



INTEGRITY COMMISSION

Information and Complaints Division

Complaints Policy

1. **Scope**

This Policy applies to Complainants and the staff of the Integrity Commission. It pertains to information and complaints received, arising from actual or alleged acts of corruption and/or breaches of the Integrity Commission Act. It affords Complainants a reasonable sense of security and allows them to relate their concerns without fear of intimidation and/or reprisal.

2. **Purpose**

- 2.1 To efficiently record, process and refer complaints.
- 2.2 To encourage a culture of openness, accountability, ethical behaviour and integrity.
- 2.3 To build confidence amongst stakeholders and citizens in the effectiveness of the Complaints Management System, established for combatting corruption in Jamaica.
- 2.4 Set out the measures which will be taken to protect the identity of the Complainant.

3. **Definitions**

- 3.1 Complaint: An expression of discontent or unease concerning the action or lack of action by a Public Body, Public Official or any other person, involving an act of corruption.
- 3.2 Complainant: Refers to a person who makes a complaint relating to any matter, which involves or may involve acts of corruption, or non-compliance with the provisions of the Integrity Commission Act, 2017 or Protected Disclosures Act, 2011.
- 3.3 Act of Corruption: Means an act which constitutes-

- (a) an offence under the Corruption (Prevention) Act; or
- (b) an offence relating to the conduct of any person that constitutes an abuse or a misuse of his Office (whether or not within the Public Sector) for the purpose of conferring a benefit or an advantage to himself or another person, being an offence arising under the common law or any enactment.

4. **Policy**

- 4.1 All complaints will be efficiently and effectively recorded, acknowledged and processed, in keeping with the Integrity Commission Act, 2017.
- 4.2 Due care will be taken at all times to ensure that the identity of Complainants are kept in the strictest confidence.
- 4.3 Legitimate complaints will be referred to the appropriate Integrity Commission Director or other Authority.
- 4.4 Every effort will be made to ensure that Complainants are aware of their rights under the Integrity Commission Act, 2017 and the Protected Disclosures Act, 2011.
- 4.5 The Information and Complaints Division will engage stakeholders on a routine and structured basis.
- 4.6 No Complainant will be discriminated against based on their affiliation, age, ethnicity, religion, sexual orientation or physical and mental disability. All complaints will be treated equally and with expedition.

5. **Handling of Complaints**

5.1 *Receipt of Complaints*

Complaints can be received from a member of the public, a Parliamentarian, Public Officer or from a Competent Authority, by way of telephone, electronic mail (email), Facsimile (Fax), letter, the Integrity Commission's web portal or in-person.

All complaints must be addressed to, or in the case where a Complainant contacts another person within the Integrity Commission, redirected to:

The Director, Information and Complaints

Integrity Commission

45 – 47 Barbados Avenue

2nd Floor, Masonic Building

Kingston 5

Telephone: 876-926-2288/876-968-6227

Email: cpd@integrity.gov.jm

5.2 *Protection of Identity of Complainant*

The name, address and contact number of the Complainant will be redacted from all documents. Upon receipt of a complaint, it will be copied and assigned for processing. The original complaint will be securely safeguarded.

5.3 *Recording and Acknowledgement of Complaints*

Complaints will be recorded and acknowledged within five (5) working days of receipt.

5.4 *Processing of Complaints*

Complaints will be processed immediately after the occurrence of Step 5.3 above.

5.5 *Referral to Appropriate Director or Authority*

The Director of Information and Complaints will determine the appropriate Integrity Commission Director to whom complaints should be referred and may consult the Commissioners prior to doing so. Notwithstanding, upon request by the Commissioners, the Director of Information and Complaints will advise the Commissioners prior to referring a complaint.

6. Responsibility of the Complainant

6.1 The Complainant should seek to provide a full account, to the best of their knowledge, of the contravention of the Integrity Commission Act, 2017, including any available supporting documents.

6.2 The Complainant should not make allegations that they know to be false, misleading or reckless. To do so knowingly, constitutes an offence.

7. Protection of Complainants pursuant to the Integrity Commission Act, 2017

7.1 No action, suit, prosecution or other proceedings shall be instituted against a person who makes a complaint in good faith.

7.2 A person who takes harmful action against any other person, including interference with the other person's lawful employment or occupation, on the ground that the person has made a complaint, commits an offence.

8. Confidentiality

Section 37(5) of the Integrity Commission Act, 2017, prohibits anyone from disclosing the name or address of a person who makes a complaint or state any matter, which may lead to the identity of such person being known.

9. Stakeholder Engagement

A Stakeholder Engagement Plan will be developed at the beginning of each calendar year, detailing the target audience, modality, issues and agenda, frequency and assigned personnel. The purpose of the Plan is to coordinate the actions under the Protected Disclosures Act, 2011 and engage any other key stakeholders to operationalise Sections 37 and 38 of the Integrity Commission Act, 2017. The Plan will be approved by the Information and Complaints Committee.

10. Process and Performance Management

The Information and Complaints Division will codify the sequential steps to be taken under Sections 5 and 6 of this Policy, in a *Process Document*. The Document will detail the process name, the sub-process name, activity, estimated time, Responsible Officer and supporting Appendix.

11. Policy Review

This Policy will be reviewed annually or as determined by the Information and Complaints Committee of the Integrity Commission.

This Policy may also be accessed via the website of the Integrity Commission, at www.integrity.gov.jm.