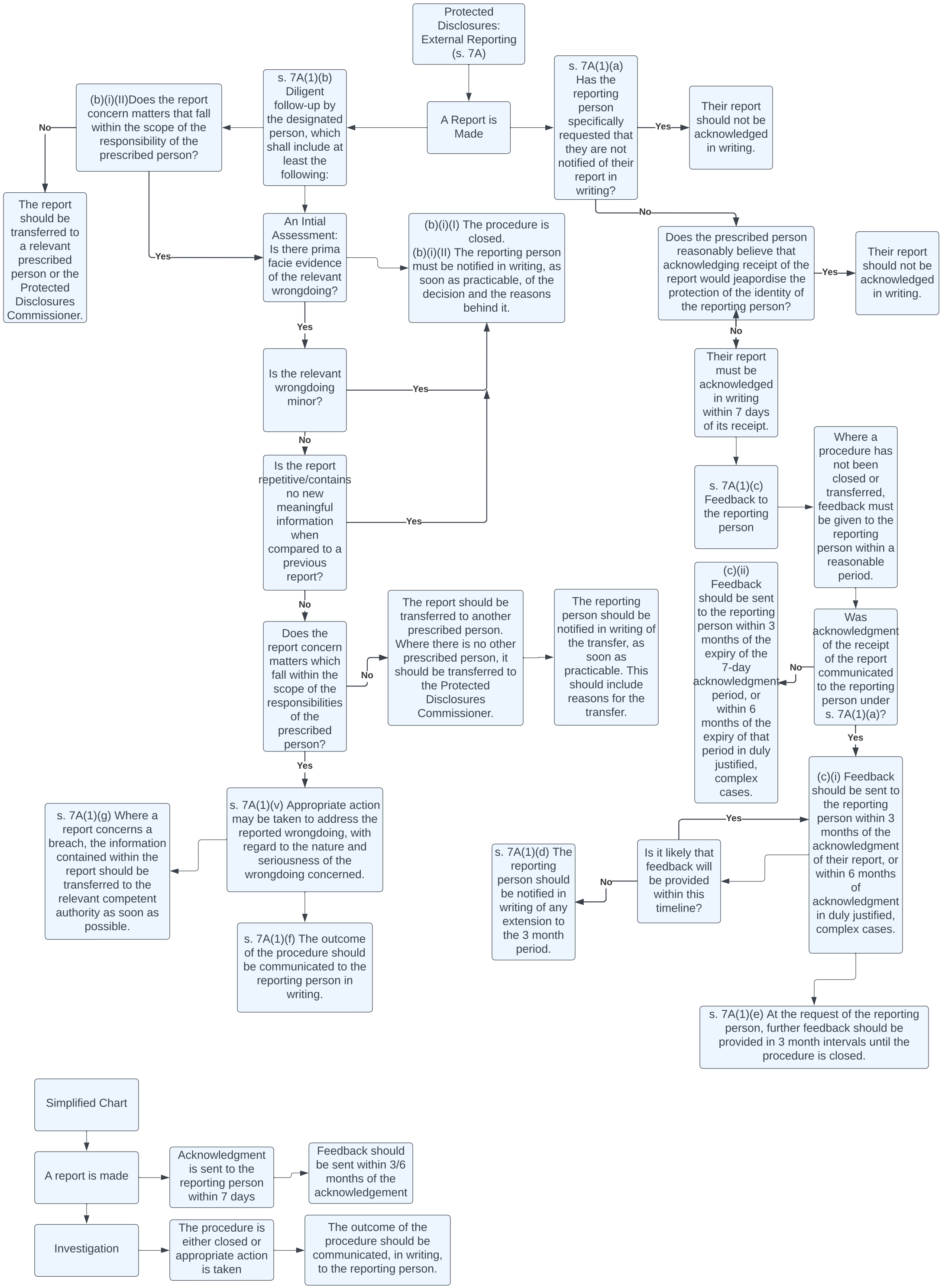
Protected Disclosures: External Reporting (s. 7A)
A Report is Made
s. 7A(1)(a) Has the reporting person specifically requested that they are not notified of their report in writing?
Yes
Their report should not be acknowledged in writing.
No
Does the prescribed person reasonably believe that acknowledging receipt of the report would jeapordise the protection of the identity of the reporting person?
Yes
Their report should not be acknowledged in writing.
No
Their report must be acknowledged in writing within 7 days of its receipt.
s. 7A(1)(c) Feedback to the reporting person
Where a procedure has not been closed or transferred, feedback must be given to the reporting person within a reasonable period.
Was acknowledgment of the receipt of the report communicated to the reporting person under s. 7A(1)(a)?
No
(c)(ii) Feedback should be sent to the reporting person within 3 months of the expiry of the 7-day acknowledgment period, or within 6 months of the expiry of that period in duly justified, complex cases.
Yes
(c)(i) Feedback should be sent to the reporting person within 3 months of the acknowledgment of their report, or within 6 months of acknowledgment in duly justified, complex cases.
Is it likely that feedback will be provided within this timeline?
Yes
No
s. 7A(1)(d) The reporting person should be notified in writing of any extension to the 3 month period.
s. 7A(1)(e) At the request of the reporting person, further feedback should be provided in 3 month intervals until the procedure is closed.
s. 7A(1)(b) Diligent follow-up by the designated person, which shall include at least the following:
(b)(i)(II)Does the report concern matters that fall within the scope of the responsibility of the prescribed person?
No
The report should be transferred to a relevant prescribed person or the Protected Disclosures Commissioner.
Yes
An Intial Assessment: Is there prima facie evidence of the relevant wrongdoing?
(b)(i)(I) The procedure is closed.
(b)(i)(II) The reporting person must be notified in writing, as soon as practicable, of the decision and the reasons behind it.
Yes
Is the relevant wrongdoing minor?
Yes
No
Is the report repetitive/contains no new meaningful information when compared to a previous report?
Yes
No
Does the report concern matters which fall within the scope of the responsibilities of the prescribed person?
No
The report should be transferred to another prescribed person. Where there is no other prescribed person, it should be transferred to the Protected Disclosures Commissioner.
The reporting person should be notified in writing of the transfer, as soon as practicable. This should include reasons for the transfer.
Yes
s. 7A(1)(v) Appropriate action may be taken to address the reported wrongdoing, with regard to the nature and seriousness of the wrongdoing concerned.
s. 7A(1)(g) Where a report concerns a breach, the information contained within the report should be transferred to the relevant competent authority as soon as possible.
s. 7A(1)(f) The outcome of the procedure should be communicated to the reporting person in writing.
Simplified Chart
A report is made
Acknowledgment is sent to the reporting person within 7 days
Feedback should be sent within 3/6 months of the acknowledgement
Investigation
The procedure is either closed or appropriate action is taken
The outcome of the procedure should be communicated, in writing, to the reporting person.