REPORT

Investigation into whistleblowing in the civil service

Cabinet Office

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Investigation into whistleblowing in the civil service

Cabinet Office

Investigations

We conduct investigations to establish the underlying facts in circumstances where concerns have been raised with us, or in response to intelligence that we have gathered through our wider work.

This report covers whistleblowing in the civil service. By whistleblowing in the civil service, we mean when someone working in or working with the civil service raises a concern about wrongdoing or malpractice connected to the civil service that has a public interest aspect to it. The report aims to increase transparency and support improvement in whistleblowers' experiences by taking stock of actions taken on whistleblowing since 2015, publishing data on whistleblowing, and providing information on practice and gaps in assuring whistleblowing arrangements and learning from whistleblowing.

Contents

Key facts

939

the total number of concerns reported to Cabinet Office by civil service bodies between 2019-20 and 2021-22

77%

the percentage of total concerns raised between 2019-20 and 2021-22 that were reported by five organisations

12%

the number of completed concerns where wrongdoing was found between 2019-20 and 2021-22

139   number out of 142 annual reports and accounts that contain material on whistleblowing between 2018-19 and 2021-22

52%   percentage of people that 'think it is safe to challenge the way things are done', median from 2022 people survey for organisations in our scope

75%   percentage of people who answered 'yes' when asked, 'Are you confident that if you raised a concern under the Civil Service Code in your organisation it would be investigated properly?', median from 2022 people survey for organisations in our scope

5%   percentage of completed concerns recorded as having led to changes to policies or procedures between 2019-20 and 2021-22

What this investigation is about

1   Whistleblowing is a vital organisational protection. It provides a way for organisations to hear concerns about serious wrongdoing that may not otherwise be discovered. The concerns reported can be wide-ranging for example, financial mismanagement, environmental damage, and covering up wrongdoing.

2   Government's own guidance states that whistleblowing is an important part of good government, requiring consistent policies across the civil service and a culture that supports whistleblowing. However, the process of raising, investigating and concluding a whistleblowing case is often challenging both for the individual and the organisation.

3   In this report we examine whistleblowing in the civil service. This includes government departments, executive agencies and other government organisations that primarily employ civil servants. Our report covers the period since our last work examining whistleblowing in 2014 and 2015 and we publish it alongside recent developments.[1] These include:

●   several high-profile reports that question whether arrangements for raising concerns within particular parts of the civil service are functioning well;

●   significant attention paid to "encouraging a speak-up culture" by the Committee on Standards in Public Life; and

●   a review by the Department for Business & Trade of the whistleblowing framework, including the key legislative protection for whistleblowers: the Public Interest Disclosure Act 1998 (PIDA).[2] We have not focused our work solely on the current legal definition of disclosures in the public interest.

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1   Comptroller and Auditor General, *The role of prescribed persons*, Session 2014-15, HC 1033, National Audit Office, February 2015; Comptroller and Auditor General, *Making a whistleblowing policy work*, Session 2013-14, HC 1152, National Audit Office, March 2014; National Audit Office, *Government whistleblowing policies*, January 2014 (viewed on 7 November 2023); National Audit Office, *Assessment criteria for whistleblowing policies*, January 2014 (viewed on 7 November 2023).
2   The terms of reference for this review are available at: https://www.gov.uk/government/publications/review-of-the-whistleblowing-framework/review-of-the-whistleblowing-framework-terms-of-reference

4 Our report:

- describes roles and responsibilities for whistleblowing in the civil service (Part One);

- summarises changes made to the whistleblowing framework and central government oversight actions since we and the Committee of Public Accounts (PAC) reported in 2014 to 2016 (Part One);

- sets out what the centrally held or centrally mandated information does and does not tell us about the amount, type and sources of whistleblowing in the civil service and the experiences of whistleblowers (Part Two); and

- sets out practice and gaps in assuring whistleblowing arrangements and learning from whistleblowing (Part Three).

5 There are several aspects of the topic out of scope for this work: we do not evaluate whistleblowing practice in individual organisations or conclude on value for money. We have focused on the civil service, so we do not cover whistleblowing in the wider public sector beyond the civil service, such as hospitals, councils or the police.[3] This report also does not cover departments and other bodies employing civil servants that are responsible to the devolved administrations. Other than in setting out the wider whistleblowing framework or drawing on our experience where relevant, we do not cover the role of 'prescribed persons' (set out under PIDA) in receiving whistleblowing disclosures.

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3 While the armed forces in general are out of our scope, they are included in some of the data we use where the alternative would be to exclude the Ministry of Defence entirely.

Summary

6   Whistleblowing is a vital organisational protection, which can alert organisations to the risk or actuality of serious wrongdoing that has not been discovered. When it works well it allows organisations to identify early problems about the proper conduct of public business, value for money, or fraud and corruption in providing public services that could cause significant harm.

7   However, the process of raising, investigating and concluding a whistleblowing case is often challenging both for the individual and the organisation. It is common for whistleblowers to feel isolated and whistleblowing can take a high personal toll, especially in cases that reveal serious wrongdoing or continue for years. This can inhibit other potential whistleblowers from acting.

8   Dealing with whistleblowing effectively needs organisational judgement and discernment. Where whistleblowers challenge entrenched views, organisations need to genuinely 'hear' their concerns, even where whistleblowers seem to put at risk organisational goals. Organisations that see them as inconvenient or unhelpful risk failing to learn from the insights whistleblowers offer. A well written whistleblowing policy does not in itself improve the effectiveness of arrangements. An effective whistleblowing regime also requires government to get better at raising awareness of whistleblowing, and as far as possible minimise the stress and difficulty of being a whistleblower. High-performing organisations want to hear from whistleblowers, and recognise that they can support organisational learning, even if the process is challenging.

9   This investigation is our first piece of work examining whistleblowing since publishing three reports on different aspects of whistleblowing in 2014 and 2015. It sets out good practice in order to assist organisations in improving their ability to respond to and learn from whistleblowing. We examine what has happened since we last reported on whistleblowing including the central actions taken by Cabinet Office's Government People Group and how departments have responded to them. We assess what the latest data do and do not tell us about whistleblowing concerns and what assurance is provided about whether whistleblowing arrangements are working. We did not conduct new research with whistleblowers directly. We held focus groups with government staff, and our own staff, who work with civil service whistleblowers to hear their perspectives on whistleblowers' experiences.

10   In presenting our findings we draw on our previous good-practice work on both whistleblowing and improving operational services to highlight gaps and opportunities. Our forthcoming good-practice guide on whistleblowing will add to this investigation, providing practical steps that organisations can take to improve arrangements.

Key findings

Oversight of whistleblowing in the civil service and centrally led actions to improve arrangements

11   **Individual civil service organisations are responsible for putting in place effective arrangements for whistleblowing.** Departments are responsible for their own whistleblowing arrangements and overseeing arrangements in their arm's-length bodies. This oversight can range from a detailed examination of whistleblowing arrangements to light-touch, strategic oversight of governance (paragraph 1.5 and Figure 1).

12   **The Government People Group in the Cabinet Office collects information about whistleblowing and shares some summary analysis with departments but could perform more systematic analysis and improve its visibility to senior staff.** It provides training for nominated officers, guidance on policy and collects information about concerns raised. It also asks departments for information on whistleblowing arrangements using its health check assessment process. Government People Group has no formal role in assuring adequacy of whistleblowing arrangements across government. It has produced summary statistics on concerns, but does not systematically analyse the information it collects or produce routine reports and insight about practice, trends or learning for government (paragraphs 1.6, 3.11 and Figure 1).

13   **Since we last examined whistleblowing, government has made progress on publishing data but some problems remain with how whistleblowing is managed.** Since 2015-16 there has been a mandatory requirement to include whistleblowing in annual reports and accounts and between 2018-19 and 2021-22 139 of 142 reports contained material on whistleblowing. Cabinet Office has taken other steps since 2015-16 to support whistleblowing processes. These focus on providing support for organisations and requesting information rather than mandatory requirements. For example, departments can decide how they respond to Cabinet Office requests for data about concerns and health check information, or how they adopt guidance such as model policy. However, we found examples of problems with the management of whistleblowing including slow responses to concerns, a lack of serious actions, and concerns not raised where they are much needed (paragraphs 1.11, 1.12, 3.3 and Figure 2).

Data about concerns raised

14   Between 2019-20 and 2021-22 five organisations reported around 77% of the concerns recorded by the Cabinet Office, but this does not necessarily mean these organisations were facing the greatest risks. The Ministry of Defence, Department for Work & Pensions, HM Revenue & Customs, Home Office and Foreign, Commonwealth & Development Office reported around 77% of concerns. During this period civil service organisations reported a total of 939 concerns to the Cabinet Office, an average of more than 300 concerns each year. It is difficult to draw conclusions from the number of concerns raised; a very low number may indicate a lack of confidence in whistleblowing arrangements or a low number of problems. Fraud accounts for around 40% of concerns but the central data do not indicate the seriousness of any of the types of concerns raised (paragraphs 1.7, 2.3, 2.5, Figure 3 and Figure 5).

