for example:

- a company that sells non-compliant and dangerous products
- a company that violates laws on public procurements
- a company that does not respect environmental rules
- a company that employs undeclared workers
- ...

We are not competent to help you

We cannot help you if your report does not concern a breach of law within a company or if your report does not concern one of the areas provided for by law.

Additionally, we cannot examine:

- ✗ a report concerning national security, medical professional privilege, the secrecy of judicial deliberations and legal professional privilege
- ✗ acts of harassment or violence of which you are the victim; these should be reported to the person of trust or to a prevention advisor
- ✗ acts of discrimination or racism; these should be reported to Unia

Federal public sector



We can help you

We examine reports of integrity violations:

- ✓ from current or former employees, or other persons having obtained information in a work-related context: interns, volunteers, suppliers, shareholders, etc.
- ✓ concerning actions that have taken place within a federal public sector agency
- ✓ and which are contrary to the public interest

An anonymous report is possible

It may concern a misappropriation of goods, an irregularity in a public procurement procedure, favouritism, a conflict of interest or an abuse, etc.

Your report may concern:

- ✓ a breach of law, decree, circular, rule or internal procedure and which constitutes a threat to the public interest
- ✓ an action that involves an unacceptable risk for the life, health or safety of people or the environment
- ✓ a serious breach of professional obligations or a serious case of mismanagement
- ✓ ordering or advising a person to commit an integrity violation

You can find the list of Federal public Services that fall within our scope of competences at www.federalombudsman.be under the “Whistleblowers” header



We are not competent to help you

We cannot help you if your report does not concern an integrity violation. Other services can help you.

We cannot help you for:

- ✘ a report made exclusively concerning your own individual situation or in your personal interest and which does not constitute a threat to the general interest
- ✘ acts of harassment or violence in the workplace, which should be reported to person of trust or to a prevention advisor
- ✘ acts of discrimination or racism which should be reported to Unia
- ✘ acts concerning the police, which are to be reported to Committee P
- ✘ acts concerning the intelligence and security services, which are to be reported to Committee I

We protect you against retaliation



As a whistleblower, you are protected by law. No retaliation may be made against you or anyone connected to your report.

A federal public agency or a company may not take, as a result of a whistleblower report, any negative measures: dismissal, disciplinary measures, negative performance assessments, refusal of promotion, transfers, etc.

Your courage is your shield. When you make a report, you are automatically protected from retaliation, even if your report turns out to be inaccurate or unfounded.

If you did not file a report with us but made a report internally or to another competent authority, we also provide you with protection.

On the other hand, you do not benefit from protection if you have deliberately provided false or dishonest information.



Do you think you have been a victim of retaliation after making a report?
File a complaint for retaliation at
[www.federalombudsman.be/en/
whistleblower-retaliation-complaint-form](http://www.federalombudsman.be/en/whistleblower-retaliation-complaint-form)



Support for whistleblowers



As a whistleblower, you can request support from the Federal Institute for the Protection and Promotion of Human Rights (FIRM/IFDH), an independent public institution.

This support may include:

- legal assistance
- psychological support
- career support
- technical support or media training.

The FIRM/IFDH may also provide you with support if you make a public disclosure. The support will be provided by the FIRM/IFDH itself or by of lawyers, psychologists or career coaches specialized in the domain.



Are you a whistleblower and would you like to benefit from support?
Call on the Federal Institute for the Protection and Promotion of
Human Rights www.federalinstitutehumanrights.be



How to make a report?



Your report must concern actions that occurred within a Federal Civil Service, a company or an association and which you became aware of in a work-related context.

You must not have reported these actions internally prior to contacting us. You can report an integrity violation or breach of law to us directly.

We are duty-bound to maintain professional secrecy. Your personal data and your report are processed in a manner that is strictly confidential. We will never reveal your identity.

Contact us



Online

Make a report at www.federalombudsman.be, under the “whistleblowers” header

Send your questions to integrity@federalombudsman.be



By phone

Are you unsure whether we can help you? Or would you like more information before making a report?

Call our toll-free number 0800 99 961

- Monday, Tuesday, Wednesday and Friday from 9 am to 12:30 pm
- Thursday from 1:30 pm to 5 pm

Do you live abroad ? Call us at +32 2 289 27 27



By appointment

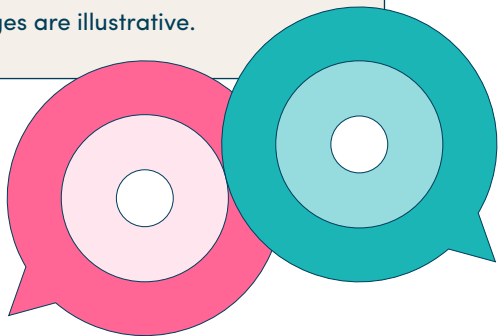
If you prefer to explain your problem to a member of our team, you can make an appointment with a member of the Center for Integrity by phone at 0800 99 961 or by mail or at integrity@federalombudsman.be.

Whistleblower reports

Every day, whistleblowers report on abuses, fraud and irregularities.

Here are some examples of reports that the Federal Ombudsman has received and handled.

Names have been changed and images are illustrative.



Christine reported on irregularities committed by her boss

Christine discovered possible irregularities committed at the public service where she works. She feared retaliation if she were to unveil this internally and therefore filed a report with the Federal Ombudsman as a whistleblower.

We decided to carry out an investigation. Christine was protected as a whistleblower. The investigation revealed that legislation concerning public procurements had not been respected, that employees misappropriated professional credit cards and enjoyed unjustified benefits.

We wrote a report with recommendations made to the public service, such as the recovery of unjustified benefits and the implementation of an internal inspection mechanism. The service has taken the necessary measures to respond to these recommendations.



Radouane reported on fictitious medical services

Radouane was recently hired as a nurse at a medical centre. He soon suspected that services and appointments were being billed to patients who never received them.

Worried, he began to dig deeper and discovered a system of fraud involving some members of the administrative and nursing staff: fictitious medical procedures were invoiced to patients, and the money from these invoices was embezzled. He contacted the Federal Ombudsman.

After having examined his report, we forwarded his file to the National Institute for Health and Disability Insurance in order to carry out an investigation to be carried out. Radouane was protected as a whistleblower.



Inge was unfairly dismissed after having made a report

Inge reported acts of tax fraud at her employer. She obtained the status of whistleblower. Some months later, she was dismissed. Her employer justified the dismissal by her poor performance at work.

Inge, however, had always received positive evaluations prior to her whistleblower report. She believed she was subject to retaliatory measures as a result of her whistleblower's report. She filed a complaint with the Federal Ombudsman for retaliation. We asked the employer to prove that this dismissal had no connection to her report.

After analysing the employer's response, we determined that they were unable to provide this proof. No criticism had been made in the past regarding the quality of her work. We thus recommended that the employer rehire Inge due to the damages she suffered as a whistleblower.





**the federal
Ombudsman**

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This brochure also exists in Dutch and in French with the titles:

Een melding als klokkenluider? De federale Ombudsman kan je helpen!

Un signalement en tant que lanceur d'alerte ? Le Médiateur fédéral est là pour vous aider!

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Protecting whistleblowers is our mission!



the federal
Ombudsman

www.federalombudsman.be · 0800 99 961



Centre for
Integrity