



Department for
Business, Energy
& Industrial Strategy

WHISTLEBLOWING PRESCRIBED PERSONS ANNUAL REPORTS 2018/19

Compilation of the 2nd annual reports by whistleblowing Prescribed Persons covering the 2018/19 reporting period under the Prescribed Persons (Reports on Disclosures of Information) Regulations 2017

PART 2 (I-Z)

January 2020



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Introduction

Under the whistleblowing framework¹, a worker will qualify for legal protection against detriment or unfair dismissal if they make a whistleblowing disclosure which they reasonably believe is in the public interest and shows one or more types of wrongdoing.

To qualify for the protections, the worker must generally make their disclosure either to their employer, a legal adviser, Minister of the Crown or to a 'prescribed person'². Prescribed persons are most often organisations with a regulatory responsibility for a sector, or for the type of wrongdoing that is being disclosed.

Whistleblowers will often contact prescribed persons rather than their employer if they feel unable to make a disclosure to their employer or if they feel that no action has been or will be taken. In so far as their statutory functions beyond the whistleblowing legislation permit, prescribed persons can encourage organisations they oversee to have whistleblowing policies in place and assist in ensuring the arrangements are effective.

In a 2013 Call for Evidence, the Government found that whistleblowers did not have confidence that their reports to prescribed persons were being investigated. To address this, the Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 were introduced. These require certain prescribed persons to report annually on selected information relating to the whistleblowing disclosures that they have received from 2017.

The first set of reports for 2017/18 were published in 2018. The second set of annual reports for the 12 months from 1 April 2018 to 31 March 2019 were due for publication by prescribed persons by 30 September 2019.

BEIS stated that it would collate the annual reports and provide them to Parliament.

The Duty to Report

The aim of this duty is to increase transparency in the way that whistleblowing disclosures are dealt with and to raise confidence among whistleblowers that their disclosures are taken seriously. Producing reports highlighting the number of qualifying disclosures received and how they were taken forward will go some way to assure individuals who blow the whistle that action is taken in respect of their disclosures.

The report should cover the following:

- The number of disclosures of information made by workers to the relevant prescribed person in a twelve month period. The prescribed person must reasonably believe the disclosure of information is a qualifying disclosure which falls within the scope of matters for which that person is prescribed.
- Out of the total number of qualifying disclosures made, the number of those disclosures where the prescribed person decided to take further action in that period.

¹ Part IVA of the Employment Rights Act 1996 (as inserted by the Public Interest Disclosure Act 1998)

² As set out in the Public Interest Disclosure (Prescribed Persons) Order 2014 (as amended)

-
- An explanation of the prescribed person's functions and objectives.
 - A summary of the action taken by the prescribed person in respect of qualifying disclosures of information.
 - A summary of how the information disclosed has impacted on the prescribed person's ability to perform its functions and meet its objectives.

The relevant prescribed person must publish the report by placing the report on its website, or by publishing it in whatever manner the relevant prescribed person considers appropriate for bringing the report to the attention of the public. This report can either be included within an existing report, such as the organisation's annual report, or as a standalone document.

In collating these reports, BEIS has not assessed them for compliance with the duty. The legal obligation falls on the prescribed person to meet the annual reporting duty requirement.

Annual Reports 2018/19: Part 2 (I-Z)

The following pages contain the published whistleblowing reports for the named prescribed persons for the period 1 April 2018 to 31 March 2019. This is the 2nd annual reporting period.

In some cases, the whistleblowing report has been included in the prescribed person's annual report, in which case, only the whistleblowing section has been included here. The full report can be found on the relevant prescribed person's website.

Annual report and statement of accounts

2018/19



On Wednesday 3 April the jury confirmed they were unable to reach a unanimous or majority verdict for the charge of manslaughter by gross negligence against the match commander on the day, former Chief Superintendent David Duckenfield.

The jury found Graham Mackrell, former secretary of Sheffield Wednesday Football Club, guilty of an offence contrary to the Health and Safety at Work Act. On 13 May 2019, he was fined £6,500 and ordered to pay £5,000 towards prosecution costs.

The Crown Prosecution Service (CPS) sought a retrial for David Duckenfield. Following a two-day court hearing in June the presiding judge decided that a retrial will go ahead and is scheduled to start on Monday 7 October 2019.

We remain focused on supporting the CPS with preparations for the re-trial of David Duckenfield, and a further provisional trial date is scheduled for April 2020. This relates to our investigation into the actions of SYP following the disaster. Former SYP solicitor Peter Metcalf, former Chief Superintendent Donald Denton, and former Detective Chief Inspector Alan Foster are all charged with perverting the course of justice.

When all the criminal trials have concluded we will publish a report covering all Hillsborough-related criminal and misconduct investigations. We hope our report, which will cover all of the criminal elements and approximately 150 individual investigations, will help to answer many of the remaining questions about the police's actions before, during and after the disaster. Due to the size and sensitivity of the report, it can be published only once all criminal justice proceedings have concluded and all of our complaint procedures have been completed.

Use of our report line

We operate a [report line](#) for police officers and staff to report concerns of wrongdoing in their workplace. It is for use in situations where wrongdoing reveals or suggests that a criminal offence has been committed, or where there is evidence of conduct that would justify disciplinary proceedings. The College of Policing also [produces guidance on reporting concerns](#).

In 2018/19, our report line was contacted 73 times. The majority of the concerns raised were about either corruption, discrimination or a police professional standards department's (PSD) failure to investigate a complaint. We have various options for dealing with calls to our report line. The action we take will depend on the seriousness of the concerns raised, but we must obtain the caller's consent before passing any information to a police force. Most of the reports we received in 2018/19

Information Commissioner's Annual Report and Financial Statements 2018-19

Report Presented to Parliament pursuant to Section 139(1) of the Data Protection Act 2018 and Section 49(1) of the Freedom of Information Act 2000 and Accounts Presented to Parliament pursuant to paragraph 11(4) of Schedule 12 to the Data Protection Act 2018.

Ordered by the House of Commons to be printed on 8 July 2019.

HC 2299

Whistleblowing disclosures

The ICO is a 'prescribed person' under the Public Interest Disclosure Act 1998, meaning that whistleblowers are provided with protection when disclosing certain information to us.

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 require prescribed persons to report annually on whistleblowing disclosures made to them.

The number of whistleblowing disclosures made to us during the period 1 April 2018 to 31 March 2019 was 319. All information provided was recorded and used to develop our overall intelligence picture, in line with our Information Rights Strategic Plan 2017-2021.

Further action was taken on 135 of the above disclosures. Further action may result in referral to appropriate departments for further consideration, referral to external organisations (including other regulators and law enforcement) or consideration for use of our enforcement powers. After review and assessment 184 of the 319 disclosures resulted in no further action taken at that time.

During the period 1 April 2018 to 31 March 2019 further action on the aforementioned 135 disclosures resulted in 146 referrals to various departments (11 disclosures resulted in multiple referrals). The outcomes of these referrals were:

- 55 disclosures being taken into consideration for ongoing investigations;
- 28 disclosures being considered as data protection complaints;
- 27 disclosures being considered in relation to non-payment of the data protection fee;
- 12 disclosures being referred to strategic policy for consideration;
- 11 disclosures being referred to advice services for advice for the whistleblower; and
- 13 disclosures being referred to other departments for various actions.

After receipt of a concern we will decide how to respond in line with our Regulatory Action Policy. In all cases, we will look at the information provided by whistleblowers alongside other relevant information we hold. For example, if an organisation reports a breach to us we may use information provided by a whistleblower to focus our follow-up enquiries. More broadly, we may use information from whistleblowers to focus our liaison and policy development within a sector, using the information to identify a particular risk or concern.

Whistleblowing and raising a concern policy

Published: 27 September 2019

Freedom of information class: [About Registers of Scotland](#)

Whistleblowing and raising a concern policy

[The Public Interest Disclosure Act 1998](#) was designed to protect employees who make certain disclosures of information in the public interest and to allow those employees who “blow the whistle” on any of the instances of wrongdoing that are set out in the Act, to complain to an employment tribunal if they suffer any form of detriment for doing so. Alongside the Act, employees have the protection set out in the Civil Service Code.

- [Whistleblowing procedure](#)
- [Whistleblowing FAQ](#)

Whistleblowing requests 2018-19

- i** During the reporting period for 2018-19, Registers of Scotland received 0 whistleblowing disclosures.

Monitor: annual report and accounts 2018/19

HC 2345

and restrictive practice. It builds on our work with 20 trusts on the national mental health improvement model.²³

With more than 50 other organisations we signed the **Charter for Equal Health** to mark the launch of Equally Well UK, a nationwide collaborative pledged to improve the physical health of people who have severe mental illness, whose life expectancy may be 20 years shorter than average. We co-ordinated the 'Closing the Gap' improvement collaborative of 18 trusts, which is aligned with Equally Well UK. The trusts are working on improvement projects that cover, for example, lifestyle and life skills interventions such as physical activity and healthy eating.

We developed **learning disability improvement standards**²⁴ to help trusts measure the quality of care they provide to people with learning disabilities, autism or both. Although people with learning disabilities or autism should have the same access to services and outcomes as their non-disabled peers, often they experience much poorer care. The four standards include outcomes created by people with learning disabilities and their families, which clearly state what they expect from the NHS. The standards reflect the strategic objectives and priorities described in national policies and programmes and reflect the work of other bodies, in particular NHS England, CQC and Health Education England.

In two cohorts we worked with 44 trusts and their system partners on a collaborative approach to achieving the national ambition to reduce hospital lengths of stay, improve patient flow²⁵ and prevent deconditioning by engaging **allied health professionals** (AHPs) as leaders for change. Cohort 1 reduced longer lengths of stay by 9%, compared with 2.1% in other acute trusts. We also co-ordinated AHPs to implement and evaluate the impact of health improvement projects such as smoking cessation and weight management.