15   Cabinet Office's information on concerns and arrangements has improved but it has several quality limitations. The centrally held data on concerns are richer from 2019-20 and include more specific detail such as the date the concern was raised and the route used to raise it. However, gaps in data remain. For example, there is no method for capturing outcomes for concerns that are 'ongoing' at the point of an annual data collection and no structured data on what the process is like from the whistleblowers' perspective (paragraphs 2.12 and 2.13).

The whistleblower experience and outcomes from investigations

16   Departments have put in place support for whistleblowers but there is little information on their experiences and how well supported they feel. All departments signpost whistleblowers to departmental and non-departmental sources of support. No department stated clearly in the health check material they shared that they seek feedback from whistleblowers and there is no centrally collated information on complaints from whistleblowers of intimidation or victimisation as a result of raising a concern. The centrally held data show that among the 78 anonymous whistleblowing cases where a reason is recorded for remaining anonymous between 2019-20 and 2021-22, around 65% of people withheld their details for 'fear of reprisal, recrimination or victimisation' (paragraphs 2.22 to 2.24 and 2.29).

17   Between 2019-20 and 2021-22 around 12% of completed whistleblowing investigations found wrongdoing and subsequent action was taken in about two-thirds of those cases (8% of completed concerns). Of the 76 concerns that found wrongdoing, 49 led to disciplinary action or changes to policy and procedures. Organisations reported no action taken in seven cases and in 19 cases reported either no information or recorded it as 'not known' (paragraphs 2.9, 2.10, Figure 7 and Figure 8).

Assurance that whistleblowing arrangements are working

18 The information departments record when carrying out their whistleblowing health checks is inconsistent, which means government cannot be confident in the effectiveness of assurance and it is harder for organisations to learn from each other. The whistleblowing health check is the most comprehensive potential source of assurance. Departments take different approaches to completing it, from reporting by exception to systematically reviewing against the health check indicators and outcomes. The evidence provided to us ranges from no detail to fully documented and evaluated judgements. Organisations routinely include some information on whistleblowing in their annual report and accounts but coverage in internal audit work is relatively limited (paragraphs 3.3, 3.12, 3.13, 3.16 and 3.20).

19 The civil service people survey shows an overall improvement in relevant scores, but within that 36 organisations have shown recent statistically significant decreases for a key question. This survey shows overall increases in the scores for four measures indicative of organisational culture in relation to challenge and raising concerns since 2014. For example, the median organisational score for agreeing that 'people are encouraged to speak up when they identify a serious policy or delivery risk' increased from 66.5% in 2017 to 74.2% in 2022. However, in the period 2020 to 2022, 12 departments and 24 other civil service organisations out of 72 (50%) have seen a statistically significant drop for scores about whether people 'think it is safe to challenge the way things are done'. The decreases among departments ranged from 14 percentage points (at Department for Education) to 1 percentage point (at Department for Work & Pensions) (paragraphs 3.5, 3.6, 3.8 and Figures 12 to 15).

Learning from whistleblowing

20 Most organisations report taking actions to improve whistleblowing, such as promoting a supportive culture, but there is less evidence of improvements made in response to concerns raised. In the Government People Group's 2022 survey, of the 38 organisations that responded, 28 reported taking action to improve whistleblowing following board-level discussions of data. Actions included promoting a supportive culture, raising awareness of the civil service code, developing investigators, and ensuring feedback to individuals. Just under 5% of completed concerns between 2019-20 and 2021-22 are recorded as having led to changes to policies or procedures (paragraphs 3.21, 3.24 and Figure 16).

Concluding remarks

21 Getting whistleblowing right is not easy. But each concern raised may provide organisations with invaluable insight to prevent or tackle a serious issue. The significance and effectiveness of whistleblowing arrangements are not measured just by looking at overall numbers or the 'typical' whistleblower's experience. Dealing with whistleblowing well matters for the individuals involved and for the culture in the organisations concerned. Government has made some progress on data collection and increasing transparency on whistleblowing but significant challenges remain. In particular, in how government raises awareness and encourages concerns, improves the experience of whistleblowers, and uses learning to improve whistleblowing.

Recommendations

a **In order to build a fuller understanding of whistleblowing outcomes and what happens to whistleblowers, Cabinet Office should work with departments to improve the completeness of data, broaden the categories of data it collects and deepen the analysis it undertakes**. Additional categories of data could include information on cases that were previously ongoing, time taken for investigations, whether whistleblowers have made claims of victimisation and how these claims were responded to;

b **Cabinet Office should work with departments to encourage them to use every concern raised as an opportunity to learn from whistleblowers**, including those concerns where no wrongdoing is found;

c **When data is available Cabinet Office should use it to establish the extent of whistleblower complaints of intimidation or victimisation**, build an understanding of the number of and patterns in complaints, and consider any need to coordinate departmental action;

d **Cabinet Office should build on its efforts to help departments learn from different approaches to whistleblowing**, focusing on areas such as supporting effective assurance by senior leaders and Audit and Risk Assurance Committees, understanding whistleblowers' experience and supporting the people that work with whistleblowers.

Part One

Context for whistleblowing in the civil service

Introduction

What whistleblowing is

1.1   When we talk about whistleblowing in the civil service we mean when someone working in or with the civil service raises a concern about wrongdoing or malpractice connected to the civil service that has a public interest aspect to it. The concerns reported can be wide-ranging. They include financial mismanagement, environmental damage, and covering up wrongdoing. However, it does not cover people raising personal grievances or complaints about issues that have no wider implications for their organisation.

1.2   This is an expansive definition that is not limited to the conditions set out for attracting the protections of the Public Interest Disclosure Act 1998 (PIDA), as determined by the courts in individual instances.[4] It is also not limited to breaches of the Civil Service Code.[5] This approach is in line with the Cabinet Office's model whistleblowing policy for the civil service. It promises protection for good faith whistleblowers without limiting this to disclosures meeting the legal tests in PIDA and related case law (at least for internal disclosures).

1.3   Guidance on whistleblowing within HM Treasury's *Audit and Risk Assurance Committee Handbook* states that whistleblowing is an important part of good government which requires effective, consistent policies across the civil service and a culture that supports whistleblowing.[6] The Committee on Standards in Public Life observes that it is vital organisations have effective whistleblowing arrangements in place to identify wrongdoing, but that encouraging a speak up culture can also lead to wider beneficial practices such as people speaking up if they feel uncomfortable, making suggestions for improvement, questioning decisions or practices, or raising alternative viewpoints.[7]

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4   "An Act to protect individuals who make certain disclosures of information in the public interest; to allow such individuals to bring action in respect of victimisation; and for connected purposes.", Introductory Text, Public Interest Disclosure Act 1998, July 1998, *Public Interest Disclosure Act 1998*, (viewed on 8 November 2023).
5   *The Civil Service Code* (GOV.UK), statutory guidance (viewed on 4 December 2023).
6   HM Treasury, *Audit and risk assurance committee handbook*, March 2016.
7   Committee on Standards in Public Life, *Leading in Practice: A review by the Committee on Standards in Public Life*, January 2023.

Why whistleblowing matters

1.4 Effective whistleblowing arrangements are an important part of good governance. Taking whistleblowing reports seriously has many benefits, including:

- identifying fraud;

- picking up potential problems early;

- getting critical information to the people who can address the issue; and

- deterring wrongdoing.

Roles and responsibilities

1.5 Organisations inside and outside government have roles and responsibilities for whistleblowing in the civil service (**Figure 1** overleaf). Individual civil service organisations are responsible for putting in place effective arrangements for receiving and responding to whistleblowing as part of good governance. Depending on the nature of their arm's-length bodies, government departments will have roles in overseeing whistleblowing effectiveness. This oversight can range from a quite hands-on examination of whistleblowing arrangements to light-touch and strategic oversight of governance. Audit and Risk Assurance Committees (ARACs) should ensure that their organisations operate "appropriate and effective whistleblowing practices and whistleblowing should be regularly considered by the Committee". HR directors need to consider:

- reporting to the board/accounting officer on: the effectiveness of the organisation's whistleblowing practices, any concerns about these or systemic issues identified, and action being taken to address those issues;

- ensuring data are collected on concerns raised;

- ensuring that effective whistleblowing practices are put in place; and

- accountability for ensuring these practices support the proper treatment of whistleblowers.

1.6 The Government People Group, within the Cabinet Office, provides support for government organisations and collects cross-government information on whistleblowing. Its support includes producing model policy on whistleblowing that government organisations can use and introducing training for nominated officers in 2023.[8] Its annual 'Raising a Concern (including whistleblowing)' survey collects data from civil service organisations about arrangements for handling concerns. It also asks departments to complete a health check self-assessment of their whistleblowing policy and approach.

