



UK Government Investments

Whistleblowing Policy and Procedure

Introduction

1. This procedure outlines the process that Staff should follow when reporting a perceived wrongdoing within UKGI, including a breach of the Code or behaviour that goes against UKGI's Standards of Conduct. Staff have both a right and a responsibility to speak up and report behaviour that goes against UKGI's core values.
2. The reporting of a wrongdoing under this procedure may be covered by the law concerning protected disclosures of information. This procedure has therefore been written with reference to the Public Interest Disclosure Act 1998 (**PIDA**), which offers protection to those in both the private and public sectors, who 'blow the whistle', in certain circumstances.
3. It is important that this procedure is followed when raising any concerns, to ensure that the matter is dealt with correctly. Where a concern is properly raised under this procedure, the individual will be protected from any unfair or negative treatment based on their action. PIDA protection may also apply.

Definitions

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| Code | means the most recent version of the <u>Compliance and Code of Conduct Manual</u> . |
| Compliance Officer | means Lucie Lambert (GRO) |
| Compliance Team | means <u>UKGICompliance@</u> (GRO) |
| HR Team | means <u>UKGIHR@</u> (GRO) |
| Line Manager | means a member of Staff that is the designated manager for another member of Staff. |
| Nominated Officer | means Lucie Lambert (GRO) |
| Staff | means all permanent and temporary employees, contractors, agency staff, secondees, Board members and non-executive directors. |
| Standards of Conduct | means the UKGI values, behaviours and standards set out in section 2 of the Code. |

UKGI means UK Government Investments Ltd.

Whistleblowing FAQs means the '[Whistleblowing: Frequently Asked Questions](#)' section of the Whistleblowing Procedure.

Whistleblowing Procedure means this Whistleblowing Policy and Procedure.

What is a relevant concern?

4. If a member of Staff is asked to do something, or is aware of the actions of another, which they consider to be wrongdoing or a breach of the Code or obligations of UKGI, they can raise it using this procedure.
5. Staff should not act in bad faith or raise malicious, vexatious or knowingly untrue concerns. Staff who do may be subject to UKGI's disciplinary procedures.
6. Those who raise genuine concerns will be given protection under this procedure against retaliation.
7. This procedure should not be used to raise concerns of a HR/personal nature; for example, complaints relating to a management decision or terms and conditions of employment. These matters should be dealt with using the relevant alternative procedure, for example, UKGI's [Grievance Policy](#). Equally, this policy would not apply to matters of individual conscience where there is no suggestion of wrongdoing by UKGI but a member of Staff is, for example, required to act in a way which conflicts with a deeply held personal belief. Concerns of this nature would be more appropriately raised through direct discussion with a Line Manager or the HR Team.
8. If unsure whether a concern should be raised using this Whistleblowing Procedure, further advice is available in the [Whistleblowing FAQs](#); in particular, Whistleblowing FAQ 2 and 3 set out the types of concerns that can be raised under this procedure and those that should be raised under other UKGI policies and procedures. Line Managers or the Nominated Officer will also be able to assist. See Whistleblowing FAQ 16 for further information on the role of the Nominated Officer. The Nominated Officer in UKGI is UKGI's Compliance Officer (Lucie Lambert, GRO).

Raising a concern

9. If you experience something in the workplace which you consider to be in conflict with the Code or obligations of UKGI, and/or otherwise perceived to be wrongdoing, it is important that the concern is raised straight away. Proof is not required as investigating and substantiating any concern that is raised is UKGI's responsibility.
10. It is important that Staff and Line Managers follow the correct procedure when raising a whistleblowing concern. The following steps, at paragraphs 11 to 17 below, should be adhered to.