Listening to NHS staff who speak up is central to improving staff experience and patient care. NHS staff continue to raise **whistleblowing** concerns with us, and more contacted us this year than in previous years: 190 compared to 114 in 2017/18. The reasons for contacting us are usually that they are unhappy with their employer's response or worried they may suffer detriment if they raise their concern

²³ *Valued care in mental health: improving for excellence – a national mental health improvement model*. March 2018. <https://improvement.nhs.uk/resources/valued-care-mental-health-improving-excellence/>

²⁴ *The learning disability improvement standards for NHS trusts*. June 2018. <https://improvement.nhs.uk/resources/learning-disability-improvement-standards-nhs-trusts/>

²⁵ *Allied health professions supporting patient flow: a quick guide*. April 2018. <https://improvement.nhs.uk/resources/allied-health-professions-ahps-supporting-patient-flow/>

directly with their employer. However, the increase in numbers does not necessarily indicate increasing problems: it could equally indicate that staff are more aware of the importance of speaking up and know how to do so.

Most cases we received related to bullying and harassment, patient safety, and issues about leadership and the board. The cases indicate that barriers remain to staff feeling free to raise their concerns. We are working with the National Guardian's Office (NGO) to remove these barriers. A key part of the NGO's role is to provide leadership and advice for Freedom to Speak Up guardians on best practice, to enable staff to speak up safely. Where the NGO has conducted a case review into speaking up at a trust, we have supported the trust with its resulting action plan. We continue to pilot how we can use data to identify trusts that may need additional support with Freedom to Speak Up.

The board guidance and self-assessment tool that we jointly published with the NGO last year has highlighted the importance of leadership behaviours that support speaking up. We will update this guidance in the light of feedback we have sought from trusts that have used it, to make it even more useful for assessing and improving Freedom to Speak Up arrangements and culture.

We take the cases we receive very seriously and took action in 169 (89%) of them (see Figure 1 below). This included 20 cases (11%) that resulted in external investigations overseen by us and/or an external 'well-led' review into the trust's leadership and governance. We took no action in 22 (12%) of cases because the individual raising a concern did not provide enough information, we did not receive consent to use the information provided, or the information related solely to an individual employment matter, in which we have no jurisdiction.

We continue to see a significant number of issues raised about board members and by board members. Some resulted in external investigations overseen by us, followed by support and/or regulatory action to ensure trust boards function well and have robust plans to address concerns. The board guidance we published, and some of the cases we received, have resulted in us supporting more trusts to improve their Freedom to Speak Up arrangements and culture. All of this highlights the importance of improving leadership culture and valuing the views of our staff, which is a key focus of our interim NHS People Plan.

We are about to complete our pilot support scheme to help whistleblowers return to work in secondary care. This follows Sir Robert Francis's recommendation in

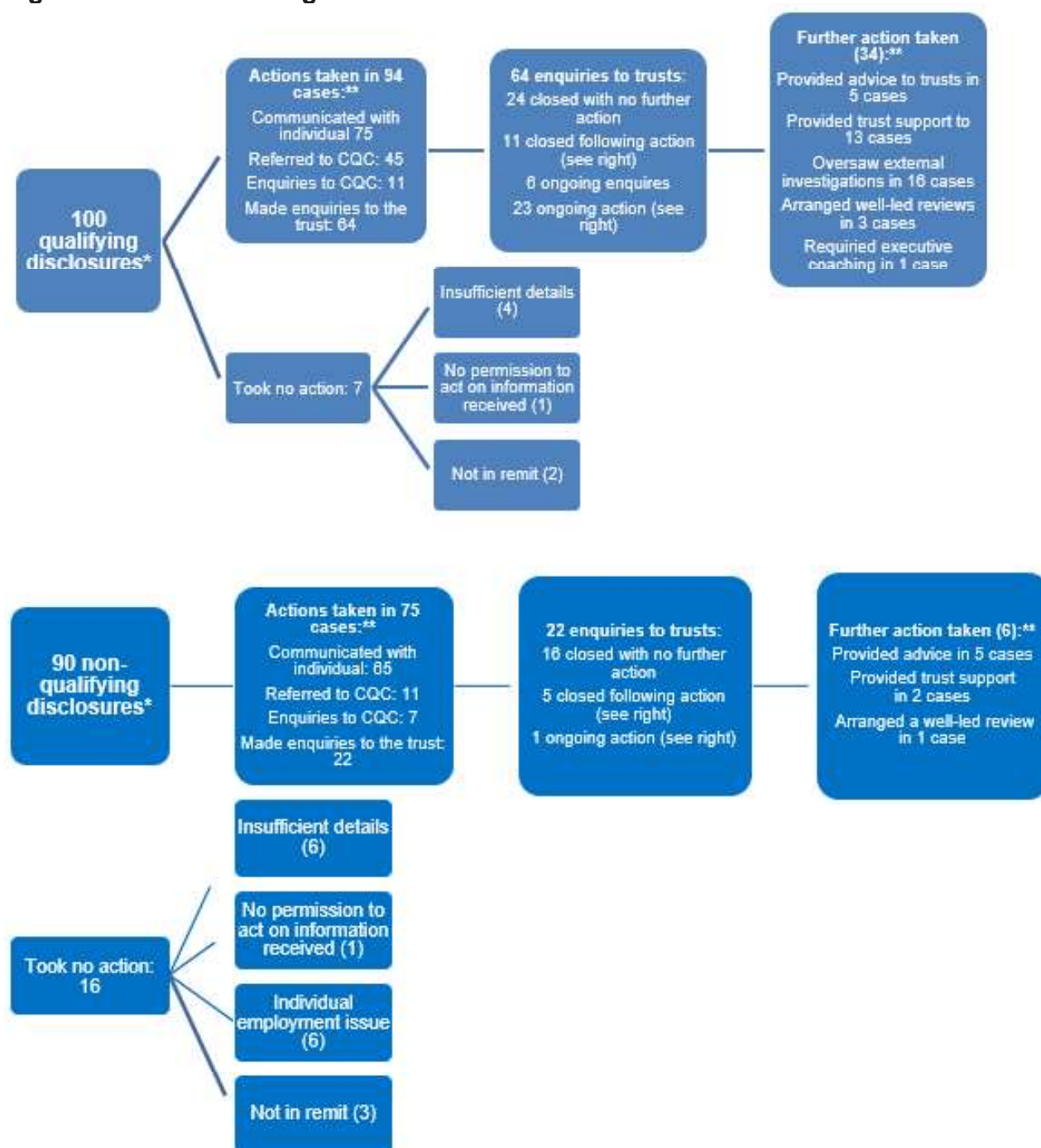
Freedom to speak up – a review of whistleblowing in the NHS to help whistleblowers find alternative employment in the NHS and set out what this should include.

Of the 10 whistleblowers who joined the scheme, one is now in employment and three benefited from six-month work placements. Participants also received training they requested and coaching support.

Many NHS employers have been supportive in offering access to library facilities, training, and shadowing and work placements for those ready for these opportunities.

We are about to receive the final phase of the independent evaluation of the pilot scheme and will use that to inform the main scheme (covering both primary and secondary care), which we aim to launch in 2019.

Figure 1: Whistleblowing cases received in 2018/19



*The government requires us to differentiate between concerns raised by staff that appear to be covered by the Public Interest Disclosure Act (PIDA) and those that do not. The very specific criteria for concerns to amount to a 'public interest disclosure' (covered by PIDA) do not affect whether we take action on the concerns raised.

**NB: multiple actions may have been taken in some cases: for example, we may have overseen an external investigation and then arranged a well-led review.

Our 2018/19 **Annual Report**

Health and high quality care for all,
now and for future generations

HC 2293

Categories of risk, along with NHS England's previously stated tolerances, are summarised in the table below:

Category of Risk	Tolerance
Patient Safety	No tolerance
Regulatory	Low
Operational Performance	Low
Finance	Low
Reputational	Low to Moderate
Innovation	Moderate to High

Whistleblowing

Arrangements are in place to support whistleblowing for NHS England staff and for those employed by external organisations. Our internal whistleblowing policy 'Voicing your Concerns for Staff' is accessible via our staff intranet and on our website⁵⁷. Emily Lawson, National Director of Transformation and Corporate Operations, is the 'Freedom to Speak Up' (FTSU) guardian for staff in NHS England, and Lord David Prior, Chair of NHS England, is the Board lead. The FTSU network currently consists of 40 FTSU Guardians, of whom seven (18%) have reported a BAME background.

NHS England received three internal whistleblowing concerns during 2018/19, all of which were investigated in accordance with our policy. CSUs reported an additional concern which is being investigated under the CSU's Raising a Concern Policy.

Whistleblowing in primary care

NHS England has been a 'Prescribed Person' for primary care services under the Public Interest Disclosure Order 1999 since April 2016. This allows whistleblowers working in primary medical services, dental services, ophthalmic services and pharmaceutical services to disclose information to NHS England in addition to, or as an alternative to, their own employer.

Information on how staff from primary care organisations can raise a concern with us is set out on our website⁵⁸. This activity is overseen by designated regional whistleblowing leads reporting into the Corporate Governance team.

Under the statutory protection afforded to workers who raise such concerns, whistleblowing is the term used when a worker provides information to their employer or a prescribed person concerning wrongdoing.

57 <https://www.england.nhs.uk/wp-content/uploads/2016/09/voicing-concerns-staff-policy.pdf>
58 <https://www.england.nhs.uk/publication/external-whistleblowing-policy/>

To gain the statutory protection under the legislation, the worker making the disclosure must reasonably believe:

- that the disclosure is in the public interest; and
- it falls into one of the following categories:
 - Criminal offence.
 - Breach of any legal obligation.
 - Miscarriage of justice.
 - Endangering someone's health and safety.
 - Damage to the environment.
 - Covering up wrongdoing in the above categories.

NHS England's role as a Prescribed Person

Where concerns are raised to us by primary care workers about these issues, we are required to produce annual reports of the disclosures of information made to us, but without identifying the workers concerned or their employers.

NHS England is committed to assigning any concerns raised for further investigation, and supporting individuals that have suffered fiscal or professional detriment as a result of whistleblowing. This includes signposting whistleblowers to the correct organisation responsible for dealing with their concerns.

Qualifying disclosures received by NHS England during 2018/19 and action taken

Between 1 April 2018 and 31 March 2019, 70 whistleblowing disclosures were made to us relating to primary care organisations.