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8 'Nominated officer' is an additional role for existing staff members; they provide impartial advice and support about raising a concern to individuals working anywhere in the organisation. They are a potential first point of contact for individuals; they can help them to escalate issues within the organisation where appropriate.

Figure 1

Current roles and responsibilities relating to whistleblowing in the civil service, for key bodies

Multiple bodies play a role in receiving whistleblowing concerns and overseeing whistleblowing processes

Parliament

Enacts whistleblowing legislation

- Public Interest Disclosure Act 1998 (PIDA)
- Constitutional Reform and Governance Act 2010 (the statutory basis for Civil Service Code)

Accounting officers of civil service organisations are accountable to Parliament

Cabinet Office

Supports arrangements in civil service organisations, for example by providing model whistleblowing policy or developing training

Collects data on whistleblowing processes and concerns

Supports ministers in relation to the Civil Service Code

Department for Business & Trade

Has policy responsibility within government for PIDA, which applies to whistleblowing in all sectors, so not solely the civil service

Departments and other organisations that employ civil servants

Set whistleblowing policies and arrangements; receive concerns; investigate and determine; take action; review and improve arrangements

The audit committee of an organisation

Provides oversight of governance, including arrangements for dealing with whistleblowers

Individuals with concerns working in or with the civil service

Civil Service Commission

Hears complaints from civil servants about breaches of the Civil Service Code, only where they remain dissatisfied after their organisation has investigated the concern

Prescribed Persons

Prescribed persons (under PIDA) are bodies or individuals that can be approached by whistleblowers where an approach to their employers would not be appropriate

→ Flow of concerns
→ Accountability
→ Support
→ Information

Notes
1 Flows of information and support provided to whistleblowers, whether within organisations employing civil servants or from outside them, are not included in this figure.
2 The Civil Service Commission and Prescribed Persons are included for context; as they are not within our main focus we have not sought to capture their relationships to Parliament.
3 Individually, members of Parliament are prescribed persons. A minister is a prescribed person for whistleblowing by people working for organisations whose leaders are appointed by that minister.

Source: National Audit Office analysis of government documents

1.7 Most whistleblowing concerns are raised with, and dealt with by, departments. Between 2019-20 and 2021-22 departments collectively recorded and reported to Cabinet Office 313 concerns on average per year raised in this way. Departments are expected to provide routes and processes for whistleblowers to raise concerns, including reconsideration by more senior managers if whistleblowers are dissatisfied with how the concern was initially dealt with, or a direct route to the accounting officer.

1.8 Civil servants can raise a concern with the Civil Service Commission (the Commission) if it relates to breaches of the Civil Service Code and they are dissatisfied with how their concern has been investigated. The Commission will also consider taking a concern direct in 'exceptional circumstances'. In the period 2014-15 to 2021-22, the Commission completed full investigations of 16 concerns at organisations within our scope. Of these, five were simply not upheld, seven were upheld, and four found practice requiring recommendations despite not finding breaches of the Code. Over the same eight years, the Commission did not fully investigate 521 concerns reported to it. Of these, it deemed 300 out of scope, referred 194 back to relevant departments, and did not investigate 27 for other reasons such as being withdrawn.

1.9 Whistleblowers can also raise concerns with prescribed persons where an approach to employers is not appropriate. Such circumstances might include where they are concerned that they will suffer detriment from their employer or co-workers because of raising a concern. Examples of prescribed persons include regulators, inspectors and members of Parliament. They do not receive added powers by virtue of being prescribed; however, they can use their existing statutory powers when investigating the concern raised with them.

Previous issues with whistleblowing arrangements

1.10 Our previous examination of civil service whistleblowing arrangements in 2014 and 2015, and the Committee of Public Accounts' (PAC's) conclusions and recommendations in 2014 and 2016 identified a range of issues for government to improve:

- **Raising awareness of whistleblowing and encouraging people to raise concerns.** For example, a lack of clarity for whistleblowers on who to raise their concerns with; high levels of anonymous disclosure suggesting a lack of confidence in internal processes; and a disconnect between whistleblowing policies in theory and how arrangements work in practice.

- **Helping to ensure that whistleblowers have a positive experience of raising a concern.** For example, collecting data to understand if whistleblowers suffer detriment, or victimisation, and the effectiveness of action to combat it; this would address PAC's 2014 concern that at times government is failing to protect whistleblowers from being victimised and is unable to state whether the perpetrators faced sanctions.

- **Using whistleblowing to support organisational learning and improvement.**
  For example, the lack of a single strategic lead for whistleblowing within
  government; gaps in the information given to some audit committees to assess
  the adequacy of whistleblowing arrangements; not exploiting intelligence from
  whistleblowers; and focusing on implementing policies and procedures rather
  than instilling cultures and behaviours that are positive to whistleblowing.

HM Treasury and Cabinet Office actions since 2014 to improve government's approach to whistleblowing

1.11 The Cabinet Office and HM Treasury have taken actions intended to
improve whistleblowing since we reported on whistleblowing in 2014 (**Figure 2**).
There is one explicit requirement of accounting officers that they must comply with.
All other actions focus on providing support to government organisations on their
arrangements for whistleblowing and improving data. Organisations can choose
how they respond to the Cabinet Office requests and guidance.

1.12 However, our wider work contains evidence of issues with whistleblowing in
the civil service, such as departments' slow response or not taking appropriately
serious actions, existing after the progress update report published by PAC in 2016.
More recent work by other bodies provides evidence of continuing issues, such as a
seeming lack of confidence in whistleblowing processes meaning that people do not
raise concerns where they are much needed:

- The 2021 report of Nigel Boardman's review into the development and use of
  supply chain finance in government noted that some of the issues "may have
  been mitigated if there had been a robust and trusted whistleblowing process"
  and made suggestions for improvements to introduce greater independence
  into handling whistleblowing.

- In 2022, the final report of the Cabinet Office second permanent secretary's
  investigation into alleged gatherings on government premises during
  COVID-19 restrictions found that some staff had witnessed or been subjected
  to behaviours at work which they had felt concerned about but at times felt
  unable to raise properly. It referred to a need to "truly embed" a culture that
  values challenge and speaking up.

- In January 2023, the Committee on Standards in Public Life published a report
  on ethical leadership in public life. The report noted cases in recent years
  where "failure to recognise the ethical implications of measures or to speak
  up about failings have had devastating consequences". A specific example
  mentioned, the Windrush scandal, relates to the civil service.

Figure 2

Selected actions by Cabinet Office and HM Treasury to improve civil service whistleblowing arrangements since 2014

The actions primarily focus on providing support to government organisations on their arrangements for whistleblowing and improving data on whistleblowing

Date	What	Purpose	Action by	Current position
December 2015	**Letter to all accounting officers** The letter required government bodies to report on the effectiveness of whistleblowing arrangements in their annual report and accounts	Transparency	HM Treasury	Almost all annual reports and accounts now mention whistleblowing
2016 (earliest data relates to 2015-16)	**Request data from civil service organisations on concerns raised with them** Data includes the category of the concern and whether it is resolved or still ongoing	Improve data	Cabinet Office	Departments provide data annually. Data are more complete, and include more fields about cases, from 2019-20 onwards
2017	**Add questions to the Civil Service People Survey** Two questions relevant to whistleblowing: on feeling able to challenge and encouragement to speak up	Improve data	Cabinet Office	These questions have continued to be asked
2017	**Request for departments to provide data on their whistleblowing arrangements** Takes the form of the 'Raising a Concern (including whistleblowing)' survey	Improve data	Cabinet Office	An annual data collection exercise
2017	**Request for whistleblowing health check** Ask departments to self-assess their policy and approach to whistleblowing	Support improvement	Cabinet Office	Subsequently repeated in March 2019, January 2020 and February 2022
2019	**Introduce model policy** Created model civil service policy for 'Raising a Concern (including whistleblowing)'	Support improvement	Cabinet Office	Reviewed and re-issued February 2022
September 2022	**Introduce online community** The community is for whistleblowing leads and nominated officers to share practice and seek answers to questions	Support improvement	Cabinet Office	Intended as an ongoing resource for secure sharing of whistleblowing products and advice
October 2023	**Organise conference for whistleblowing leads and nominated officers**	Support improvement	Cabinet Office	The Government People Group intends to repeat such conferences annually

Note

1   The October 2023 conference organised by the Government People Group was preceded by conferences jointly organised pre-COVID-19 pandemic by the Government Legal Department, the Civil Service Commission and the Propriety and Ethics Team within the Cabinet Office.

Source: National Audit Office analysis of published and unpublished government documents

Part Two

Arrangements for whistleblowing in the civil service

2.1   This part of the report draws on publicly available data and documents, information that civil service organisations have provided to Cabinet Office, and material provided to us by departments about self-assessments of their whistleblowing arrangements. The part sets out what this evidence tells us about:

- the number and nature of concerns raised; and

- whistleblowing arrangements and the experience of whistleblowers.

We also highlight gaps in the evidence about these issues.

