

OMBUDSLETTER

MESSAGE FROM ANO-NY-MOUS

An Ombudsman sometimes receives anonymous complaints about abusive behaviour, discrimination, harassment or some other wrongdoing in the workplace. These anonymous complaints may be about one person or a group of people. On other occasions, the Ombudsman meets with staff who have received anonymous complaints about their behaviour and they are at a loss as to how to handle the situation.

In most cases, an anonymous message is a symptom of unresolved, underlying issues in the workplace. For example, an anonymous message about discriminatory behaviour may point to feelings of unfairness or frustrations about career progression. In other cases, it may point to a lack of adequate communication about administrative decisions in the workplace. Anonymous messages can also mean that there is a lack of trust in the workplace and fear about reporting issues directly. Staff report anonymously so as to protect their career and/or contractual status. An anonymous message very often means that the office is no longer a safe place where staff can express their opinions openly. The atmosphere is so restrictive that identifying yourself as a complainer could be a risk to your job.

There is another aspect to anonymous messages, however. In some instances, the Ombudsman has found that anonymous messages may be used as a vehicle to tarnish someone's reputation. In such instances, the targeted individual may be a new manager who has been hired to lead a change initiative in the workplace, for example, and has to make unpopular decisions. In order to discredit the

change process, anonymous messages are sent as evidence of the manager's alleged wrongdoing.

The Office of the Ombudsman is not an office of notice. This means that it does not participate in any formal adjudicative or administrative procedure relating to concerns brought to its attention. Anybody who seeks to have allegations of wrongdoing formerly addressed should contact the investigations office of the organizations concerned. Investigation offices are the only offices that are mandated to undertake formal investigations of reports of alleged wrongdoing involving staff members and non-staff. The Ethics Office is the only office mandated to protect staff against retaliation for reporting misconduct. You can find the contact details of investigations and ethics offices of the organizations served by our office on our website <https://fpombudsman.org/>



Complaints that are raised anonymously cannot be directly addressed by the Ombudsman. The Office of the Ombudsman provides a safe place for parties to speak their mind without fear that their identity will be leaked. Confidentiality is the most important pillar of our Office: without it, we could not maintain effectiveness in our role at helping to resolve conflict in the workplace. What does this mean for staff who have written anonymous letters or are thinking about writing anonymous letters? It means that staff may continue not to disclose to or discuss with colleagues their grievances, complaints or issues, that is to remain anonymous. Very importantly, this does not prevent an open and confidential consultation with an Ombudsman about how to address the concerns. Without permission of the person who contacted the Office of the Ombudsman Office, the Ombudsman will not disclose their identity. There is only one exception to this and it has to do with the possibility of imminent harm. Confidentiality is waived when there appears to be an imminent risk of serious harm and when there is no other reasonable option for handling the matter confidentially. Otherwise, there is no risk at all that a complainant's identity will be disclosed.

If you are the subject of an anonymous complaint what is the best way to handle it? Do you respond directly to the allegations in the complaint? Do you ignore the complaint and hope that it will go away? Do you send an anonymous complaint of your own? All of these are important questions and there is no easy answer as everything depends very much on the context. Being at the receiving end of an anonymous complaint can be upsetting and frustrating. This is particularly so if the

complaint in your view is untrue or selective about the facts. Anonymous messages are rarely the bearers of good news. In such circumstances, if you are the subject of an anonymous message, it is important to focus on the issue rather than on finding out the identity of the sender even if you have strong convictions about who is behind the complaint. It is not helpful to start an investigation of your own or to invite key staff to mount an enquiry about who is behind the anonymous complaint. Focusing on the issue will allow you to prioritize the appropriate type of response. For example, you should determine if the anonymous complaint brings urgent concerns or concerns that could cause serious immediate harm to the organization or to another individual. If this is the case, then you should contact the investigations and ethics offices of your organization. You should also try to determine whether the allegations concern office operations or are idle gossip. For example, an accusation that there is malpractice in finance operations may warrant more immediate attention than one that alludes to how you spend your time on vacation.

Whatever the circumstances, being at the receiving of anonymous accusations is an unpleasant experience and you most likely would require a safe place where you could talk about the impact of the anonymous letters – and also to explore options on how to address the grievances that are being raised. The Office of the Ombudsman is a good option for such a discussion. Not only does it provide a confidential space but you also have the benefit of speaking to someone who has guided others in similar situations and therefore understands what works and what doesn't.