



DISRUPTING CULTURES

IDENTIFYING AND ADDRESSING
BARRIERS TO SPEAKING UP

FMI – November 2019

DISRUPTING CULTURES

- PSDPA (2007): created the whistleblowing regime for the federal public sector, including the creation of PSIC, an external and independent body as an option for those not wishing to disclose internally
- Cultural backdrop (2019): PSES repeatedly raises concerns about management acting on issues of concern and about comfort in coming forward; #MeToo; prevalence of social media; public exposure/discussion of institutional cultures in government (e.g., RCMP harassment); unprecedented focus on mental health in the workplace
 - prominent recent examples: Assange, Snowden, White House whistleblowers
- Associated with increased awareness are myths and misconceptions and preconceptions that are common to the whistleblowing world, including just what it means to “blow the whistle” and public/media disclosures

DISRUPTING CULTURES

- Case Report: disclosure of wrongdoing about abusive behaviour of a manager toward staff in the federal penitentiary system
- The federal whistleblowing regime: choice between internal disclosure or external to Commissioner's Office – **recognizes that the culture of an organization may discourage internal disclosure**
- Investigated as “gross mismanagement” and “breach of code of conduct” under the PSDPA
- Behaviour had been occurring/recurring over a 5-year period
- The disclosure was specific and personal to the manager, but we expanded the investigation to examine the response of senior management to this situation

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- Evidence was that 3 employees, including 2 executives, had raised concerns internally
- Evidence was that a senior executive had even witnessed misbehaviour directly and ignored it at the time
- His evidence was that he was not aware of the seriousness of the problems
- The Chief Executive denied any wrongdoing in relation to the handling of internal complaints, but not about the behaviour itself
- 29 witnesses interviewed, including the alleged wrongdoers

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- Findings of wrongdoing made against the individual AND the senior executive
- “Senior management has specific responsibilities and a higher duty to protect and respond to the needs of employees who have been harmed or otherwise adversely affected by abusive behaviour in the workplace.”
- We are not the appropriate body to deal with individual harassment complaints, but in ALL cases of systemic or repeated abusive behaviour, we will look at the individual behaviour AND the actions of senior management in responding to it
- Changing culture requires looking at both *responsibility* and *accountability*

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Linda Duxbury, Carleton University:

- Changing a culture at a large institution such as the RCMP is not easy. Sensitivity training does not do it.
- “You don’t talk – talk is cheap. You don’t change culture by talking. You change culture by firing people who don’t live the values of the organization.”
(*CBC News Investigates* – February 14, 2018)

FOCUS GROUP TESTING

PSIC conducted 2 focus group tests

- 2011: Halifax, Ottawa, Toronto, Montréal and Vancouver
- 2015: Ottawa, Winnipeg, Regina, Québec and Moncton
- 10 groups in total (2 in each city)
- Executives (EX-01 and higher) and non-executives
- Purpose: to explore the culture of whistleblowing and gain understanding about the fear of reprisal

FOCUS GROUP TESTING

- Potential reprisal was the most commonly identified issue that comes to mind when participants thought about whistleblowing
- Ostracism, “blacklisting”, reassignment or transfer, harassment, poor performance evaluation and micromanagement are examples of what reprisal may look like
- Other issues:
 - negative repercussions on the workplace (as a consequence of whistleblowing rather than a direct and deliberate retaliation)
 - clarity around procedures and processes
 - concern nothing will be done anyway
 - confidentiality

FOCUS GROUP TESTING

- Reduce the Fear = Increase in Reporting (theory)
- Requires a “cultural change”:
 - buy-in from management = zero-tolerance policy regarding wrongdoing and reprisal
 - greater interaction with employees, including guidance and training on issues related to reporting wrongdoing
 - better recruitment of senior managers
- Agreement that the fear of reprisal cannot be eliminated completely, but the goal is to reduce it to the point where it does not prevent whistleblowing

FOCUS GROUP TESTING

- Notable developments between 2011 and 2015 focus group results:
 - Perceptions about whistleblowing were more positive, including more awareness and openness to discussing it (although skepticism remains)
 - Managers were unanimous in saying they had a responsibility to lead by example by reporting wrongdoing when they saw it, in addition to providing information and support to employees who want to make a disclosure

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- Key to changing a culture is not only assessing and responding to unacceptable behaviours, but also addressing barriers to anyone coming forward to report or question those behaviours
- Focus group testing in 2011 and 2015 with managers and non-managers: **fear of reprisal + belief that nothing will be done anyway**
- FEAR + CYNICISM = powerful disincentive

SOUND OF SILENCE

Sound of Silence by Craig Dowden
(commissioned in December 2016 to assess fear of reprisal)

“Bystander effect”

- People are less likely to come forward when surrounded by other people, as they presume someone else will do it
- Someone is less likely to step in if others appear to think nothing is wrong – collective silence interpreted as acceptance
- More people = diluted responsibility

SOUND OF SILENCE

Focus on fairness

- Research suggests focusing on fairness rather than loyalty to an individual, group or organization = increased reporting
- Public service example: focus on the “greater good”, the “larger loyalty”
- Sometimes, supportive leaders = low reporting
- Employees want to protect leader or not to risk a change in style or leadership – the risk is that unethical practices are tolerated internally

SOUND OF SILENCE

Hold people accountable

- “Effective treatment includes corrective steps to remedy the consequences of reported wrongdoing and adequate punishment for culprits, regardless of their job title and their relevance for business success. The entire organization is watching (...).”
- “Internal justice, rewards and punishments provide a set of criteria for employees to measure just how ethical their organization is and act accordingly.”
– M. Kleinhempel (*Effective Executive* – July 2011)

SOUND OF SILENCE

Walk the talk

- Active solicitation of input is key (2010 study by Burris, Detert and Harrison, of the Filene Institute)
- “Open-door policy” puts the emphasis on the employee to take action; proactive engagement puts the emphasis on the manager
- “Creating a safe environment is not an annual event. It is lived and promoted every single day.”

QUESTIONS (WITHOUT ANSWERS)

- Can you effect cultural change from within or is it something that can only be directed from outside an organization?
- Can organizational cultural values be enforced?
- *Should* these values be enforced? If *not*, how do you most effectively support voluntary compliance?
- What happens when cultural values conflict with personal or individual values?
- Is “speaking up” (or its opposite, “staying silent”) rooted in human nature, social culture or organizational culture? Does social culture lead organizational culture?