Data on concerns raised

2.2   Most centrally held data on concerns relate to the numbers raised, what the concerns are about, how they are raised and the outcome of investigations. There are gaps in centrally held data including on how long it takes to complete cases and measures of the quality of the process from whistleblowers' perspectives. Our previous work on improving services identifies these types of measures as good practice.

Numbers of concerns in recent years

2.3   Civil service organisations recorded and reported to the Cabinet Office details of nearly 1,000 concerns that they received in the three years 2019-20 to 2021-22. The number of concerns reported varies between organisations (**Figure 3**), with five bodies (all of them departments) reporting 77.4% of the concerns in this period. The numbers also change from year to year. But the number of concerns captured in central data is small relative to the total number of staff covered by the organisations reporting the concerns to Cabinet Office (currently more than 600,000). On average this equates to 0.50 concerns per 1,000 staff per year. Looking at the number of reported concerns relative to organisational headcount (**Figure 4** on pages 21 and 22) gives a different perspective on which organisations record more concerns. On this measure the most prominent bodies are not departments. However, when organisations have small numbers of staff they can score highly on this measure due to a small number of reported concerns, making their score extremely sensitive to small changes in the number of concerns reported.

Figure 3

Number of concerns recorded and reported to Cabinet Office, 2019-20 to 2021-22, by organisations employing civil servants

Five organisations reported most of the concerns across the civil service

Number of concerns reported
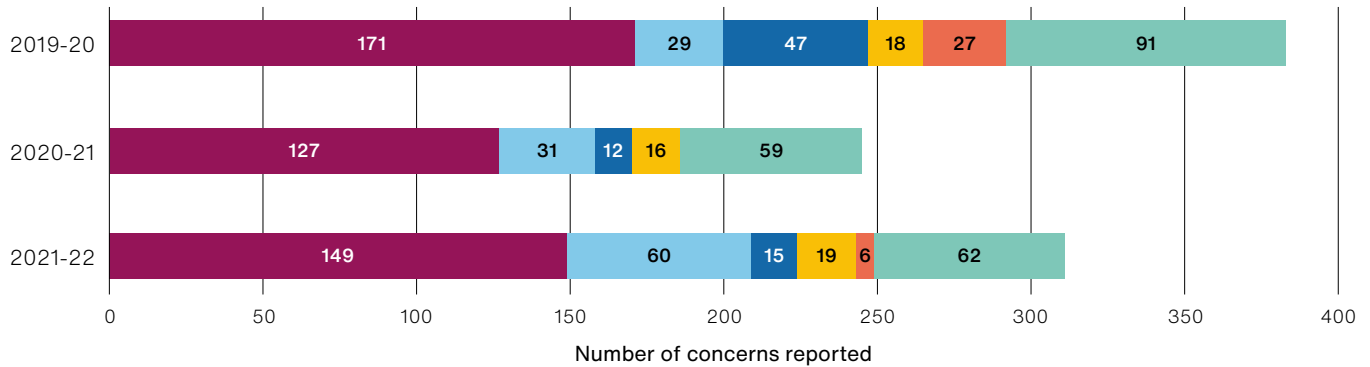
- ■ Ministry of Defence
- ■ Department for Work & Pensions
- ■ HM Revenue & Customs
- ■ Home Office
- ■ Foreign, Commonwealth & Development Office
- ■ Total other

Notes

1 In total, 41 organisations employing civil servants recorded and reported 939 concerns over the three-year period: 383 in the financial year 2019-20; 245 in the financial year 2020-21 and 311 in the financial year 2021-22. Cabinet Office requested the data by financial year.

2 Recording or reporting practices may vary between organisations. For example, the Ministry of Defence operates a single confidential reporting hotline for both its civil servants and the armed forces. We have not audited these practices or the underlying data.

3 The five organisations with the highest numbers of concerns reported across the three-year period are identified separately; together these organisations reported more than three-quarters of the concerns in each of the three years.

4 We have grouped the remaining organisations as 'Total other'. Of these, the three organisations reporting the next highest numbers of concerns are the Driver & Vehicle Licensing Agency and the Maritime & Coastguard Agency (each reporting 28 concerns across the three years) and the Department for Education (reporting 20 concerns across the three years). For each of these three organisations, the largest number of concerns reported in a single year was 12.

5 The Foreign, Commonwealth & Development Office reported concerns data retrospectively for 2019-20; it was created by merger during 2020-21. It did not report any concerns to the Cabinet Office for 2020-21.

Source: National Audit Office analysis of Cabinet Office data

Figure 4

Average number of concerns raised with each organisation annually (2019-20 to 2021-22), per 1,000 staff in 2022

Organisations vary significantly in the number of whistleblowing concerns relative to the number of staff they employ, with departments in particular tending to have low numbers by this measure

Departments

Organisation	Value
Foreign, Commonwealth & Development Office	1.55
Department for Education	0.79
Ministry of Defence	0.64
Home Office	0.50
Department for Work & Pensions	0.44
HM Revenue & Customs	0.42
Department for Digital, Culture, Media & Sport	0.34
HM Treasury	0.32
Department of Health & Social Care	0.31
Ministry of Justice group	0.29
Department for International Trade	0.28
Department for Business, Energy & Industrial Strategy	0.22
Cabinet Office	0.20
Department for Environment, Food & Rural Affairs	0.19
Department for Transport	0.16

Other organisations employing civil servants

Organisation	Value
Maritime & Coastguard Agency	7.57
UK Hydrographic Office	3.44
UK Space Agency	2.55
Food Standards Agency	1.67
Crown Commercial Service	1.62
Driver & Vehicle Licensing Agency	1.48
Vehicle Certification Agency	1.47
National Crime Agency	0.93
Education & Skills Funding Agency	0.87
Defence Science and Technology Laboratory	0.50
Public Health England/UK Health Security Agency	0.37
Ofsted	0.36
Advisory, Conciliation and Arbitration Service	0.32
Legal Aid Agency	0.30
UK Statistics Authority	0.28
FCDO Services	0.28
Rural Payments Agency	0.26
Medicines & Healthcare Products Regulatory Agency	0.24
Crown Prosecution Service	0.24
Insolvency Service	0.19
HM Land Registry	0.15
Driver & Vehicle Standards Agency	0.07
HM Courts & Tribunal Service	0.05
HM Prison & Probation Service	0.03

Mean number of concerns raised per year (2019-20 to 2021-22), per 1,000 staff in 2022

Notes

1   The number of concerns per year used for each organisation is the mean annual number reported to the Cabinet Office over the three years. We drew on 938 concerns recorded and reported by 40 organisations (the sole concern from one organisation was excluded as staff numbers for this organisation are not in the public domain). We present data for Public Health England and the UK Health Security Agency together.

2   Recording or reporting practices may vary between organisations. For example, the Ministry of Defence operates a single confidential reporting helpline for both its civil servants and the armed forces, and so included forces personnel in its concerns and staff numbers. We have not audited these practices or the underlying data.

3   The headcount data used for the calculation per 1,000 staff relate to only one of the years within the three-year period used for complaints reporting (see note 4). Accordingly, this calculation is indicative given that there will probably have been changes to headcount numbers over the three years.

4   For most organisations we used headcount data provided to the Cabinet Office by the organisations themselves in relation to whistleblowing in their 2022 'Raising a Concern (including whistleblowing)' survey returns, or provided to us directly; we have not audited this information. Where staff numbers were not otherwise available, we have used numbers given in the organisations' annual reports and accounts for 2021-22; in some cases, these were numbers of full-time equivalent staff on average over the year as a year-end headcount figure was not given. This is an additional reason the figures should be treated as indicative.

5   The Ministry of Justice group excludes the Legal Aid Agency, HM Prison & Probation Service and HM Courts & Tribunal Service, which are presented separately.

Source: National Audit Office analysis of Cabinet Office data, departmental data and supplementary published data

2.4 While the best available, these data have potential limitations. For example, there may be differences between organisations in the decisions they take about defining something as a concern at all, or in the approach they take to including concerns received from external sources or about bodies they fund or regulate.

What the recent concerns are about

2.5 Civil service organisations have classified the concerns they reported by their subject (**Figure 5**). Fraud is consistently the most common category, representing 39.9% of all concerns across the three years. The categories do not indicate the seriousness involved, such as the size of fraud or impact of security breaches. There is more detail, for example "Large rebate/payment made to an individual in exchange for cash", for only a very small number of cases.

2.6 The data make clear that organisations have different approaches to classifying the concerns they record. Of the 41 organisations, 11 used the 'discrimination' and 'bullying and harassment' classifications, while the other organisations did not. Only one organisation used the 'Breach of the Civil Service Code' category.

How concerns are raised

2.7 The civil service model whistleblowing policy is clear that non-anonymous whistleblowing is preferable to anonymous, but that anonymous whistleblowing is preferable to not raising a concern at all. The proportion of concerns raised anonymously was 43.9% in 2019-20 but increased to around 51% in each of 2020-21 and 2021-22.