11. The concern should, in most instances, be raised with your Line Manager. There may be certain occasions however when this would be inappropriate because, for example, the concern:
 - a) may implicate your Line Manager in some way – in which case, see paragraph 12 below;
 - b) is about a more senior manager within your line management chain or somewhere else in UKGI – in which case, see paragraph 13 below;
 - c) is particularly serious and needs to be dealt with as a matter of urgency – in which case, see paragraph 14 below.
12. If it is suspected that the concern may implicate your Line Manager in some way, then it should be raised with somebody more senior in your line management chain (e.g. your Line Manager's Line Manager). If unable to do this, the concern should be raised directly with the Nominated Officer.
13. If the concern relates to someone senior to your Line Manager or to another senior person in UKGI, it will need to be raised at the appropriate level (i.e. a level above that person). If you feel uncomfortable doing this, it should be raised with the Nominated Officer.
14. If you feel that the concern is particularly serious and urgent and are worried that approaching your Line Manager in the first instance may delay the resolution, for example in the case of National Security, then the concern should be raised immediately with the Nominated Officer.
15. Where a concern has already been raised within the line management chain, but you feel that the concern has not been adequately addressed, you can raise the concern with the Nominated Officer.
16. If confident that the concern is extremely serious and urgent and it cannot be raised with your Line Manager, or somebody more senior in your line management chain, or the Nominated Officer, then it can be raised with the CEO or UKGI Board Chair. The concern should only be raised in this way if you have given serious consideration to all other internal options. You may be asked to explain why you did not raise the concern with your Line Manager or the Nominated Officer in the first instance.
17. If unable to raise the concern with the CEO or UKGI Board Chair, it may be necessary to raise the concern with the Permanent Secretary of HM Treasury.

External disclosures

18. UKGI encourages concerns to be raised internally and at the earliest time possible. This will allow UKGI the opportunity to address and resolve any concerns quickly and by the most appropriate means. UKGI is confident that there are sufficient internal avenues available to deal with any concerns raised. For more information see the [Whistleblowing FAQs](#).
19. If a member of Staff feels they cannot raise their concerns internally and they reasonably believe the information and any concerns are substantially true, the law recognises that it may be appropriate for them to report their concerns to certain

regulatory bodies, known as 'prescribed persons' under PIDA. For more information, see Whistleblowing FAQ 22.

20. Raising a concern outside the prescribed routes listed in this procedure, for example, with the media, campaign groups, on social media or with political parties, is protected by PIDA only in very limited circumstances and could, if it amounts to an unauthorised disclosure, result in disciplinary action. It may also breach the Official Secrets Act. Please note that this list is not exhaustive.

Information needed to raise a concern

21. When raising a concern you should try to provide the following information:
 - a) the background and reason behind the concern
 - b) whether they have already raised the concern with anyone and the response
 - c) any relevant dates.
22. This information should demonstrate that there are reasonable grounds for the concern to be acted upon. It is important that matters are not investigated by you. Remember, proof is not needed, just a reasonable, honest belief that wrongdoing has or is likely to occur.
23. If applicable, any personal interests you may have in the subject matter of the concern should be stated from the outset.
24. UKGI appreciates that raising concerns might be a difficult time for Staff, who may feel uncertain about how to progress a concern. Support is available at all stages of the process: see Whistleblowing FAQ 15 below for a list of support available to Staff.

How the concern will be handled

25. All investigations will be conducted sensitively and as quickly as possible. While UKGI cannot guarantee that the outcome will be as you may wish, it will handle the matter fairly and in accordance with this procedure.
26. Once a concern has been raised, UKGI will carry out an initial assessment to determine if the concern constitutes a 'report' within the scope of the Whistleblowing Procedure. If it does, the concern will be directed to the appropriate function for investigation. If a concern is not considered to be within the scope of the Whistleblowing Procedure, it will be directed to the most appropriate function to decide upon any required response.
27. Where feasible and appropriate, UKGI will establish who will be dealing with the matter and a written confirmation will be sent to you, if it has been requested. UKGI will aim to provide this within five working days, however this may not be possible depending on the nature of the concern.
28. Staff who raise concerns may be required to attend additional meetings in order to provide further information in relation to the concern they have reported. The meeting can be conducted over the telephone rather than face to face, as appropriate.

29. UKGI will aim to update the member of Staff on the progress of the concern within 28 days where possible and appropriate. However, in the event of a formal investigation or the involvement of police/security, it may not be possible or appropriate to
30. provide full details.
31. UKGI will confirm when the matter is concluded and, if appropriate, the outcome of the investigation, maintaining security and confidentiality for all parties as far as possible.
32. Throughout any investigation, the member of Staff will still be expected to continue their duties/role as normal unless deemed inappropriate.