The table below summarises how we dealt with the disclosures:

Signposted to an alternative body	Investigated – no remedial action required	Investigated and action taken during 2018/19	Under investigation	No investigation required
3	5	3	53	6

As the result of these investigations we have agreed changes with primary care providers designed to improve services delivered to patients. These include:

- Improved record keeping and management processes.
- Implementation of multi-agency contract management meeting to address quality issues.

NSPCC Whistleblowing Helpline - Analysis of Contacts 2018/19

The whistleblowing advice line was established in February 2016 to give advice to and support people with concerns that an organisation might be putting children at risk.

In 2018/19, the whistleblowing helpline responded to 579 contacts.

Contact End State	Total
Advice	269
Referral	83
Referral Update	11
Enquiry	216
Total Enquiry and Child Welfare Contacts	579

Enquiries

216 contacts the whistleblowing helpline responded to between 1st April 2018 and 31st March 2019 were enquiries.

Advice

269 contacts to the helpline were asking the NSPCC advice on whistleblowing concerns. Below is a breakdown of advice contacts by main concern.

Main Concern	Advice	%
School/Education problems	38	14%
Physical Abuse	32	12%
Code Does Not Exist	31	12%
Neglect	29	11%
Services/Support/Legal	29	11%
Sexual Abuse Not Online	29	11%
Parent/Adult Health/Behaviour	21	8%
Emotional Abuse	15	6%
Young Persons Behaviour	12	4%
Bullying Not Online	9	3%
Living in Care/LAC Issue	5	2%
Suicidal	5	2%
Radicalisation/Extremism/Terrorism	3	1%
Mental/Emotional Health	2	1%
Sexual Abuse Online	2	1%
Sexuality/Gender Identity	2	1%
Complaints About Helpline	1	0%
Gangs	1	0%
Homeless/Housing	1	0%
Self Harm	1	0%
Sex, Relationships & Puberty	1	0%
Total	269	100%

Advice contacts by region of the person contacting:

Region	Total Advice Contacts
Channel Islands	1
East Midlands	18
Eastern	15
England	1
International	2
Nationwide	2
North East and Cumbria	3
North London	20
North West	18
Northern Ireland	3
Scotland	7
South East	23
South London	4
South West	15
Unknown	114
West Midlands	16
Yorkshire and the Humber	7
Total	269

Referrals

In 2018/19, there were 83 contacts to the Whistleblowing helpline that resulted in referrals. Below is a breakdown of contacts that ended in referrals by main concern.

Main Concern	Referral	%
Neglect	23	28%
Sexual Abuse Not Online	16	19%
Physical Abuse	13	16%
School/Education problems	8	10%
Parent/Adult Health/Behaviour	7	8%
Services/Support/Legal	6	7%
Emotional Abuse	3	4%
Living in Care/LAC Issue	2	2%
Suicidal	2	2%
Sexual Abuse Online	1	1%
Sexuality/Gender Identity	1	1%
Young Persons Behaviour	1	1%
Total	83	100%

Referrals by the region of the agency referred to:

Please note that one contact can result in multiple referrals to different agencies based in different areas. Therefore, the total number of referrals by area is higher than the total number of contacts that resulted in a referral being made.

Agency Region	Total Referrals Sent to Agencies
Central London	7
East London	4
East Midlands	16
Eastern	21
North East and Cumbria	5
North West	23
Northern Ireland	2
Scotland	4
South East	14
South London	3
South West	17
Unknown	12
West London	4
West Midlands	16
Yorkshire and the Humber	7
Total	155

Referrals by the type of agency referred to:

Please note that one contact can result in multiple referrals to different agencies based in different areas. Therefore, the total number of referrals by agency is higher than the total number of contacts that resulted in a referral being made.

Agency Type	Total Referrals Sent to Agencies	%
Children's Services	126	81%
Education	7	5%
Other	1	1%
Police	21	14%
Total	155	100%

Themes

Below are some of the key issues discussed in contacts to the whistleblowing helpline.

- Professionals with concerns that safeguarding procedures are not being followed within their organisation
- Concerns that an organisation's safeguarding procedures are not adequate to protect children
- Professionals seeking advice having reported their concerns within their organisation but feeling as though they had not been taken seriously or no action was taken
- Concerns from professionals who felt unable to report their concerns within their organisation, feeling pressure from more senior staff to not raise concerns, or feeling that they would be treated differently if they raised concerns (including feeling that their job was at risk)
- Contacts seeking advice on what should happen when reporting abuse within an organisation – including how long to wait until action is taken, what information they should

expect to hear from the person they reported to, and what the next steps would be if they are not satisfied with the action of the person they reported to

- Contacts who had been made to feel uncomfortable in their organisation after reporting abuse
- Concerns that organisations working directly with children lacked appropriate training or resources for safeguarding
- Concerns that staff within the organisation had been dismissed after raising concerns, creating an environment where staff were worried about reporting child welfare issues
- Contacts worried that concerns they or other staff had raised were not shared with the appropriate services

Contacts were made from individuals from a range of organisations working directly or indirectly with children and young people. Contacts included:

- Nursery staff
- Teachers
- Nurses
- Staff at schools (not teachers)
- School governors
- Staff at SEND residential schools
- Professionals working in private organisations that work with local authorities
- Staff at residential homes

In many of the contacts to the whistleblowing helpline those contacting raised concerns around behaviour of staff within an organisation, concerns that organisations lacked appropriate safeguarding policies, or concerns that procedures were not being followed and the appropriate actions were not being taken to safeguard children. The most common organisations mentioned included schools, residential care settings, residential schools, nurseries, youth groups/clubs, housing associations, children's services.

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017

Annual Report

1 April 2018 - 31 March 2019

V1.0

NHS fraud.
Spot it. Report it.
Together we stop it.



Introduction

The Public Interest Disclosure Act 1998 gives legal protection to employees against being dismissed or penalised by their employers as a result of disclosing information which is considered to be in the public interest. NHSCFA is a 'prescribed person' as defined under the Public Interest Disclosure (Prescribed Persons) Order 2014.

As such, individuals working outside the NHSCFA, but in the healthcare sector, may contact the NHSCFA if they have any concerns in relation to fraud, corruption or other unlawful activity in relation to the health service in England. Individuals can report to the NHSCFA in a variety of ways including using our online fraud and corruption reporting form and calling our Fraud and Corruption Reporting Line powered by Crimestoppers.

Since April 2017, all 'Prescribed Persons' are required to report in writing annually on workers (whistleblowing) disclosures they have received. The report must be published within 6 months of the end of the reporting period.

The report must contain, without including any information in the report that would identify a worker who has made a disclosure of information, or an employer or other person in respect of whom a disclosure of information has been made -

- (a) the number of workers' disclosures received during the reporting period that the relevant prescribed person reasonably believes are –
 - (i) qualifying disclosures within the meaning of section 43B of the Employment Rights Act 1996; and
 - (ii) which fall within the matters in respect of which that person is so prescribed;
- (b) the number of those disclosures in relation to which the relevant prescribed person decided during the reporting period to take further action;
- (c) a summary of –
 - (i) the action that the relevant prescribed person has taken during the reporting period in respect of the workers' disclosures; and
 - (ii) how workers' disclosures have impacted on the relevant prescribed person's ability to perform its functions and meet its objectives during the reporting period;
- (d) an explanation of the functions and objectives of the relevant prescribed person.

From 1 April 2018 to 31 March 2019, the NHSCFA received 380 reports where the source had stated they were making a disclosure under the Public Interest Disclosure Act 1998.

87 reports were open and waiting to be actioned as at 31 March 2019.

- Approximately 42% of these relate to patient frauds (patients not paying their prescription charge, or altering their prescription) and as such are unlikely to have PIDA related issues.
- Approximately 43% of these reports were received within eight weeks of the end of financial year and, therefore still going through processing within the Intelligence Unit.
- Approximately 15% were either assigned to a Field Development Officer for further work, or the Intelligence Unit were waiting on checks to return from third party agencies.

229 reports were closed with No Further Action and progressed no further.

- Approximately 50% of these relate to patient issues (such as prescription fraud including altered prescriptions), NHSCFA receive these in addition to the police and NHSE, therefore they are not pursued by NHSCFA.
- Approximately 10% of these relate to a report which is being developed as part of an information report previously received by the NHSCFA. We can receive multiple reports about the same person/incident.
- The remaining 40% relate to No Further Action categories of Intelligence Only and No Fraud Established. Intelligence Only means that the report is kept on file, but is unable to be progressed due to a lack of information available. No Fraud Established is used when there is no fraud to investigate, usually due to a misunderstanding by NHS staff or general public as to what constitutes a fraud or not

Of the remaining 64 reports, 53 were tasked to Local Counter Fraud Specialists and 11 were disseminated to another body.

Explanation of the Functions and objectives of the relevant prescribed person

The NHSCFA is a special health authority focused entirely on counter fraud work, the NHSCFA is independent from other NHS bodies and directly accountable to the Department of Health and Social Care (DHSC). Our mission is to lead the fight against fraud affecting the NHS and wider health service and protect vital resources intended for patient care.

The NHSCFA's main objectives for 2017-2020 are to:

1. Deliver the Department of Health and Social Care strategy, vision and strategic plan and lead counter fraud activity in the NHS in England
2. Be the single expert intelligence led organisation providing a centralised investigation capacity for complex economic crime matters in the NHS
3. Lead and influence the improvement of standards in counter fraud work across the NHS
4. Take the lead in and encourage fraud reporting across the NHS and wider health group
5. Continue to develop the expertise of staff working for the NHSCFA.



Office for
Nuclear Regulation

**OFFICE FOR NUCLEAR
REGULATION
ANNUAL REPORT
AND ACCOUNTS
2018/19**

HC 2271



Managing conflicts of interest

All Board members were required to record their other interests and to update any changes to their register of interests. The interests of each Board member can be viewed at <http://www.onr.org.uk/onr-board.htm>. Our Code of Corporate Governance sets out the process to be followed should a Board member identify a potential conflict of interest. All members were asked to declare interests at each Board and Committee meeting. Seven potential conflicts of interest were raised, and these were recorded in the minutes of the Remuneration Committee. Disclosures were recorded in the minutes and, where necessary, the members concerned did not take part in any deliberation or decision on the matter.