2.8 In each of the three years, more than 80% of concerns were raised through email or another written route or via a hotline (**Figure 6** on page 24). No more than 15% of concerns were raised with a manager, a nominated officer or a senior leader in any of the three years. Only six concerns over the three years are recorded as coming from external sources.

The results of investigations and actions taken in response

2.9 For each concern reported to the Cabinet Office, organisations state whether investigations are ongoing or completed, and if completed whether they found wrongdoing (**Figure 7** on page 25). Across the three years, 33% of concerns were ongoing at the point of reporting, with a high of 47% in 2020-21. Excluding ongoing concerns, across the three years 12.1% of those concerns recorded as completed resulted in wrongdoing being found, with the rest recorded as wrongdoing not found. The data contain very limited information on the seriousness of wrongdoing involved.

Figure 5

Concerns raised with civil service organisations and reported to the Cabinet Office, 2019-20 to 2021-22, classified by the subject of the concern

The most commonly reported category of concern is fraud, representing 40% of all cases

| Category of concern	Number of concerns raised, 2019-20	Number of concerns raised, 2020-21	Number of concerns raised, 2021-22	Total number of concerns raised, 2019-20 to 2021-22
Individual categories				
Fraud	148	96	131	375
Misuse of official position	39	19	38	96
Danger to environment/health and safety	13	44	23	80
Failure to comply with legal obligation	22	12	19	53
Breach of security/information policy	23	8	14	45
Influenced by improper pressure/ personal gain	14	6	10	30
Frustrating implementation of policy	7	9	4	20
Deceiving/misleading ministers, Parliament or others	2	4	13	19
HR-related categories				
Discrimination	11	7	5	23
Bullying and harassment	4	1	4	9
General categories				
Breach of the Civil Service Code	23	14	0	37
Other	77	25	50	152
Total	**383**	**245**	**311**	**939**

Notes

1   In total, 41 organisations employing civil servants recorded and reported 939 concerns over the three-year period.

2   The categorisation of concerns was carried out by the reporting organisation; each concern was placed in one category only. The one exception is that in 2019-20 there was one case with no category assigned to it, which we have added to the 'other' count. In all other instances, the categories were chosen by reporting organisations. We have divided the categories used into three groups.

3   Recording or reporting practices may vary between organisations; we have not audited these practices or the underlying data.

4   The HR-related categories may be particularly subject to different recording approaches between organisations. The Cabinet Office's model 'Raising a Concern (including whistleblowing)' policy states that: "This policy cannot be used to raise individual/personal complaints about management decisions or concerns about individual treatment, including complaints of bullying, harassment and discrimination affecting an individual." However, this does not appear to rule out concerns about more systemic issues. It is not stated whether the concerns recorded in these categories related to individual or systemic issues.

5   The two general categories together make up 20% of the total. Most individual categories could constitute breaches of the Civil Service Code, so this category is highly similar to 'Other'. Only one organisation used the Code breach category.

Source: National Audit Office analysis of Cabinet Office data

Figure 6

Routes by which concerns reported to the Cabinet Office were raised, 2019-20 to 2021-22

In each year more than 80% of concerns were raised through email or another written route, or by calling a hotline

Percentage of 'concerns raised' reported by category for each financial year
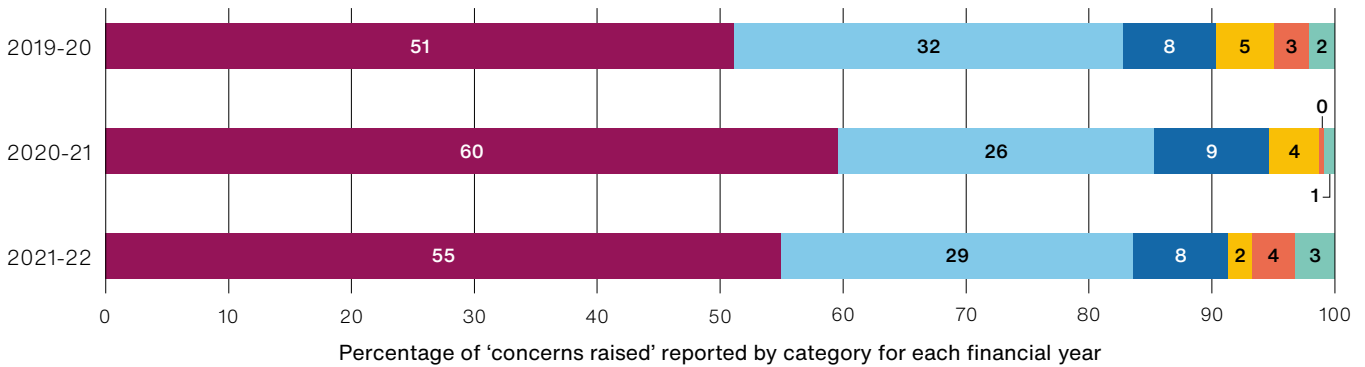
- Email or other written route
- Hotline
- Nominated officer
- Manager
- Senior leader
- Other

Notes

1   In total, 41 organisations employing civil servants recorded and reported 939 concerns over the three-year period: 383 in the financial year 2019-20; 245 in the financial year 2020-21 and 311 in the financial year 2021-22.

2   The categorisation of the route by which a concern was raised was carried out by the reporting organisation; each concern was placed in one category only.

3   Recording or reporting practices may vary between organisations; we have not audited these practices or the underlying data.

4   For 2019-20, the category 'Other' includes two concerns that were classified as 'External source'; there is no further information on the remaining 'Other' concerns. For 2021-22, the category 'Other' includes four concerns that were classified as 'External source'; there is no further information on the remaining 'Other' concerns.

5   Data labels have been rounded to the nearest whole percentage point, which may be zero, and so the labels in a bar may not add up to 100. The bars represent unrounded data.

Source: National Audit Office analysis of Cabinet Office data

2.10 Across the three years, there were 76 concerns reported where investigations were completed *and* wrongdoing was found. The data include instances where disciplinary action was taken (although its outcomes are not specified) and where changes were made to policies and procedures. One or other of these actions are recorded in 49 of these cases, and unspecified 'other' action was taken in a further case (**Figure 8** on page 26). In seven cases no action was taken and 19 cases reported either no information or recorded actions as 'Not known'.

Figure 7

Outcomes recorded for concerns received and reported to the Cabinet Office, 2019-20 to 2021-22

In each year the most common outcome recorded was that wrongdoing was not found

Percentage of 'concerns raised' recorded by outcome for each year
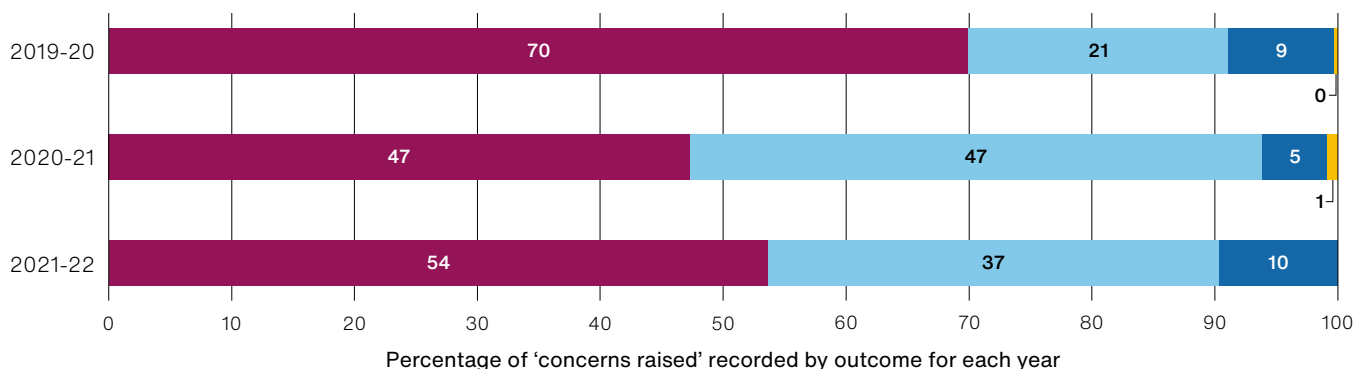
■ Completed – wrongdoing not found

■ Ongoing (outcome not recorded)

■ Completed – wrongdoing found

■ Blank or Closed

Notes

1   In total, 41 organisations employing civil servants recorded and reported 939 concerns over the three-year period: 383 in the financial year 2019-20; 245 in 2020-21 and 311 in 2021-22.

2   The categorisation of the outcome for each concern was carried out by the reporting organisation; each concern was placed in one category only. No further information is available in the small number of instances where the concern was recorded as 'Closed' or the field was left blank.

3   Recording or reporting practices may vary between organisations; we have not audited these practices or the underlying data.

4   At present, the subsequent results of concerns recorded as 'Ongoing' are not captured in this dataset.

5   The data labels are rounded to the nearest whole percentage point, which may be zero, and so the numbers in a bar may not add up to 100. The bars represent unrounded data.