Confidentiality and anonymity

33. The best way to raise a concern is to do so openly as this makes it easier for UKGI to investigate and provide feedback.
34. Any disclosures made under this procedure will be treated in a sensitive manner, however UKGI recognises that Staff may want to raise a concern in confidence i.e. you may want to raise a concern on the basis that your name is not revealed without your consent.
35. UKGI will respect any request for confidentiality as far as possible, restricting it to a 'need to know basis'. However, if the situation arises where it is not possible to resolve the concern without revealing your identity, (for example in matters of criminal law) UKGI will advise you before proceeding. The same degree of confidentiality should also be afforded to the member(s) of Staff at the centre of the concern, as far as appropriate.
36. Staff may choose to raise concerns anonymously, i.e. without providing their name at all. If this is the case, the investigation itself may serve to reveal the source of information (although this will not be the purpose of the investigatory steps taken). In addition, where a report received is anonymous, whistleblowers will not ordinarily be able to receive feedback and details of action taken by UKGI may be limited. Staff are therefore encouraged, where possible to put their names to concerns raised. However, raising a concern anonymously is preferred to silence about potential serious wrongdoing. For more detail about how to raise concerns anonymously, please see Whistleblowing FAQ 11.
37. When anonymous concerns are raised they will be treated as credible, unless they are obviously a hoax, and investigated as far as possible. Where concerns cannot be validated, the Nominated Officer must be informed.

Protection

38. UKGI does not condone retaliatory acts in response to Staff raising genuine concerns. In addition, if a concern is raised in the public interest and in accordance with the provisions of UK employment legislation, Staff are protected by law from victimisation or dismissal motivated by their whistleblowing. Where a member of Staff has been victimised for raising a concern, UKGI will take appropriate action

against those responsible, in line with UKGI's disciplinary policy and procedures. If a member of Staff believes they have been subjected to such behaviour, they should inform the HR Team or their Line Manager immediately.

Whistleblowing: Frequently Asked Questions

1. What is Whistleblowing?

‘Blowing the whistle’ occurs when a person raises a concern about past, present or imminent wrongdoing, or an attempt to cover wrongdoing up, in an organisation or a body of people.

In order to qualify for legal protection, the information that they disclose should be in the public interest, meaning (broadly) that the issue must affect others, for example UKGI, work colleagues or the general public. Further information on whistleblowing can be found on [gov.uk](https://www.gov.uk).

2. What can I raise under the Whistleblowing Procedure?

The Whistleblowing Procedure can be used to raise a concern about wrongdoing, including breaches of the Code. Below is a list of concerns which could be raised using the Whistleblowing Procedure. Please note that these are only examples and the list is not exhaustive.

Wrongful use of information/abuse of position:

- using information gained in the course of official duties to further private interests or gain unfair advantage
- falsifying statistics to achieve objectives
- posting derogatory comments about UKGI on social media sites

Leaking of classified information:

- giving details of policy changes to the media ahead of official announcements
- using unpublished data on social media sites.

A threat to National Security:

- failure to follow security vetting procedures
- falsifying documentation.

Being coerced into taking part in or concealing wrongdoing:

- being threatened by a manager with disciplinary action if you don’t keep quiet about the misuse of government procurement card.

Failure to comply with legal obligations:

- not protecting personal data as required by the Data Protection Act 2018, Gender Recognition Act 2004, Health and Safety regulations or any other relevant legislation.

Criminal offence impacting on the work of UKGI:

- fraud and corruption such as using favoured contractors in exchange for payment or other reward.

Endangering of individuals’ health and safety:

- suppressing known failings in a fire alarm system
- covering up the presence of asbestos

- neglecting to follow UKGI's safety procedures.

Miscarriage of justice:

- withholding or destruction of evidence.

Danger to the environment:

- improper disposal of hazardous materials.

Potential maladministration:

- misuse of public money
- abuse of position
- awarding contracts without following the correct procedures
- misuse of public money or resources.

Improper or unethical conduct:

- a solicitor divulging information held under legal privilege.

A deliberate concealment of any of the above.

The above list includes, but is not limited to, the type of information set out in the PIDA legislation.

3. What is not covered by the Whistleblowing Procedure?

Issues around your treatment as a member of staff or personal complaints about your employment, for example: complaints about your terms and conditions; promotion or selection procedures. Any other complaints connected to your conditions of working, including harassment, bullying and discrimination are also not covered by this procedure. These would normally be dealt with by your Line Manager through day-to-day management action, or through appropriate organisational procedures, such as UKGI's [Grievance Policy](#).

