

JAMAICA’S INFORMATION ON BEST PRACTICES

41ST Meeting of the Committee of Experts – 2024

1. *Institution: The name of the institution that is implementing the best practice:*

Integrity Commission of Jamaica (Information and Complaints Division)

2. *Title: The name of the best practice, the topic it covers, and the subject of the Convention to which it is related:*

- a. **Training of Designated Officers to execute the Protected Disclosures Act.**
- b. **Requirement for the Development of Procedural Guidelines by Public Bodies to treat with Protected Disclosures.**
- c. **Implementation of an Electronic Declaration System (eDS).**

3. *Description of the best practice: Include a brief description and summary of the best practice, as well as the reason why it should be considered a best practice, expressly referring to its sustainability:*

- a. **Training of Designated Officers to execute Protected Disclosures**

The Information and Complaints Division partnered with Jamaica’s Management Institute for National Development (MIND) to develop a robust training curriculum for the delivery of training to Designated Officers appointed pursuant to the Protected Disclosures Act, 2011. Designated Officers are persons appointed by the employer and conferred with the requisite authority to receive, take steps to investigate or otherwise deal with disclosures by an employee of known or suspected incidences of improper conduct or occupational detriment in accordance with Protected Disclosures Act, 2011. The designated officer is also responsible for keeping the employee updated on the status of the investigation of the disclosure.

The course is entitled “Protected Disclosures Act, 2011 – Training for Designated Officers”. The Curriculum includes Legislative Framework in Jamaica, Anti-Corruption and Good Governance, the Protected Disclosures Act, 2011, the Role of the Designated Officer, Disciplinary Administration, Investigative Techniques and Report Writing.

- b. **Requirement for the Development of Procedural Guidelines by Public Bodies to treat with Protected Disclosures**

The Integrity Commission required public bodies to create their own internal guidelines to receive, manage and investigate protected disclosures made pursuant to the Act. The procedural guidelines are reviewed and vetted by Information and Complaints Division of the Integrity Commission to ensure conformance with agreed standards.

c. Implementation of an Electronic Declaration System

On April 28, 2023, the Permanent Secretary of the Office of the Prime Minister wrote to the Integrity Commission advising that the Cabinet gave approval for the promulgation of Regulations, pursuant to Section 64 of the Integrity Commission Act and Section 14 of the Electronic Transactions Act, to provide for the use of [Statutory Declaration] electronic forms.

The Electronic Declaration System is currently being implemented on a phased basis by the Integrity Commission. The system will allow for ease of submission on the part of public officials and to facilitate a more efficient and effective means of examining Statutory Declarations. The System will require all supporting documents to be properly uploaded, hence making the process of examination more efficient.

4. Reasons/Importance: Reasons for pursuing best practice should be given. A description should be made of the situation in place before the adoption of the best practice and identification of the problem or problems it is to address:

Training of Designated Officers to execute Protected Disclosures

The training of Designated Officers was a key component to operationalizing the Protected Disclosures Act, 2011. Coupled with the requirement to provide Procedural Guidelines, the intent was to build awareness and introduce robust structures which would allow for the Act to be operationalized. Prior to these activities, the Act had remained dormant for several years with no clearly established procedures.

Implementation of an Electronic Declaration System (eDS)

Upon full implementation of the eDS, it is anticipated that the Division will achieve significant efficiencies and improvement with respect to the following:

1. The turnaround time for the Examination and Analysis of Statutory Declarations;
2. Compliance Rate for the Filing of Statutory Declarations;
3. The process for the identification of non-compliant Declarants;
4. Electronic storage and security of Statutory Declaration information; and
5. The use of automated means to communicate with Declarants.

5. Approach: What was the proposed design and methodology for applying the best practice? What was considered in its design and methodology? Were other countries' experience taken into account? Was a model law taken into account?

Electronic Declaration System:

Design of the platform was driven by needs analysis and the internal procedures and processes utilized by the Division to examine and analyse Statutory Declarations. Primary objectives were to achieve efficiencies in the system for submission, assessment and analysis.

Protected Disclosures

The proposed design was informed by the requirements of the governing legislation, i.e., the Protected Disclosures Act, and the practical requirements for the administration and investigation of the disclosures from employees.

6. Implementation: How is the best practice being implemented? What were the human and financial resources needed for its implementation?

Training of Designated Officers/Protected Disclosures

For the 2022/2023 period, the Integrity Commission engaged a total of 66 senior management teams of public bodies, and conducted 25 sensitization sessions with the general staff members of public sector bodies. A Public Relations Campaign was initiated in March 2023. To support the training of Designated Officers, all persons who delivered lectures/presentation had to participate in a ‘Train the Trainer’ workshop prior to the commencement of delivering the course to the designated officers.

Resource requirements included human resources, a budget to support the sensitization and awareness strategy and lecture facilities to convene the training sessions.

Electronic Declaration System

The best practice in relation to the eDS is being implemented on a phased basis. To facilitate same, human resources in relation to data entry and information technology were required to complete preparatory work, to inform the selection and utilization of an appropriate technology platform whilst providing data security platforms for the system.

7. Outcome: What is the end result or expected end result of implementing the best practice? What are the benefits and/or success stories? Have they addressed the problems originally identified as necessitating a best practice to be implemented? What has been its impact?

Training of Designated Officers/Protected Disclosures

Participants will be trained to effectively execute the administration and investigation of Protected Disclosure matters in keeping with the standards established by the Integrity Commission.

Electronic Declaration System:

- Improved efficiency in the submission and examination of Statutory Declarations;
- Reduction in manual data entry of information; and
- In the medium to long term, to enable the Commission to examine all Statutory Declarations submitted to the Integrity Commission.

8. *Potential for technical cooperation: Can the best practice be adapted and used by other countries? Is it possible to provide technical assistance to other countries in implementing the best practice? Provide the point of contact for the entity that can facilitate the technical assistance.*

The Commission sees the utility in the best practices it has developed and employed and will, as permitted by statute, be willing to engage with other countries.

Point of Contact: Mr. Craig Beresford
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9. *Follow-up: Who or what groups will monitor the practice's implementation? How will its implementation be monitored? Will there be a Follow-up Report?*

The implementation of the best practices will be monitored by the Integrity Commission's Information and Complaints Division. Updates and follow-ups will be documented in the Commission's Annual Reports which are published at the end of June each calendar year.

10. *Lessons: What are some of the lessons learned in implementing the Best Practice? What are the challenges in implementing the best practice?*

The time taken to approve the Legislative Framework presented an obstacle to fully implement the eDS. Legislative and regulatory amendments were required to approve the use of electronic forms.

11. *Documentation: Where can further information be found regarding the best practice (e.g., Internet links)?*

Please refer to the Integrity Commission's website for further information as follows:

<https://integrity.gov.jm/>
https://integrity.gov.jm/sites/default/files/annual_report/Final%20Format%20to%20PDF%2029-06-2023%20-%20MB%20-%20merged-blank%20inserted.pdf
<https://integrity.gov.jm/sites/default/files/ProtectedDisclosuresAct2011ProceduralGuidelinesGazette.pdf>
<https://integrity.gov.jm/sites/default/files/ProtectedDisclosuresActBrochure.pdf>

12. *Contact: Who can be contacted for further information?*

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