Source: National Audit Office analysis of Cabinet Office data

2.11 We reviewed whether the actions recorded varied between concerns reported to an individual and those reported to a hotline, email inbox or other written route. The data show that the proportion of concerns raised with nominated officers which result in action is similar to concerns raised through other routes. However, the data show that a higher percentage of nominated officer-led investigations resulted in change to policy and procedures (8.8% compared with 4.9%) and that a lower percentage resulted in disciplinary action (1.8% compared with 5.2%).
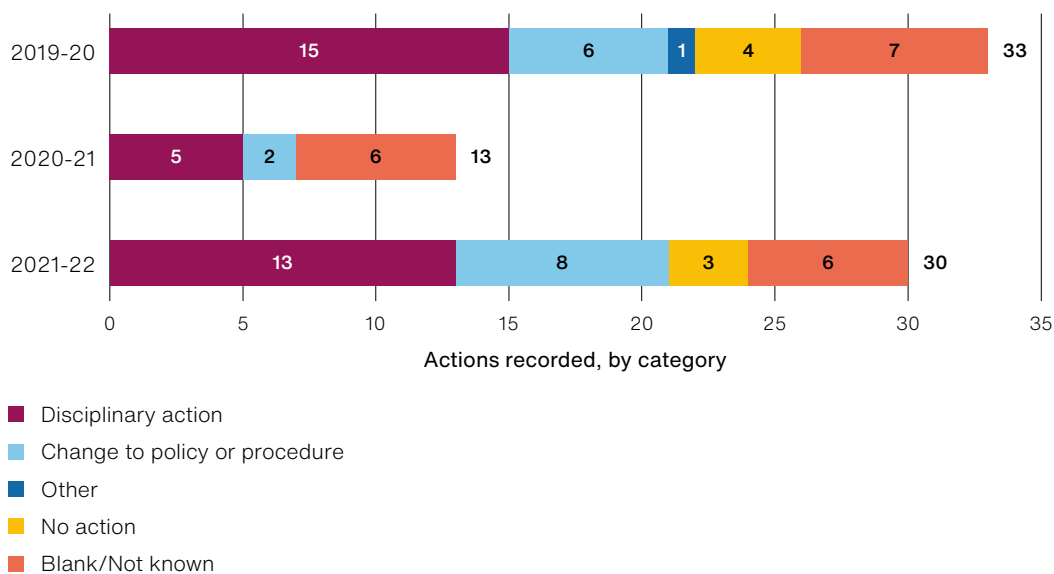
Changes in the level and quality of data available

2.12 When we reviewed data collected by the Cabinet Office between 2015-16 and 2018-19, we found the information was less rich than data collected since 2019-20. For example, data now include the date the concern was raised (rather than just the quarter) and the route used to raise the concern.

Figure 8

Information reported to Cabinet Office about actions taken where investigations into concerns were completed and wrongdoing was found, 2019-20 to 2021-22

Nearly two-thirds of concerns where wrongdoing was found led to actions to prevent a recurrence, either disciplinary action or a change to policy or procedure

Actions recorded, by category

- ■ Disciplinary action
- ■ Change to policy or procedure
- ■ Other
- ■ No action
- ■ Blank/Not known

Notes

1   In total, 41 organisations employing civil servants recorded and reported 939 concerns over the three-year period. Of these concerns there were 76 where investigations were reported as complete and the reported outcome was a finding of wrongdoing: 33 in 2019-20, 13 in 2020-21 and 30 in 2021-22.

2   The categorisation of the outcome and actions for each concern was carried out by the reporting organisation; only one category of action was reported for each concern.

3   Recording or reporting practices may vary between organisations; we have not audited these practices or the underlying data.

4   The category 'Other' was used only once. No further details were available about the action concerned.

Source: National Audit Office analysis of Cabinet Office data

2.13 The way data are currently collected has several quality implications. For example, where concerns were 'ongoing' at the point of an annual data collection, there is no method for capturing their outcomes at a later point. This potentially biases the data towards concerns that are straightforward to resolve. The longer it takes to investigate a concern, the more likely it is to be 'ongoing' at the point of data collection for the financial year in which it was received. In part due to ongoing concerns, some fields have substantial levels of responses that are 'not known' or left blank. No structured data are collected from organisations about instances they are aware of where whistleblowers have reported intimidation or victimisation, or the quality of the process, and what it feels like from the whistleblower's perspective.

2.14 The Government People Group told us that it is working on ways to improve how it tracks cases that are ongoing, and their subsequent outcomes, which span reporting years. It also identified data gaps to address in how long cases take to complete and understanding escalation routes used in individual cases.

Whistleblowing arrangements and the whistleblower experience

Clarity over the scope of policies in departments

2.15 In 2014 we mentioned as good practice that departmental whistleblowing policies should be clear about who can use the policy (for example, whether contractors, secondees or volunteers can use it) and whether arrangements for agencies or other public bodies are the same or not. The latest civil service model policy contains suggested wording making these points clear. When we reviewed the policies of departments we found that all policies except two are clear about its availability to these non-standard categories of workers. We also found a mixed picture on arm's-length bodies, with three policies not making it clear whether they are covered or not.

Routes offered by which people can raise concerns

2.16 Every civil service organisation provided at least two different routes for initially raising a concern in 2022. Most frequently, organisations provided either four or five different routes. The route reported most often was through managers, in 37 of 38 organisations (**Figure 9** overleaf). Some frequently used routes are only present in a relatively small number of organisations. Between 2019-20 and 2021-22, 29% of the concerns recorded came through hotlines (see Figure 6), but only 15 of 38 organisations reported having a whistleblowing hotline in 2022.

2.17 The information captured by Cabinet Office on routes available for raising concerns does not include any detail on the level of independence of these routes. For example, staff with variable independence from management may operate a hotline or email inbox. In the Department for Work & Pensions, the Government Internal Audit Agency runs an independent hotline for people to raise concerns.
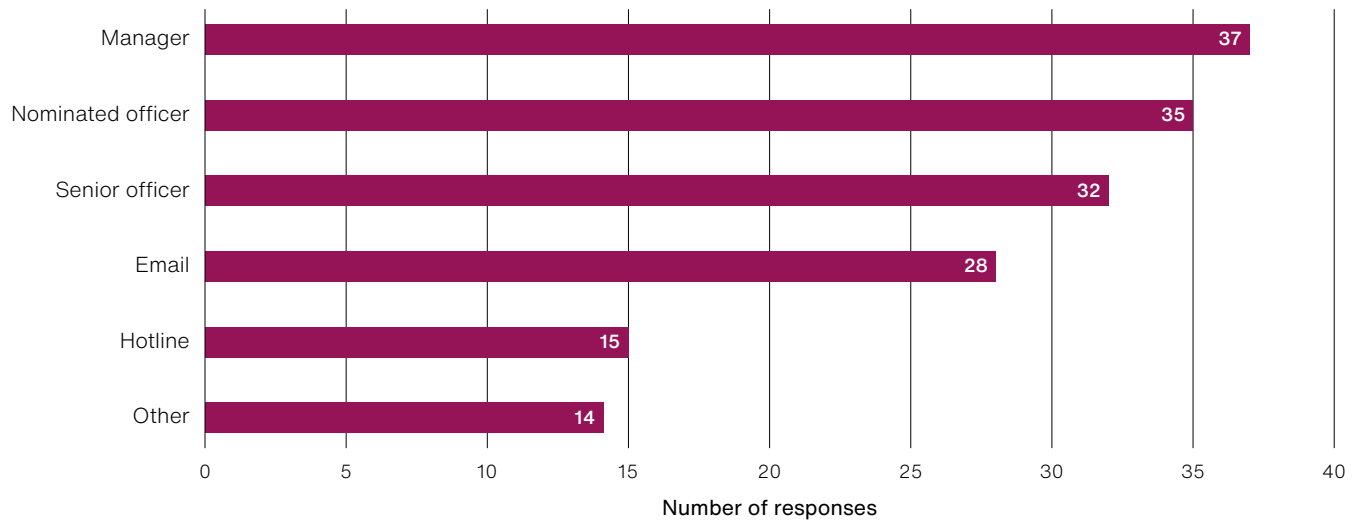
2.18 Thirty-five of 38 organisations reported having at least one nominated officer, with eight organisations having eight or more nominated officers (**Figure 10** on page 29). When we analysed the available data, there was no clear relationship between the number of staff in an organisation and its number of nominated officers. Nor was there a clear relationship between the number of concerns recorded in an organisation and its number of nominated officers. In 2022 159 nominated officers were reported to Cabinet Office and 76 of the concerns across 2019-20 to 2021-22 were recorded as having been received by nominated officers.

Figure 9

Routes that organisations say they make available for their workers to use in raising concerns, 2022

Organisations most commonly report putting in place routes for workers to raise their concerns directly with individual members of staff

Answers given when asked 'What routes can staff use to raise a concern in your department/organisation?'