4. Is a 'crisis of conscience' complaint the same as blowing the whistle?

A 'crisis of conscience' may occur when you are asked to do work which conflicts with your faith or personal beliefs. This is not the same as whistleblowing where there is suspicion of wrongdoing by UKGI. If you have a crisis of conscience you should discuss this with your Line Manager in the first instance.

5. Do I need to formally raise a concern under the Whistleblowing Procedure?

You and your Line Manager should engage in regular, open discussion about your work and working environment. If something is on your mind, you may wish to informally discuss this with your Line Manager before raising more formally under the Whistleblowing Procedure. What is important is that it is raised within UKGI, not how it is done.

6. I don't have any proof of my concern yet. What should I do?

You do not need to wait for proof when reporting a concern. When raising a concern with for example, your Line Manager or the Nominated Officer you only need to have a reasonable belief that wrongdoing has occurred, is occurring, or is likely to occur. It is not for you to investigate or prove that your concerns are justified, as that is the responsibility of UKGI.

7. Why should I follow the Whistleblowing Procedure?

The Whistleblowing Procedure has been designed to:

- offer you protection when raising a concern that is accepted under the Whistleblowing Procedure
- ensure that your concerns are addressed and resolved at the right level and as quickly and effectively as possible.

8. What are the benefits of Whistleblowing?

A positive whistleblowing culture has numerous advantages. For example, it can:

- encourage an open culture where Staff feel confident that concerns can be raised and dealt with quickly and that they will not be subjected to detriment for doing so
- detect and deter wrongdoing
- provide managers with the information they need to make decisions and control risk
- save lives, the environment, property, jobs, money and both personal and organisational reputations
- reduce the chance of anonymous or malicious leaks (including to the media)
- reduce the chance of legal claims against UKGI.

9. Will there be repercussions if I blow the whistle?

If the Whistleblowing Procedure is correctly followed it will afford you protection from detrimental treatment or victimisation on the grounds of raising the concern.

10. Will my identity remain confidential?

The best way to raise a concern is to do so openly, as this makes it easier for UKGI to investigate and provide feedback. You can however request that UKGI keeps your identity confidential and they will respect this request as far as possible. If requested, your identity will be restricted to a 'need to know basis'. However, a situation may arise where it is not possible to resolve the concern and guarantee confidentiality (for example in matters of criminal law). If this is the case, UKGI will advise you of this before proceeding.

11. Can I raise a concern anonymously?

If you raise your concern openly, this makes it easier for UKGI to investigate your concern and provide feedback. You may choose to raise concerns anonymously, i.e. without providing your name at all. However, the investigation itself may serve to reveal the source of information. In addition, where a report received is anonymous, whistleblowers will not ordinarily be able to receive feedback and details of action taken by UKGI may be limited. Staff are therefore encouraged, where possible, to put their names to concerns raised, but raising a concern anonymously is preferred to silence about potential serious wrongdoing. To raise a whistleblowing concern anonymously within UKGI, you can fill in [this form](#).

12. I am a civil servant who has been seconded to UKGI and I want to raise a concern. What procedure should I use?

If you are a civil servant seconded to a Non-Departmental Public Body (NDPB), you retain your status as a civil servant. This means you will continue to be bound by the Civil Service Code and the Civil Service Management Code. You should therefore use the Whistleblowing Procedure of UKGI's parent department (HM Treasury) and will have recourse to the Civil Service Commission.

13. I am a service provider i.e. contractor, working within UKGI and I want to raise a concern. What procedure should I use?

Service providers will normally be dealt with under the procedures pertaining in their host organisations and so the principles of the Whistleblowing Procedure should still apply, and you should follow this to raise a concern.

14. I am an employee working for UKGI and I want to raise a concern. What procedure should I use?

As you are not a civil servant you are not subject to the Civil Service Management Code, nor the Civil Service Code. You will need to follow the Whistleblowing Procedure.

15. Where can I go for support during this process?

We recognise that you may experience anxiety when raising or considering whether to raise a concern. There are various channels of support available to you throughout the process. Your Line Manager, or another Line Manager and the Nominated Officer can advise on available support.

Please note however that other than Line Managers and the Nominated Officer, the following are not themselves bodies to whom you can formally raise your concern under the Whistleblowing Procedure. They can only provide help and advice and you should not divulge details of the matter itself to them.