Transparency

The Board's strategy promotes openness and transparency in nuclear regulation based on a presumption of disclosure. Appropriate Board papers and minutes were published on our website <http://www.onr.org.uk/meetings/>.

We received 63 requests under the Freedom of Information Act 2000 (FOI) and three under the Environment Information Regulations 2004 (EIR). 64 requests were completed satisfactorily within the required 20 working days. Two requests were issued shortly after 20 working days due to the voluminous and complex nature of the requests. Seven requests were subject to an internal review upholding the original decision. Two requests were referred to the Information Commissioner's Office for a decision.

Six complaints (originating externally in relation to an ONR work activity) and 26 concerns (from members of the public or employees relating to a wrong doing in a workplace in relation to a matter that ONR regulates) were received. All complaints and concerns were completed to the third parties' satisfaction.

There were three requests relating to the GDPR / Data Protection (DPA) Act 2018. These were Subject Access Requests asking for details of their own personal data. These were completed satisfactorily within the required timescale.

Whistleblowing

Internal

No internal cases were raised.

External

We received 12 new cases in relation to sites we regulate, with two carried forward from 2017/18. In three cases, we were content with the action taken, which included the production of a Regulatory Issue; two further cases were found to have been previously considered and no issues found; three issues were considered and ONR was content that there was no substantive issue of concern. A further case was found to have been considered previously and an improvement notice issued. We have contacted the whistleblower to inform them of the action taken and the matter is now closed. The remaining three are still currently under investigation.

There were two cases raised in 2017/18, which were closed in 2018/19. We were satisfied that a previous Regulatory Issue fully encompassed the concerns identified and we were content with the action taken in relation to the other issue raised. The whistleblowers have been advised of the details and no further issues were raised.

The cases raised have provided supporting and corroborating evidence alongside the regulatory intelligence gathered through our inspections and have reinforced the rationale for production of two Regulatory Issues to dutyholders. In other cases, they enabled wider discussions on improving and communicating safety and security culture across the regulated sites.

At the request of the ARAC, the Whistleblowing and Protected Disclosures Policy has been updated and published on our website. This shows the difference between the categories, with amended interactive forms to simplify and provide clarity to the process.

Setting objectives and operational performance management

Our Corporate Plan 2018/19 sets out our objectives and key performance indicators, agreed by our Board and approved by the Secretary of State for Work and Pensions.

The Plan included our corporate milestones and key performance indicators. Performance against these has been closely monitored by our Board and quarterly EMT, and subsequently SLT, Performance and Risk Review meetings.

Four standing reports were submitted to each Board meeting to enable each executive member to demonstrate accountability for their area of responsibility:

- Chief Executive Report - to provide assurance to the Board that the organisation is being properly managed to deliver our strategic intent and to consider corporate risk mitigation;
- Chief Nuclear Inspector Report - to provide assurance to the Board that we are meeting our statutory regulatory obligations;
- Finance Director Report - to report on financial management and performance and to provide assurance to the Board that ONR is being properly managed to deliver our operational plans to budget and effectively mitigating risk; and
- Human Resources Director Report – to provide assurance to the Board that people matters are being managed appropriately and that we are getting the best out of our people.

Risk management, compliance and internal control

During 2018/19, we adopted a best practice approach to our statement of risk appetite, addressing specific categorised (disaggregated) statements that articulate the amount and type of risk we are willing to take and / or accept in pursuit of our strategic objectives. This informed our priorities, business and assurance plans and risk mitigation, and we provided transparency to external stakeholders through publication.



The Office of Communications Annual Report & Accounts

For the period 1 April 2018 to 31 March 2019

Whistleblowing policy and hotline

Following a review of our whistleblowing policy during the year, we have now made it easier for colleagues to make disclosures under the policy and navigate their way through the process. Additionally, in 2018/19, we introduced an externally hosted and administered whistleblowing hotline that allows colleagues to make anonymous disclosures.

Independent assurance over internal controls

Ofcom outsources its internal audit function to KPMG. KPMG carries out its work in line with the Annual Internal Audit Plan that is approved by the Risk and Audit Committee on an annual basis and in line with Government Internal Audit Standards. The plan is informed by interviews held with key stakeholders, a periodic assessment of risk management arrangements, evaluation of the previous year's internal audit results, and an ongoing consideration of the environment in which Ofcom operates.

During 2018/19, 11 internal audits were undertaken, including

- Core financial process reviews (Key Financial Controls, Cost Allocation and Tariff Setting and Budgetary Controls and related Management Reporting);
- Compliance reviews (Data Privacy – GDPR, Health and Safety, Information Security);
- Operational processes (Business Radio and Fixed Link licensing and Project Agile);
- ICT (Cyber Security and SharePoint on-line); and
- Governance and Risk Management (Risk Management reporting).

and a review of the Governance Statement for consistency with Internal Audit's understanding based on their programme of work.

Public interest disclosure

The Public Interest Disclosure Act 1998 gives legal protection to employees against being dismissed or penalised by their employers as a result of disclosing information which is considered to be in the public interest. Ofcom is a 'prescribed person' as defined under the Public Interest Disclosure (Prescribed Persons) Order 2014. As such, individuals working outside Ofcom, but in the communications sector, may contact Ofcom if they have concerns about possible wrongdoing at their own organisation. During 2018/19 Ofcom did not receive any disclosures under the Public Interest Disclosure Act 1998 or otherwise.



ofqual

Annual Report and Accounts **2018 to 2019**

HC 2175

Information management

We continued to seek ways of reducing the burden on the awarding organisations we regulate by making access to information and its exchange easier. During the reporting period we introduced an online version of our rules following a successful pilot. We further developed our Portal so we can communicate more easily with awarding organisations.

We completed work to strengthen the security of our systems to cyber attack during the reporting period, including the introduction of multi-factor authentication and joining the National Cyber Security Centre's Active Cyber Defence (ACD) programme.

The General Data Protection Regulation (GDPR) came into effect on 25 May 2018. Ahead of this date, we developed the necessary policies to ensure compliance.

Complaints and whistleblowing

Whistleblowing disclosures

Ofqual is designated as a prescribed person for whistleblowing and workers can contact Ofqual about matters in relation to which we exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009. The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 (the Regulations) require prescribed persons to produce an annual report on whistleblowing disclosures made to them by workers. This reporting period is for the period 1 April 2018 to 31 March 2019.

Ofqual received 34 whistleblowing disclosures during the reporting period which we considered were 'qualifying disclosures' and which concerned matters in relation to which we exercise functions under the Act. Of these disclosures 30 related to centres or training providers. All 30 of these disclosures were referred to the relevant awarding organisation for further action. Awarding organisations carried out investigations in 23 of the 30 disclosures. Investigations could not be carried out for seven disclosures as the information was not detailed enough to allow an investigation. Of the submissions investigated: four resulted in further action being taken, 14 found no evidence to substantiate the claims, five were still ongoing at the time of writing.

Ofqual has an objective to maintain standards and confidence in regulated qualifications. The disclosures received have provided us with information and intelligence to ensure that standards in regulated qualifications are maintained and allowed us to discharge our statutory obligations.

Ofqual itself did not receive notice of any whistleblowing disclosures during the reporting period which related to Ofqual.



ANNUAL REPORT AND ACCOUNTS 2018-19

JUNE 2019



DIRECTORS' REPORT

ORR is a non-ministerial government department, which is independent of, but works closely with, the Department for Transport (DfT).

Executive and Non-Executive members of the ORR Board are listed on page 38.

Details of company directorships and other significant interests held by the Board are available on request.

Prompt payment

We are committed to the prompt payment of our suppliers and seek to pay all valid invoices as soon as possible. During 2018-19, 100% of invoices were paid within 30 days (100% in 2017-18) and 94% paid within 10 days (95% in 2017-18).

Better regulation

Our work on better regulation in 2018-19 is explained on page 26.

Personal data related incidents

Personal data related incidents are covered in the Governance Statement on page 44.

Complaints

Our customer correspondence team handles all complaints and general enquiries received by ORR. The majority of correspondence received are concerns about the rail industry³. ORR is represented at the cross-government complaint handlers' forum and the Department for Transport complaint handlers' working group.

We aim to respond to 95% of all such enquiries within 20 working days of receipt. In 2018-19 we received 1,638 complaints and general enquiries, of which 1,448 (88%) were cleared within the deadline. This is an increase of 204 (14%) on the previous year, mainly due to the concerns raised following the introduction of the May 2018 timetable.

In 2018-19 we received seven whistleblowing complaints raised by railway employees via the Employment Tribunal ET1 notification. We also received 207 enquiries relating to employee health, safety and welfare and four enquiries regarding employee employment matters. The 207 enquiries generated 243 concerns. The enquiries relating to health, safety and welfare concerns were looked into by ORR's Railway Safety Directorate in accordance with our published guidance: http://orr.gov.uk/__data/assets/pdf_file/0016/6442/safety-complaints-policy-and-guidance-web.pdf

As well as raising issues through safety representatives and their trade union, railway employees can raise concerns through CIRAS, a confidential report line: <http://www.ciras.org.uk/>.

Freedom of Information

In 2018-19 we received 183 requests of which 172 (94%) were responded to within 20 working days following receipt. Further details are published by the Cabinet Office: <https://www.gov.uk/government/collections/government-foi-statistics>, including details of internal reviews and referrals to the Information Commissioner.

Formal complaints received about ORR

If someone is unhappy with the service they have received from ORR, they can raise a formal complaint in writing with the head of the customer correspondence team. Their complaint will be acknowledged and passed to the relevant Director to respond. If the complainant remains unhappy they can escalate their concern to the Parliamentary and Health Services Ombudsman (PHSO). In 2018-19 two formal complaints against ORR were received. These were in regard to our investigation into the complainant's allegations of unsafe working conditions during construction activity on London Underground, and the outcome; and our investigation of a complaint against a heritage railway and the stability of a lineside wall. The first of these was escalated to PHSO, and the other was closed after an internal investigation and response to the complainant.