Route	Number of responses
Manager	37
Nominated officer	35
Senior officer	32
Email	28
Hotline	15
Other	14

Number of responses

Notes
1 Thirty-eight organisations employing civil servants and within our scope responded to the Cabinet Office's 2022 survey about their whistleblowing arrangements.
2 Organisations were able to give more than one answer in response to this question. Every organisation gave at least two positive responses, and some answered yes to all five specified routes as well as 'other'. Most commonly, organisations provided either four or five different routes.
3 We have not sought to verify the arrangements in place at responding organisations.
4 Organisations were able to provide additional detail when they answered 'Other'; these included routes via specific groups, such as Human Resources staff or trade unions, or using specific physical arrangements such as whistleblowing boxes.

Source: National Audit Office analysis of Cabinet Office data

2.19 The latest version of the Cabinet Office's model whistleblowing policy, issued in February 2022, includes details on raising concerns about information covered by the Official Secrets Act. It advises departments to have escalation routes for people to raise a concern of this nature. The most recent health check framework reiterates that staff must be able to raise concerns in ways suitable for sensitive material. It suggests that policies contain detail such as whether nominated officers and HR personnel have clearance to deal with such issues and whether anonymous hotlines can be used in these circumstances.

2.20 We reviewed departments' policy and health check material and found a mixed picture on how to raise concerns related to material covered by the Official Secrets Act. Few policies contained the level of detail suggested by the health check framework.

Figure 10

Responses given by organisations employing civil servants when asked how many nominated officers they had in place at end March 2022

Most organisations had between one and four nominated officers

Number of organisations giving this answer

Number of nominated officers per organisation, in place on 31 March 2022
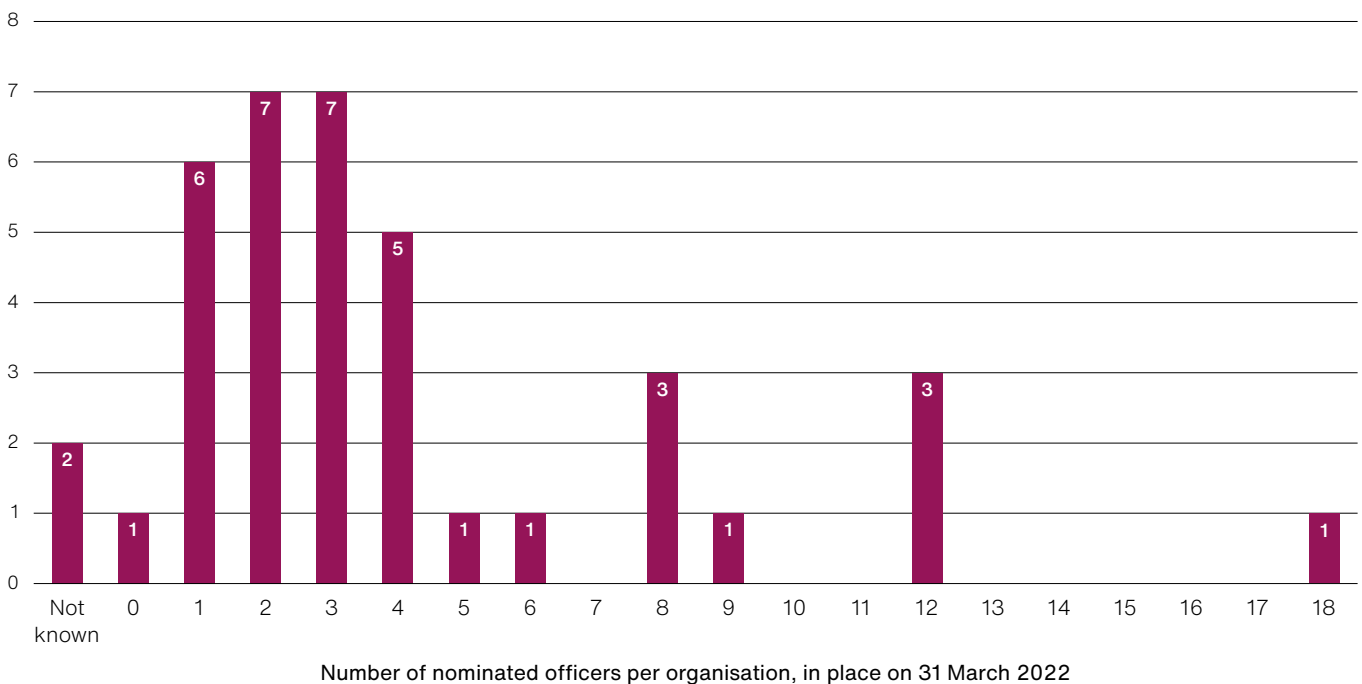
Notes

1   A 'nominated officer' is an additional role for existing staff members; they provide impartial advice and support about raising a concern to individuals working anywhere in the organisation.

2   Thirty-eight organisations employing civil servants and within our scope responded to the 2022 Cabinet Office survey about their whistleblowing arrangements.

3   We have not sought to verify the arrangements in place at responding organisations.

Source: National Audit Office analysis of Cabinet Office data

Protecting and supporting whistleblowers

2.21 In 2014 the Committee of Public Accounts (PAC) recommended that "where the identity of whistleblowers is known, departments must ensure that they are protected, supported and have their welfare monitored", including providing suitable support and advice, and appropriate and swift sanctions against employees victimising whistleblowers. Government agreed the recommendation and committed to update central guidance. In 2016 the PAC was disappointed about slow progress and the lack of urgency. It recommended that the Cabinet Office improve the data it collects and use this to hold departments to account. Government accepted these recommendations, although it felt that it was for departmental boards and non-executive directors to hold departments to account.

Available data on the whistleblowers' experience and the need for protection

2.22 The Government People Group's framework for whistleblowing heath checks suggests gathering feedback from individuals on whether their concerns have been handled responsibly, professionally and in a positive manner. Our review of the health check material provided to us did not identify clear indications from any department that feedback is routinely sought from those who have raised concerns about their experience.

2.23 The Government People Group's most recent data, from 2019-20 to 2021-22, do not include information on whether people who had raised concerns reported that they felt they had been victimised. However, organisations have recorded the whistleblower's reason for withholding their details against 78 of the anonymous concerns in the past three years. In around 65% of these cases, the reason recorded is 'Fear of reprisal / recrimination / victimisation'. As the Cabinet Office told PAC in 2015, it started requesting that departments record information about complaints of victimisation as a result of raising a concern in 2015-16 but these data were not collated centrally.

2.24 Recent Cabinet Office data do include information on whether individuals who have raised concerns are still in the organisation. Across the three years, a substantive answer is recorded for 53.5% of concerns that were not raised anonymously. Of these, 84% of concern-raisers were still with the organisation concerned, and 16% were not. In an extremely small number of instances, organisations have recorded additional notes that state clearly either the view that the concern-raiser was dismissed for reasons unconnected to their disclosure, or that the concern-raiser resigned because they believed they had suffered detriment in connection with raising a concern. However, in most instances where concern-raisers were known to be no longer with the organisation the available information does not contain a clear statement about whether or not this was connected to their disclosure.

2.25 There is evidence from elsewhere that poor whistleblower experience is still happening (**Figure 11**). Whistleblower charity Protect reports that, from 1 January 2020 to 31 March 2022, 85 of the 156 people who contacted them for support and who disclosed that they work in the 'government' sector said that they had experienced a negative outcome as a result of speaking up, such as victimisation. While this information comes from a self-selecting group who have sought Protect's support, is based on their perceptions and will include some respondents who are not civil servants, it does not suggest that the issue of victimisation has disappeared.

Figure 11

Case study: Isle of Man employment tribunal judgments, 2022 and 2023

Whistleblowers can experience significant personal impact when they raise concerns, illustrating the importance of protecting them

An Isle of Man employment tribunal judgment in 2022 ruled on a claim from the former medical director in the Isle of Man Department of Health & Social Care in relation to concerns raised about the Isle of Man's approach to decision-making about the risks of the COVID-19 pandemic.

The judgment found the former medical director had suffered detriment, including "hostility, marginalisation and humiliation", and had ultimately been unfairly dismissed for raising genuinely held and reasonable concerns. A subsequent tribunal judgment awarded the former medical director financial compensation, and the Department apologised without reservation for the damaging treatment suffered.

Source: National Audit Office analysis of Isle of Man employment and equality tribunal judgments

Deterring victimisation of whistleblowers

2.26 The model whistleblowing policy for the civil service states that: "Any instances of victimisation will be taken seriously and managed in line with the organisation's disciplinary policy and procedure." When we reviewed the policies for departments, all bar two of them included at least a similar statement. Two departments spelled out that, if proved, the likely disciplinary sanction would be dismissal. They shared material demonstrating that they class threatening a potential whistleblower or victimising an actual whistleblower as gross misconduct.