Available support:

- UKGI's [Employee Assistance Programme \(EAP\)](#) may provide counselling and other services to Staff.
- UKGI may provide legal representation or cover legal costs if you are involved in legal proceedings as a result of blowing the whistle. This will be decided on a case by case basis.
- The Nominated Officer can offer guidance to whistleblowers on how to raise a concern under the Whistleblowing Procedure, per FAQ 16 below.
- The ACAS Helpline 0300 123 1100 offers free and impartial advice to Staff on a range of issues, including whistleblowing in the workplace www.acas.org.uk.
- Protect www.protect-advice.org.uk is a whistleblowing charity which advises individuals on whistleblowing matters at work.
- Trade union members can seek advice and support from their representatives.
- Staff networks may be able to offer additional support.

16. What is a Nominated Officer and how might I contact them?

The Nominated Officer is an employee who is trained to offer impartial support and advice, outside of the management chain, to those who have a potential whistleblowing concern. They are able to provide advice on:

- whether your concern falls under the Whistleblowing Procedure
- the appropriate channels available for you to raise your concerns
- the alternative channels to follow where your concern falls outside of the Whistleblowing Procedure
- whether the Permanent Secretary of HM Treasury, CEO or Board member needs to be consulted/informed
- what the next steps should be.

The Nominated Officer in UKGI is the UKGI Compliance Officer (Lucie Lambert,

GRO

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17. Will I be able to find out the outcome of the investigation?

UKGI will try to keep you informed of progress and where possible provide you with an update within 28 days. You will be advised when the matter has been concluded. However, it cannot be guaranteed that you will be given all the details of the investigation and the final outcome will be disclosed. Security and confidentiality must be maintained for all parties.

18. I am not happy with the outcome of the investigation, what now?

If you have raised the concern with your Line Manager, someone else in your management chain or the Nominated Officer in accordance with the overarching Whistleblowing Procedure, and you do not think that you have received a satisfactory outcome, you may raise your concern with the CEO, the UKGI Board Chair or the Permanent Secretary of HM Treasury. Although UKGI cannot guarantee that the outcome would be as you may wish, it will seek to handle the matter fairly and correctly.

19. Can I go straight to a Board member, the CEO or the Permanent Secretary of HM Treasury with a concern?

Concerns should be raised through the relevant escalation channels set out in the Whistleblowing Procedure i.e. if confident that the concern is extremely serious and urgent and it is not appropriate to raise with other senior Staff, then you may raise a concern directly with the Board member or CEO if you feel that it is justified (or with the Permanent Secretary of HM Treasury if unable to raise the concern within UKGI).

20. What would happen if a member of Staff acted in bad faith or raised malicious, vexatious or knowingly untrue concerns?

If a member of Staff acts in bad faith or raises malicious, vexatious or knowingly untrue concerns in order to harm colleagues or their organisation, they will face disciplinary action.

21. What would happen if a member of Staff is treated badly by a co-worker because they raised a concern?

A person who reports a concern in good faith should not suffer any victimisation or detrimental treatment as a result of doing so. If a member of Staff feels they are being treated badly because they have raised a concern, they should report this to their Line Manager, the HR Team or someone else in their line management chain, or they should seek advice from the Nominated Officer.

Where a member of Staff has been victimized or suffered detrimental treatment for raising a concern, UKGI will take appropriate action against those responsible, in line with UKGI's disciplinary policy and procedures.

22. What is PIDA and how does it link with UKGI's Whistleblowing Procedure?

The Public Interest Disclosure Act 1998 (**PIDA**) is more commonly known as 'whistleblowing legislation' and is part of employment law under sections 43A-L and 103A of the Employment Rights Act 1996. Whilst not permitted under the Whistleblowing Procedure, disclosures to certain regulatory bodies, known as 'prescribed persons' may also be qualifying disclosures under PIDA in certain circumstances. If Staff decide to raise a concern to a prescribed person rather than via the prescribed routes listed in this procedure, they must make sure that they have chosen the correct person or body for their concern. See Gov.uk for information on 'prescribed persons'; the Comptroller & Auditor General may be appropriate for Staff as it is prescribed under PIDA as someone to whom a protected disclosure can be made about 'the proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services'. In order to be protected under PIDA, however, Staff will need to follow the procedure set out in the Act and it is advisable for the member of Staff to seek legal advice.