Auditors

The Comptroller and Auditor General carries out the audit of ORR's financial statements. The notional cost of auditing the financial statements was £36,000 (2017-18: £36,000). No remuneration, actual or notional, was paid to the National Audit Office for non-audit work (2017-18: none).



John Larkinson
Accounting Officer
4 June 2019

³ complaints about the strategic road network are handled by Highways England.



Annual Report and Accounts

The Public Interest Disclosure Act 1998 (PIDA)

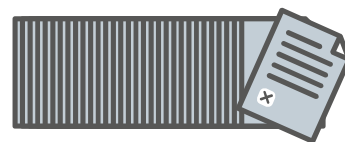
OSCR is a 'prescribed person' under the **Public Interest Disclosure Act 1998 (PIDA)** which means that we are allowed to accept disclosures from people who carry out paid work for a charity.

Our regulatory priorities are set out in our **Risk Framework**, and when we receive a whistleblowing disclosure we assess it in the light of our Risk Framework and in line with our **Whistleblowing guidance** and our **Inquiry Policy**.

We received seven whistleblowing reports in 2018-19:

- Six of these led to OSCR opening an inquiry using our powers under section 28 of the 2005 Act and using our other statutory powers as appropriate. All of these inquiries are ongoing.
- One of the reports was considered not appropriate for OSCR to take forward as a formal inquiry.

1,120



applications to become a charity
(1,184 in 17/18)

Whistleblowing disclosures help us identify and prevent concerns within the sector and help charities to put things right, supporting OSCR to underpin public trust and confidence in the charity sector. In 2018-19 whistleblowing concerns helped us to:

- Identify regulatory concerns
- Take action to protect charity assets and beneficiaries
- Identify risks to charities and to the charity sector that would not otherwise have come to light without the protection afforded to whistleblowers.

A handwritten signature in black ink, appearing to read 'Maureen Mallon'.

Maureen Mallon
Interim Chief Executive and Accountable Officer
26 June 2019



Comisiynydd Pobl Hŷn Cymru
Older People's Commissioner for Wales

Public Interest Disclosure Act

Annual report: 1 April 2018 to 31 March 2019

The Older People's Commissioner for Wales did not receive any disclosures for the reporting period of 1 April 2018 to 31 March 2019 which we regard as falling within the terms of the Prescribed Persons (Reports on Disclosures of Information) Regulations 2017.

The Pensions Regulator

Whistleblowing disclosures

Details of information provided to us by people with concerns about a workplace pension scheme.

As a public body The Pensions Regulator (TPR) is legally required to report on the whistleblowing disclosures we receive from certain workers. Whistleblowing is the term used when someone provides us with information concerning wrongdoing relating to their workplace pension. This is also known as a whistleblowing disclosure.

Under the Prescribed Persons (Reports on Disclosure of Information) Regulations 2017 we must report the following information every year:

- the number of disclosures we received (which met certain criteria)
- the number of those disclosures where we decided to take further action
- a summary of the action we took in relation to the disclosures
- a summary of how workers' disclosures have impacted our ability to perform our functions and meet our objectives
- an explanation of our functions and objectives

Number of disclosures 2018-19

We received 6,963 disclosures during the reporting period of 1 April 2018 to 31 March 2019 which fell within the remit of our statutory functions and objectives.

Number of disclosures and summary of actions

We took further action in relation to 794 of the 6,963 qualifying disclosures, with the majority of action taken as a result of disclosures reporting a suspected breach of, or failure to undertake, automatic enrolment duties or pay contributions.

In 196 of the instances where we took further action, we issued a Warning Notice or Unpaid Contribution Notice, Fixed Penalty Notice, Escalating Penalty Notice or Compliance Notice. Other actions we took as a result of disclosures included appointing new trustees, referrals to professional bodies, and supporting schemes to establish robust data improvement plans. Go to [enforcement activity](#) for more information on our work in this area.

The action we take is consistent with the principles set out in the [Regulator's Code](#). We are a risk-based regulator that must carry out our activities in a way which is proportionate, accountable, consistent, transparent and targeted. In this context, whistleblowing disclosures help us to inform our intelligence and enforcement action and take action where we see it as appropriate.

In instances where we didn't undertake enforcement action due to a disclosure not meeting the qualifying criteria, the information gathered was used to inform our intelligence work, such as our strategic intelligence assessments or compliance validation work.

How disclosures impact on our objectives

All actions taken, either as a result of a disclosure or informed by a disclosure, contribute towards the achievement of [our objectives](#).



BANK OF ENGLAND

June 2019

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 Annual Report

1 April 2018–31 March 2019

Bank of England | Prudential Regulation Authority

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017

Annual Report 1 April 2018 – 31 March 2019

The Bank of England ('the Bank') and Prudential Regulation Authority ('PRA') are both Prescribed Persons as defined by Parliament under The Public Interest Disclosure (Prescribed Persons) Order 2014.

Since April 2017, all 'Prescribed Persons' are required to report in writing annually on workers (whistleblowing) disclosures they have received. The report must be published within 6 months of the end of the reporting period.

The report must contain, without including any information in the report that would identify a worker who has made a disclosure of information, or an employer or other person in respect of whom a disclosure of information has been made—

- (a) the number of workers' disclosures received during the reporting period that the relevant prescribed person reasonably believes are—
 - (i) qualifying disclosures within the meaning of section 43B of the Employment Rights Act 1996; and
 - (ii) which fall within the matters in respect of which that person is so prescribed;
- (b) the number of those disclosures in relation to which the relevant prescribed person decided during the reporting period to take further action;
- (c) a summary of—
 - (i) the action that the relevant prescribed person has taken during the reporting period in respect of the workers' disclosures; and
 - (ii) how workers' disclosures have impacted on the relevant prescribed person's ability to perform its functions and meet its objectives during the reporting period;
- (d) an explanation of the functions and objectives of the relevant prescribed person.

In the period 1 April 2018 to 31 March 2019 inclusive

(a)(i)	We received a total of 160 disclosures that have been subject to assessment against the Public Interest Disclosure Act 1998 (hereafter 'PIDA') and discrete statutory requirements of the Bank and the PRA, to assess whether they are protected disclosures.
(a)(ii)	<p>We reasonably believed that 128 disclosures were protected disclosures within section 43B of the Employment Rights Act 1996 and that fell within the matters in which the Bank and PRA are Prescribed Persons. We considered that 29 of the remaining 32 disclosures were not protected disclosures because:</p> <ul style="list-style-type: none"> • 1 disclosure was related to employment issue disputes (and were of no public interest); • 4 disclosures were undetermined due to the poor quality of information provided and/or inability to engage further with the worker; • 10 disclosures did not fall within the Bank or the PRA's remit; and • 14 disclosures fell within the remit of the PRA but were not qualifying disclosures. <p>A further 3 disclosures related to firms that were regulated solely by the Financial Conduct Authority (FCA).</p>
(b)	We decided to take further action on the 128 disclosures that we reasonably believed to be protected disclosures.
(c)(i)	<p>All 128 disclosures were the subject of supervisory consideration, from which:</p> <ul style="list-style-type: none"> • 4 cases (including 3 cases considered by the PRA originating from the FCA) were referred to the Bank's Enforcement Litigation Division; and • 24 cases were referred to the FCA.
(c)(ii)	<p>Of the 128 protected disclosures that were the subject of supervisory consideration:</p> <ul style="list-style-type: none"> • 0 disclosures directly contributed to enforcement activity or other intervention; • 13 disclosures were of significant value and contributed to the discharge of regulatory activity; • 41 disclosures were, or may be in the future, of value but not immediately actionable and/or did not meet current regulatory risk thresholds; and • 43 disclosures were of little value and unlikely to assist in the discharge of regulatory or supervisory activity. • A further 31 disclosures are still currently being assessed to determine if further action is warranted.

(d)	<p>An explanation of the functions and objectives:</p> <p>The Bank of England</p> <p>The Bank of England's mission is to promote the good of the people of the United Kingdom by maintaining monetary and financial stability. The Bank of England is a prescribed person for -</p> <ul style="list-style-type: none"> • the functioning of clearing houses (including central-counterparties and central securities depositories) • payment systems and securities settlement systems • the treatment, holding and issuing of banknotes by the Scottish and Northern Ireland banks authorised to issue banknotes (and their agents) • the custody, distribution and processing of Bank of England banknotes under the Bank of England's Note Circulation Scheme <p>Bank of England (IAWB) Threadneedle Street London EC2R 8AH</p> <p>Tel: 020 3461 8703 Email: BOEwhistleblowing@bankofengland.co.uk</p> <p>The Prudential Regulation Authority</p> <p>The Bank of England Prudential Regulation Authority (PRA) regulates and supervises around 1,500 banks, building societies, credit unions, insurers and major investment firms.</p> <p>The PRA has the general objective to promote the safety and soundness of the firms it regulates. It has a secondary objective to facilitate effective competition between firms.</p> <p>In relation to insurers, it has an additional objective, to contribute to securing an appropriate degree of protection for insurance policyholders.</p> <p>The PRA is a prescribed person for matters relating to the carrying on of deposit-taking business, insurance business, or investment business and the safety and soundness of persons authorised for such purposes.</p> <p>Prudential Regulation Authority (IAWB) 20 Moorgate London EC2R 6DA</p> <p>Tel: 020 3461 8703 Email: PRAwhistleblowing@bankofengland.co.uk</p>
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Useful links

[Employment Rights Act 1996](https://www.legislation.gov.uk/ukpga/1996/18/contents): <https://www.legislation.gov.uk/ukpga/1996/18/contents>

[Public Interest Disclosure Act 1998](https://www.legislation.gov.uk/ukpga/1998/23/contents): <https://www.legislation.gov.uk/ukpga/1998/23/contents>

[The Prescribed Persons \(Reports on Disclosures of Information\) Regulations 2017](https://www.legislation.gov.uk/uksi/2017/507/regulation/5/made):

<https://www.legislation.gov.uk/uksi/2017/507/regulation/5/made>

[Whistleblowing: list of prescribed people and bodies](https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies):

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

[Whistleblowing Prescribed persons guidance - Annual reporting requirements](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/604935/whistleblowing-prescribed-persons-guidance.pdf):

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/604935/whistleblowing-prescribed-persons-guidance.pdf

[Whistleblowing and the Bank of England](https://www.bankofengland.co.uk/prudentialregulation/whistleblowing-and-the-pra):

<https://www.bankofengland.co.uk/prudentialregulation/whistleblowing-and-the-pra>

PRA Supervisory Statement 28/15: [‘Strengthening individual accountability in banking’](https://www.bankofengland.co.uk/prudential-regulation/publication/2015/strengtheningindividual-accountability-in-banking-ss), July 2018:

<https://www.bankofengland.co.uk/prudential-regulation/publication/2015/strengtheningindividual-accountability-in-banking-ss>

PRA Supervisory Statement 35/15: [‘Strengthening individual accountability in insurance’](https://www.bankofengland.co.uk/prudential-regulation/publication/2015/strengtheningindividual-accountability-in-insurance-ss)

<https://www.bankofengland.co.uk/prudential-regulation/publication/2015/strengtheningindividual-accountability-in-insurance-ss>

PRA Supervisory Statement 39/15: [‘Whistleblowing in deposit-takers, PRA-designated investment firms and insurers’](https://www.bankofengland.co.uk/prudentialregulation/publication/2015/whistleblowing-in-deposit-takers-pra-designated-investment-firmsand-insurers-ss), July 2018:

<https://www.bankofengland.co.uk/prudentialregulation/publication/2015/whistleblowing-in-deposit-takers-pra-designated-investment-firmsand-insurers-ss>

The Public Services Ombudsman for Wales

Annual Report and Accounts 2018/19

INNOVATION  IMPROVEMENT  INFLUENCE

Whistleblowing disclosure report

Since 1 April 2017, as the PSOW, I am a 'prescribed person', and required to report annually on whistleblowing disclosures made in the context of Code of Conduct complaints.

The Public Interest Disclosure Act 1998 provides protection for employees who pass on information concerning wrongdoing in certain circumstances. The protection only applies where the person who makes the disclosure reasonably believes:

1. that they are acting in the public interest, which means that protection is not normally given for personal grievances; and
2. that the disclosure is about one of the following:
 - criminal offences (this includes financial improprieties, such as fraud),
 - failure to comply with duties set out in law,
 - miscarriages of justice,
 - endangering someone's health and safety,
 - damage to the environment, or
 - covering up wrongdoing in any of the above categories.

In 2018/19, I received seven complaints which raised potential whistleblowing concerns about alleged breaches of the Code of Conduct. Most of these complaints were received from employees of local authorities and raised issues relating to alleged criminal offences and a perceived failure to comply with equality duties, as set out in law. The remainder were received from staff or former staff of Town and Community Councils and raised concerns primarily relating to the duty to comply with the law in the context of financial impropriety and confidentiality of information.

Of the number of potential whistleblowing cases received, I determined that two of the complaints did not meet my criteria for investigation. Of those investigated, two were subsequently discontinued as the circumstances were such that the continuation of the investigation was no longer in the public interest. The investigations in respect of the remaining three complaints are continuing.

Revenue Scotland

Annual Report on Whistleblowing Disclosures

2018-19

Revenue Scotland is responsible for the collection and management of the taxes fully devolved to Scotland – currently Land and Buildings Transaction Tax (LBTT) and Scottish Landfill Tax (SLfT).

The tax authority was established by the Revenue Scotland and Tax Powers Act 2014 (RSTPA), which created the legislative framework for devolved taxes in Scotland.

As a Non-Ministerial Department, Revenue Scotland is part of the Scottish Administration and is directly accountable to the Scottish Parliament to ensure the administration of tax is independent, fair and impartial.

Duties

Revenue Scotland carries out its general duty to collect and manage the devolved taxes in accordance with the Revenue Scotland and Tax Powers Act (RSTPA) 2014.

In addition, the organisation has the following particular functions:

- Providing information, advice and assistance to the Scottish Ministers relating to tax;
- Providing information and assistance to taxpayers, their agents and other persons relating to the devolved taxes;
- Efficiently resolving disputes relating to the devolved taxes (including by mediation); and
- Protecting the revenue against tax fraud and tax avoidance.

Revenue Scotland's Purpose and Vision

In April 2018, Revenue Scotland published its new 2018-21 Corporate Plan, setting the Purpose, Vision and Strategic Objectives of the organisation over the three-year period.

The purpose of Revenue Scotland is:

“To efficiently and effectively collect and manage the devolved taxes which fund public services for the benefit of the people of Scotland.”

Revenue Scotland's vision is:

“To be a recognised leader in the delivery of tax administration, and as experts in our field; adaptable to change, resilient to challenges and far reaching in our engagement.”

2018-21 Strategic Objectives

The Revenue Scotland 2018-21 Corporate Plan sets out 4 strategic objectives for the period:

1. **Excelling in Delivery** - Establish ourselves as experts in what we do: collecting and managing the devolved taxes through an accessible, convenient and taxpayer-focused service.
2. **Investing in our People** - Develop and support a highly skilled and engaged workforce, upholding the standards of professionalism and integrity.
3. **Reaching Out** - Build on our reputation as an accessible, collaborative and transparent public body, keen to learn from others and share our experiences and expertise.
4. **Looking Ahead** - Plan and deliver change and improvements to our systems and processes flexibly, on time and on budget.

Overview of Whistleblowing

Revenue Scotland is a 'prescribed person' under the Public Interest Disclosure Act 1998.

The Act provides protection for employees who pass on information concerning wrongdoing in certain circumstances. The protection only applies where the person who makes the disclosure reasonably believes:

1. That they are acting in the public interest, which means that protection is not normally given for personal grievances; and
2. That the disclosure is about one of the following:
 - Criminal offences (this includes financial improprieties, such as fraud);
 - Failure to comply with duties set out in law;
 - Miscarriages of justice;
 - Endangering someone's health and safety;
 - Damage to the environment; or
 - Covering up wrongdoing in any of the above categories.

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 came into force on 1 April 2017. Prescribed persons are required to report annually on whistleblowing disclosures made to them.

Reporting

During the reporting period 1 April 2018 to 31 March 2019, Revenue Scotland received no whistleblowing disclosures. The statutory template of reporting is published below:

Category	Number of disclosures
Number of non-qualifying disclosures	0
Number of qualifying disclosures	0
Number of qualifying disclosures requiring no further action	0
Number of qualifying disclosures requiring further action	0

Investigations

No investigations were carried out in this reporting period.

Actions

No actions were required during this investigations period.

Improvement objectives

No improvement objectives were required during this investigations period.

The Chief Executive intends to incorporate the report for future years in the Annual Report which is published in October.



Elaine Lorimer
Chief Executive

Contact Details

Revenue Scotland

PO BOX 24068, Victoria Quay
Edinburgh, EH6 9BR

General Enquiries - info@revenue.scot

Background Reading and External Services

Public Interest Disclosure Act 1998 -

<http://www.legislation.gov.uk/ukpga/1998/23/contents>

The Prescribed Persons (Reports on Disclosures of Information) Regulations
2017

<http://www.legislation.gov.uk/ukdsi/2017/9780111154359>

Protect

<https://www.pcaw.co.uk/people/>

Whistleblowing Advice Helpline - 020 3117 2520

Revenue Scotland's Whistleblowing Policy

<https://www.revenue.scot/class-1-about-revenue-scotland>

The Prescribed Persons (Report on Disclosures of Information) Regulations 2017

Whistleblowing: Annual Report 1 April 2018 – 31 March 2019



Introduction

The Scottish Environment Protection Agency (SEPA) is designated as a prescribed person for whistleblowing and workers can contact SEPA about matters in relation to acts or omissions which have an actual or potential impact on the environment, or the management or regulation of the environment, including those relating to flood warning systems and pollution.

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 (the Regulations) require prescribed persons to produce an annual report on whistleblowing disclosures made to them by workers. This report covers the reporting period of 1 April 2018 to 31 March 2019.

Our functions, objectives and statutory powers

Our Statutory Purpose is to protect and improve the environment in ways that, as far as possible, also help create health and well-being benefits and sustainable economic growth. Every day we work to protect and enhance Scotland's environment, helping communities and businesses thrive within the resources of our planet. We call this One Planet Prosperity. We have only one planet but if everyone lived as we do in Scotland, we would need three planets to sustain ourselves.

One Planet Prosperity sets out how we will tackle environmental crime; support businesses in driving up compliance, and help those who want to go beyond compliance to reap the economic and social benefits of environmental excellence.

The other core service we deliver is flooding. To reduce the impact of flooding, we work to avoid new developments in areas of flood risk, protect existing developments from future floods and warn communities and businesses to help them prepare when flooding is likely.

Number of Disclosures

In this reporting period, SEPA received no disclosures which were identified as whistleblowing matters via its dedicated whistleblowing team and the SEPA contact centre.

For information on accessing this document in an alternative format or language please either contact SEPA by telephone on 03000 99 66 99 or by email to equalities@sepa.org.uk

If you are a user of British Sign Language (BSL) the Contact Scotland BSL service gives you access to an online interpreter enabling you to communicate with us using sign language.

<http://contactscotland-bsl.org/>

www.sepa.org.uk

03000 99 66 99

Strathallan House, Castle Business Park, Stirling, FK9 4TZ



Annual Performance

Report & Accounts

2018/19

Well-governed and financially healthy landlords

Whistleblowing

SHR is a prescribed person under whistleblowing legislation.

We are interested in any conduct, which puts at risk the interests of tenants and service users or could threaten the viability or reputation of a regulated body, or the wider sector.

Many interventions started with information brought to us by whistle-blowers. Whistleblowing was often not viewed positively or constructively by these RSLs. This view can be an indicator of problems in the RSL's culture.

Through our new Framework, we have promoted the importance of a positive approach to whistleblowing. Landlords should make it clear to staff that organisations will take seriously any concerns raised by them and they will be supported to do the right thing.

Whistle-blowers can make a qualified disclosure to us and they can also tell us about other things, which relate to our statutory objective and duties. As a result of whistleblowing, we engaged with landlords and identified areas for improvement.

A qualifying whistleblowing disclosure is one where the information being disclosed falls under any of the headings below:

- > a criminal offence
- > a failure to comply with a legal obligation
- > a miscarriage of justice
- > the endangering of an individual's health and safety
- > damage to the environment
- > deliberate concealment of information tending to show any of the above.

During 2018/19 whistle-blowers contacted us 13 times, none of which were qualified disclosures.

We took no further action in four cases because the concerns had already been raised with us and we had obtained assurance from the landlords.

In one case, the whistle-blower raised concerns with the landlord directly after speaking with us and the landlord is carrying out an investigation.

We worked with the landlords to establish the facts in six cases:

- > We obtained assurance from two landlords and did not require any further action to be taken;
- > Two landlords commissioned independent investigations and we are engaging with them in relation to the findings;
- > We are engaging with two landlords around how they will take forward the concerns we have raised.

We are still making inquiries in two cases as at 31 March 2019 in order to establish whether we will take any further action.

Whistle-blowers can contact us by

Phone: 0141 242 5642

Email: shr@scottishhousingregulator.gsi.gov.uk

Post: Scottish Housing Regulator, Buchanan House,
58 Port Dundas Rd, Glasgow G4 0HF



Scottish Information
Commissioner
www.itspublicknowledge.info

The Prescribed Persons (Report on Disclosure of Information) Regulations 2017

Report by the Scottish Information Commissioner

The Scottish Information Commissioner (the Commissioner) is the independent public official responsible for promoting and enforcing Scotland's freedom of information law:

- The Freedom of Information (Scotland) Act 2002 - is an Act of the Scottish Parliament which gives everyone the right to ask for any information held by a Scottish public authority.
- The Environmental Information (Scotland) Regulations 2004 - come from a European Directive on access to environmental information. The EIRs give everyone the right to ask for environmental information held by a Scottish public authority (and some other bodies).

The Commissioner can also receive applications about the view and discovery provisions of the INSPIRE (Scotland) Regulations 2009. These regulations also come from a European Directive, and create a right to discover and view spatial datasets (e.g. map data) held by Scottish public authorities.

The main functions of the Commissioner are: investigating appeals, promoting the public's right to know, promoting good practice to public authorities and intervening when public authority practice is not compliant with freedom of information law.

Under the Employment Rights Act 1996, Section 43F whistleblowers may qualify for employment protections if they disclose information to a "prescribed person". The list of prescribed persons is set out in the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 2014. The Commissioner is a "prescribed person" and must report annually on the number of relevant workers' disclosures under The Prescribed Persons (Reports on Disclosure of Information) Regulations 2017 (the Regulations).

For the period 1 April 2018 – 31 March 2019 there were no relevant workers disclosures falling within the Regulations."

Contact us

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews, Fife
KY16 9DS

t 01334 464610
f 01334 464611
enquiries@itspublicknowledge.info

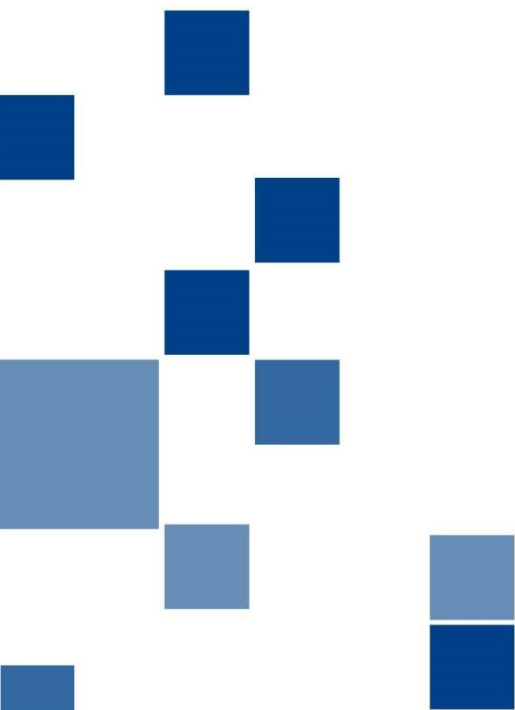
www.itspublicknowledge.info

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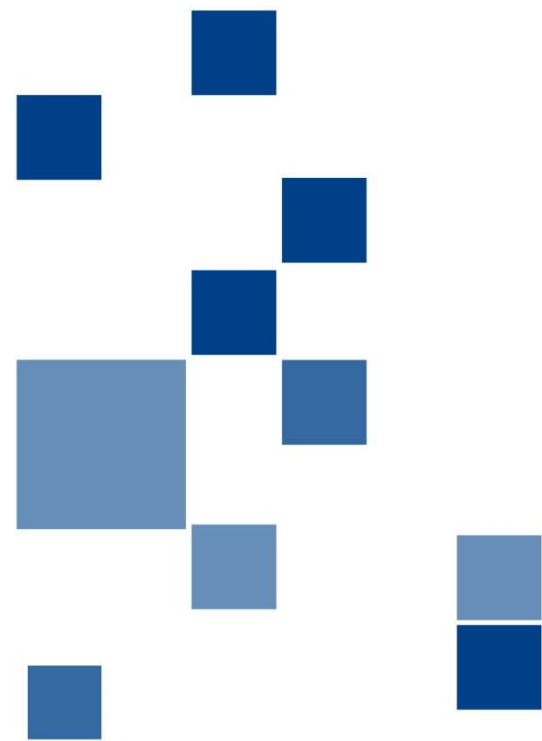
Whistleblowing Report

For the year ended 31 March 2019



1. Whistle-blowing

- 1.1 The information reported below is an excerpt from the SSSC's Annual Report and Accounts for 2018/19, which are currently being audited and will be laid before the Scottish Parliament in December 2019.
- 1.2 The SSSC is a prescribed person under the Public Interest Disclosure Act (1998). As part of this role, we are required to publish a report every year detailing referrals that qualify as whistle-blowing and the actions we took as a result. In 2018/19, we received seven referrals that qualify as whistle-blowing:
 - we opened a fitness to practice case for six of these referrals
 - the one referral for which we did not open a case fell below our thresholds for investigation
 - of the six cases we opened for investigation, we have completed our investigation for four
 - in three of these investigated cases, we decided the workers' fitness to practice was not currently impaired and took no further action
 - in one of these four cases we did not have sufficient evidence to prove the allegations
 - two of the six cases we opened for investigation are still on-going.
- 1.3 While the numbers of these cases are low, whistle-blowing has enabled us to act to protect the public in these cases. Many of the referrals we receive from employers are a result of an employee raising a concern about the practice or behaviour of a colleague to their manager. This indicates openness by employers to act on concerns rather than leaving individuals feeling there is no alternative but to whistle-blow to the regulator.
- 1.4 As an employer we have not received any reports that would be classed as whistleblowing.



Scottish Social Services Council
Compass House
11 Riverside Drive
Dundee
DD1 4NY

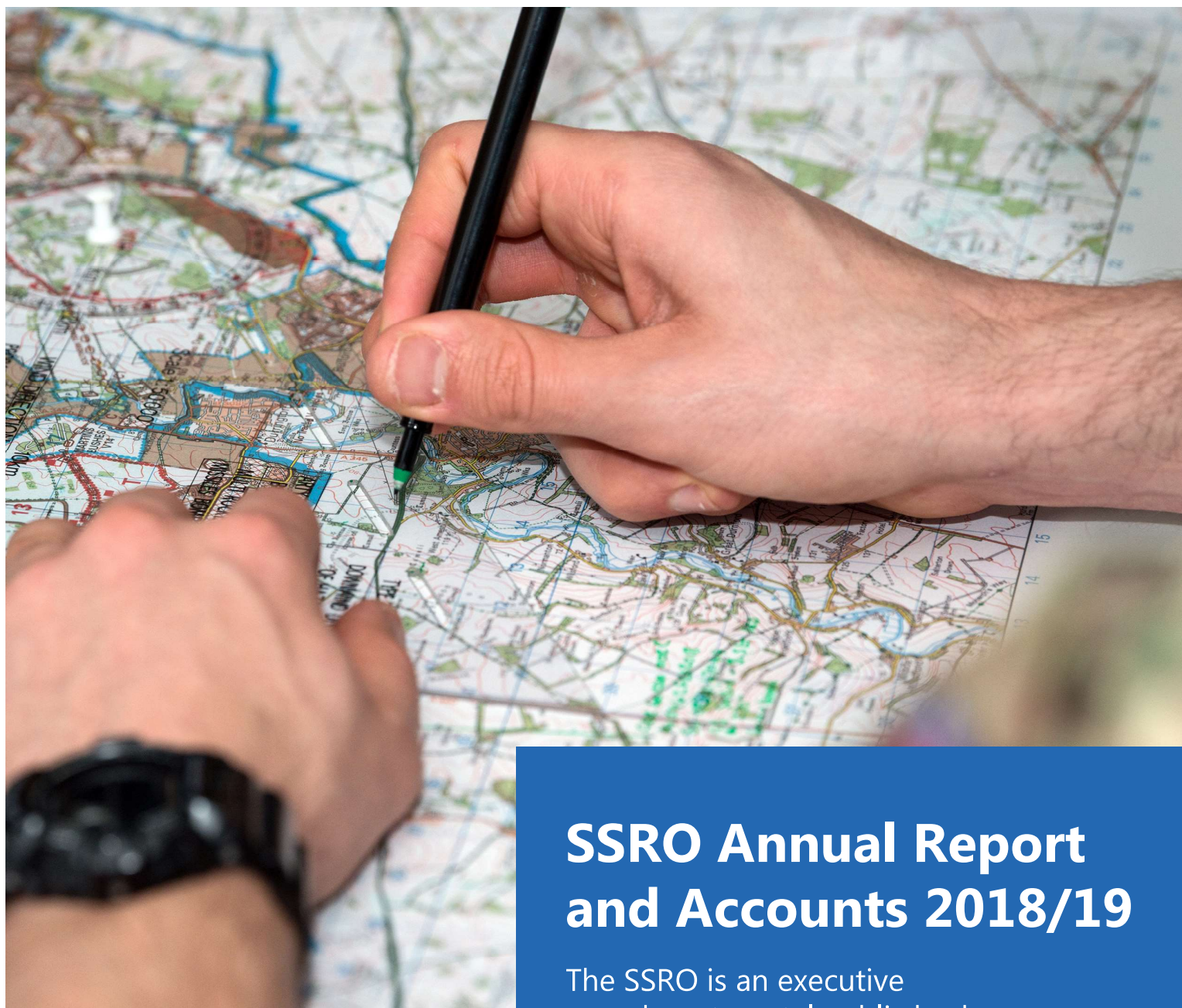
Tel: 0345 60 30 891
Email: enquiries@sssc.uk.com
Web: www.sssc.uk.com

If you would like this document in another format,
please contact the SSSC on 0345 60 30 891

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SSRO

Single Source
Regulations Office



SSRO Annual Report and Accounts 2018/19

The SSRO is an executive
non-departmental public body,
sponsored by the Ministry of Defence.

In 2018/19, Board members attended the following meetings of the Board and its sub-committees (of the total meetings which could have been attended):

Name	Board	Audit Committee	Regulatory Committee	Referral Committee
Chairman				
George Jenkins	6/6	n/a	n/a	n/a
Non-executive Board members				
Mary Davies	6/6	4/4	n/a	n/a
Peter Freeman	5/6	n/a	6/6	n/a
Terence Jagger	6/6	n/a	6/6	6/6
David Johnston	6/6	4/4	n/a	n/a
Marta Phillips	6/6	4/4	6/6	6/6
Executive Directors				
Neil Swift Chief Executive	6/6	n/a	n/a	n/a
David Galpin Director of Legal and Policy	6/6	n/a	n/a	n/a
Matthew Rees Director of Analysis and Reporting	6/6	n/a	n/a	n/a

We have established robust risk control processes, which are considered regularly by the Executive Committee, Audit Committee and Board. Our arrangements for internal control do not remove all risk of failure but manage risk to an acceptable level in order to fulfil our statutory obligations, policies, aims and objectives. Further information on our risk mitigation is set out below.

At no time has any part of the SSRO's system of internal control failed or been suspended.

During the year, the SSRO received no disclosures under its Whistleblowing Policy.

The governance documents and others referred to in this section are all available on the SSRO's website, together with the agenda and minutes of all Board meetings.

The SSRO Board

The Corporate Governance Framework describes the Board's responsibilities, as well as the individual responsibilities of the Chairman and other Board members. During 2017/18 the Board considered and approved:

- the Annual Report and Accounts 2017/18;
- the Corporate Plan 2019-2022;
- the annual review of the Corporate Governance Framework and Code of Conduct for Board members and external panel members (both of which are published on the SSRO website);
- the Chairman's annual review of the Board's effectiveness;
- regular financial and performance updates on how the organisation is delivering against its budget and key performance objectives;
- the annual budget for 2019/20; and

- the minutes of all Board and Committee meetings.

The Chairman carried out the SSRO's fourth annual review of the Board's effectiveness as required by the SSRO's Corporate Governance Framework. The review considered recommendations in the Audit Committee's report to the Board on the Committee's own effectiveness and the SSRO's governance. The Chairman's review found that the SSRO Board is operating effectively and independently and that there are robust policies and procedures in place to ensure its effective governance, risk management, independence and decision making.

In undertaking the review the Chairman sought written feedback from all Board members and held individual appraisal meetings with non-executive Board members, at which he assessed the operation of the Board as a whole including any committees and advisory groups.

June 2019

Trust in water

Water Services Regulation Authority (Ofwat)

Annual report and accounts 2018-19

For the period 1 April 2018 to 31 March 2019

HC 2278

Ofwat

www.ofwat.gov.uk

Figure 2: Recycled waste for the past six years

Whistleblowing

Whistleblowing is the term used when a worker raises concerns about improper practices in their workplace. It is also referred to as a “public interest disclosure”. Ofwat has a responsibility for whistleblowing matters relating to the water sector in England and Wales.

As set out in the Prescribed Persons Order 2014¹, Ofwat, as a Prescribed Person, has a responsibility to provide workers with a mechanism to make their public interest disclosure to an independent body, where the worker does not feel able to disclose the concern directly to their employer, and the Prescribed Person might be in a position to take some form of further action on the disclosure.

If a worker within the water sector has information or concerns about the water company or the sector, they can contact us about it. To be covered by whistleblowing law and its associated employment rights, the disclosure must be a “qualifying disclosure”. This is any disclosure of information that, in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show that one or more of the following is happening, has happened or is likely to happen in the future:

- a criminal offence;
- a breach of a legal obligation;
- a miscarriage of justice;
- a danger to someone’s health and safety;
- damage to the environment; and

¹ <http://www.legislation.gov.uk/ukxi/2014/2418>

- a deliberate attempt to conceal any of the above.

When we receive information from a worker in the water sector we will consider whether the information falls within the above definition of a qualifying disclosure and, if so, we will decide what, if any, further action or investigation is needed. This can include speaking to water companies, internal and external subject matter experts and the worker (if possible) to decide what, if any, steps we can take to resolve the issue or take the matter forward as appropriate. As a Prescribed Person, Ofwat has a duty to report annually on the number of qualifying disclosures made to us and a summary of the action taken in respect of these. This duty aims to increase transparency in the way that whistleblowing disclosures are dealt with and to reassure whistleblowers that their disclosures are taken seriously. This section of this Annual Report fulfils that duty for the 2018-19 reporting year.

The table below shows the number of qualifying disclosures made to Ofwat in 2018-19 and the resulting actions we have taken. Where disclosures and/or our initial enquiries do not provide sufficient evidence to warrant further action by us, we use the information as general intelligence about the sector and/or the company concerned. This enables us to monitor whether similar concerns are raised by others that could help build an evidence base sufficient for further action.

Table 4: Number of qualifying disclosures made to Ofwat in 2018-19

Metric	What is measured	Number
Whistleblowing	Number of qualifying disclosures of information made by water sector workers to Ofwat	10
	Number of qualifying disclosures where Ofwat took further steps to investigate the matter (these steps included taking internal subject matter expert advice on the issue and/or speaking with the worker making the disclosure to gather more information).	10
	Number of qualifying disclosures where Ofwat contacted the company concerned to seek further information and assurances regarding the matter.	9*
	Number of qualifying disclosures where, following its initial assessment Ofwat decided to open a formal investigation with a view to it taking enforcement or other regulatory action against the company concerned.	0

* We're continuing to consider one qualifying disclosure where we as yet have not sought further information from the company.

THE WATER INDUSTRY COMMISSION FOR SCOTLAND

WHISTLEBLOWING ANNUAL REPORT 2018-19

We, the Water Industry Commission for Scotland, (the Commission), registered at Water Industry Commission for Scotland, First Floor, Moray House, Forthside Way, Stirling, FK8 1QZ, in accordance with The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017, report the following information for the period 1 April 2018 to 31 March 2019:

Number of disclosures received during the reporting period:

No disclosures have been received during the reporting period.

Function and objectives of prescribed person

Economic regulator for water and sewerage services in Scotland.

Water Industry Commissioner for Scotland
First Floor Moray House
Forthside Way
Stirling
FK8 1QZ

Tel: 01786 430200

Email: enquiries@watercommission.co.uk

Website: www.watercommission.co.uk



Awdurdod Cyllid Cymru
Welsh Revenue Authority

Annual Report and Accounts 2017-19

gov.wales/wra



[@WRAtweet](https://twitter.com/WRAtweet)



Cydweithio | Cadarnhau | Cywiro

The WRA has an IT Security Officer (ITSO) who leads on managing the day-to-day information risks associated with information activity. We share a Senior Information Risk Owner (SIRO) with Welsh Government as a pragmatic solution to the fact that we have some common digital platforms and need to maintain digital security for both organisations across those platforms.

We also share with Welsh Government a Data Protection Officer (DPO) who provides independent advice, assisting us to monitor internal compliance with General Data Protection Regulation and Data Protection Act 2018 (GDPR) related matters. In particular, she advises on data protection related decisions and data protection breaches to test reporting decisions and our implementation of follow-up action. The DPO provided a report and commentary on the activities she had undertaken since the Data Protection Act 2018 came into force. This also confirmed that no correspondence had been received directly from any data subject concerning the use of their data by the WRA. Neither had the DPO received any correspondence from the Information Commissioner's Office concerning data protection at the WRA.

There were no successful breaches of our IT security or associated data losses. Quarterly reports of all attempted breaches and other security incidents are produced for Tîm Arwain and ARAC. The WRA security assurance consists of a series of risk assessments following National Cyber Security Centre (NCSC) guidance and ISO27001 and ISO27002 principles. The specific risk management methodology is HMG Information Assurance Standard 1 & 2. The WRA is working closely with NCSC to review the security assurance risk assessment process and will take their advice on the merits of achieving the Cyber Essentials Plus accreditation.

The WRA had 13 data breaches during 2018-2019, most of which occurred in quarters two and three and were relatively minor. Two linked breaches were referred to the Information Commissioner's Office, which was satisfied with the mitigating actions we took and closed the incidents without penalty.

In January 2019, an internal audit assignment that considered the protection of taxpayers' data was completed which provided reasonable assurance.

Freedom of Information requests

We received five Freedom of Information requests in the reporting period, all of which were responded to within 20 working days. For three of the requests we were able to provide some of the information sought. Information was exempted from disclosure in the other cases. We undertook an internal review of a response given following a request. There were no complaints received relating to our handling of requests for information and there were no investigations by the Information Commissioner's Office.

Whistleblowing

The WRA adopted Welsh Government's whistleblowing policy provisionally and then, in the course of the period, developed proposals and supporting arrangements to meet its specific circumstances. There were no incidents of whistleblowing during the reporting period.

Welsh Language

The WRA has been established as a bilingual organisation, that enables and supports its customers to conduct their business in Welsh or English. Customers are able to carry out every aspect of their business with the WRA through the medium of Welsh as well as

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