2.27 We have not found any reports of disciplinary action being taken against people who have victimised whistleblowers in the material we reviewed:

- This is not mentioned in any of the annual reports and accounts that we reviewed.

- The Cabinet Office's health check framework does not suggest this as evidence and the health check material provided to us did not contain it.

Arrangements to support whistleblowers

2.28 We heard in our focus groups, and departments told us, that it is important to provide whistleblowers with different routes for getting support. A range of options allows whistleblowers to choose a route that they are comfortable with using and meets their specific needs.

2.29 All departments' policies signposted whistleblowers to sources of support other than employees of the organisation. This included the Employee Assistance Programme, ACAS, Protect and trade unions. Our focus groups also identified communicating with whistleblowers as an important part of providing support. There are no central data on whether whistleblowers feel well-signposted to available support.

Part Three

Assurance and learning about whistleblowing

3.1   This part of the report draws on publicly available data and documents, information that civil service organisations have provided to Cabinet Office, and material provided to us by departments about self-assessments of their whistleblowing arrangements. The part sets out what this evidence tells us about:

● assurance and oversight arrangements; and

● organisational learning.

We also highlight any gaps in the evidence about these issues.

Assurance and oversight arrangements

3.2   The boards of civil service organisations, including their audit committees, are responsible for seeking assurance about the effectiveness of the organisation's whistleblowing arrangements. A range of sources can provide assurance on whistleblowing. These include annual reports and accounts, management reviews of policies and procedures against recommended practice, data collected as part of these procedures, surveys of staff, feedback from whistleblowers, and internal audit reviews. The Cabinet Office's centrally issued health check process intends to provide assurance to permanent secretaries that effective whistleblowing routes are in place for their department and agencies.

What do these sources tell us?

Annual reports and accounts

3.3   Since 2015-16, public bodies with accounting officers have been required to report on their whistleblowing arrangements in their annual report and accounts. We reviewed four years of annual reports and accounts (from 2018-19 to 2021-22) for 36 public bodies (including departments and their predecessors) listed on GOV. UK under 'Annual Reports and Accounts for Central Government Departments'.[9] Of the 142 annual reports and accounts (considering machinery of government changes in this period), 139 contained material on whistleblowing and only three, from two organisations, did not.

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9   We did not include the Security and Intelligence Agencies, which only make public their financial statements.

3.4 The instruction to accounting officers contains no supporting detail and the material included in annual reports and accounts is variable, for example:

- solely incidental mentions of whistleblowing while discussing another topic, such as fraud controls;

- statements that the organisation has a whistleblowing policy, with no further detail;

- different levels of detail on the number of whistleblowing reports, from no mention, to a single number of reports, to also including more detail on how many were upheld or how many led to further action;

- variable detail on governance, from no mention to description of the Audit and Risk Assurance Committee's role in oversight; and

- variable detail on supporting activities, from no mention to description of improvement and awareness-raising undertaken.

Civil Service People Survey

3.5 The annual Civil Service People Survey is among the suggested evidence and assurance about organisational performance in relation to whistleblowing in the Cabinet Office's health check framework. There was substantive reference to People Survey results in the health check material we received from 13 of 16 departments. We reviewed change over time in organisation-level results for four questions that are indicative of organisational culture in relation to challenge and raising concerns (**Figure 12**, **Figure 13**, **Figure 14** and **Figure 15** on pages 34 to 37). Of these questions two have been asked since the start of the period we are interested in (2014), and two were introduced in 2017.

3.6 There are overall increases for all four of these measures between 2014 (or 2017 for the newer questions) and 2022. By overall increases, we mean increases in the median organisational score and increases at the top and bottom of the range covering nine out of 10 organisations. All four measures show large variation between high-scoring and low-scoring organisations, with this variation largely persisting over time. In 2022 the range of scores covering 90% of organisations varied between 17 percentage points for the 'feel able to challenge inappropriate behaviour' measure (Figure 14) to 28 percentage points for the 'think it is safe to challenge the way things are done' measure (Figure 12). For all four measures, the range covering 90% of organisations in 2022 is at least four-fifths of the same range in the first year for that measure (2014 or 2017).

Figure 12

Change over time in organisational results for people responding to the Civil Service People Survey who agree with the statement, 'I think it is safe to challenge the way things are done in my organisation', 2014 to 2022

There have been overall rises in this measure across participating organisations within our scope

Organisational results for the percentage of respondents who answered 'agree' or 'strongly agree' (%)
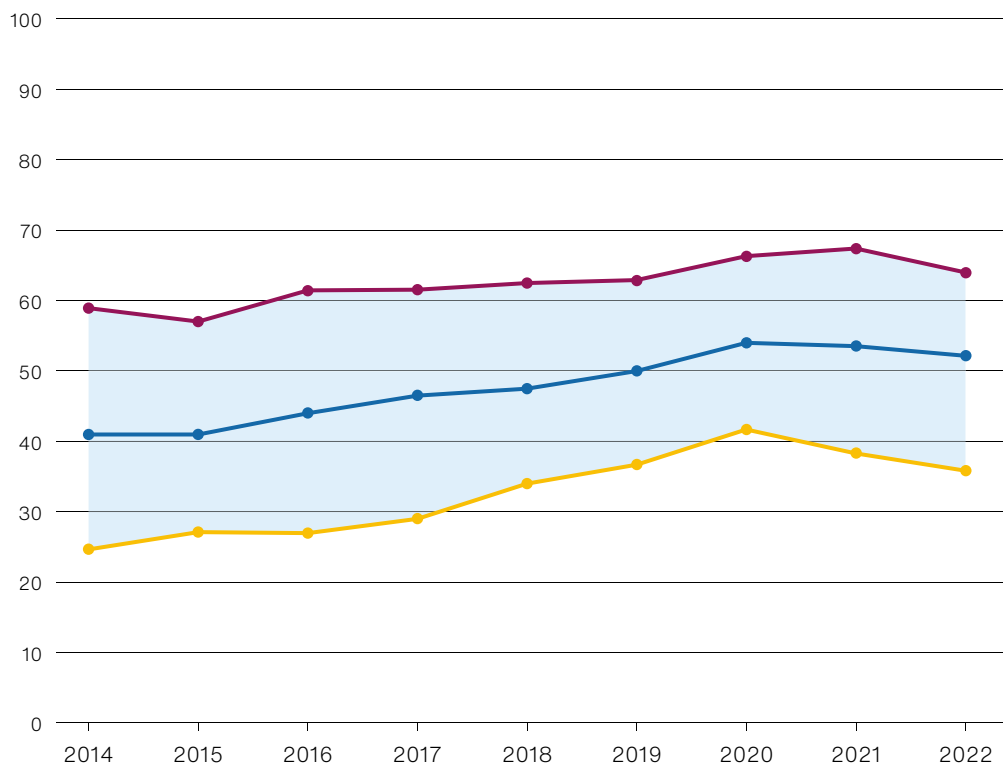
|	2014	2015	2016	2017	2018	2019	2020	2021	2022
● 95th percentile	58.8	57.0	61.5	61.6	62.5	62.9	66.3	67.4	64.0
● Median score	41.0	41.0	44.0	46.5	47.5	50.0	54.0	53.5	52.2
● 5th percentile	24.6	27.1	27.0	29.0	34.0	36.7	41.7	38.3	35.9
▢ Range, 5th to 95th percentile	34.2	29.9	34.5	32.6	28.5	26.2	24.6	29.1	28.1

Notes

1   The median organisational score is presented for the group of participating organisations consisting of the government departments in existence in early February 2022 (and their predecessors) and all other organisations within our scope (for example, excluding bodies responsible to the devolved administrations). The number of organisations in this group varied between years, ranging between 70 and 75 organisations.

2   We include a range around the median score representing the middle 90% of organisational scores in the year, to show how most scores change over time. The full range fluctuates highly across the time-period due to organisations with unusually high or low scores in a given year, and so is not shown. The range does not account for sampling error in each individual organisation's score.

3   The median is the level where half of organisations have a higher score, and half of organisations have a lower score. The 95th percentile is the level where 95% of organisations have a lower score, while the 5th percentile is the level where 5% of organisations have a lower score.

4   We carried out some additional forms of analysis to assure ourselves that the overall picture presented is robust despite sampling error and other potential sources of bias. For example, using margins of error, between 2014 and 2022 10 of 12 departments where it is possible to compare over time and 34 of 45 other organisations where this is possible saw a statistically significant increase in their survey score. In this additional analysis we drew on unpublished People Survey information about the number of responses received by participating organisations.

Source: National Audit Office analysis of data from the Civil Service People Survey, available at: www.gov.uk/government/collections/civil-service-people-surveys

Figure 13

Change over time in organisational results for people responding to the Civil Service People Survey who agree with the statement, 'In my organisation, people are encouraged to speak up when they identify a serious policy or delivery risk', 2017 to 2022

There have been overall rises in this measure across participating organisations within our scope

Organisational results for the percentage of respondents who answered 'agree' or 'strongly agree' (%)
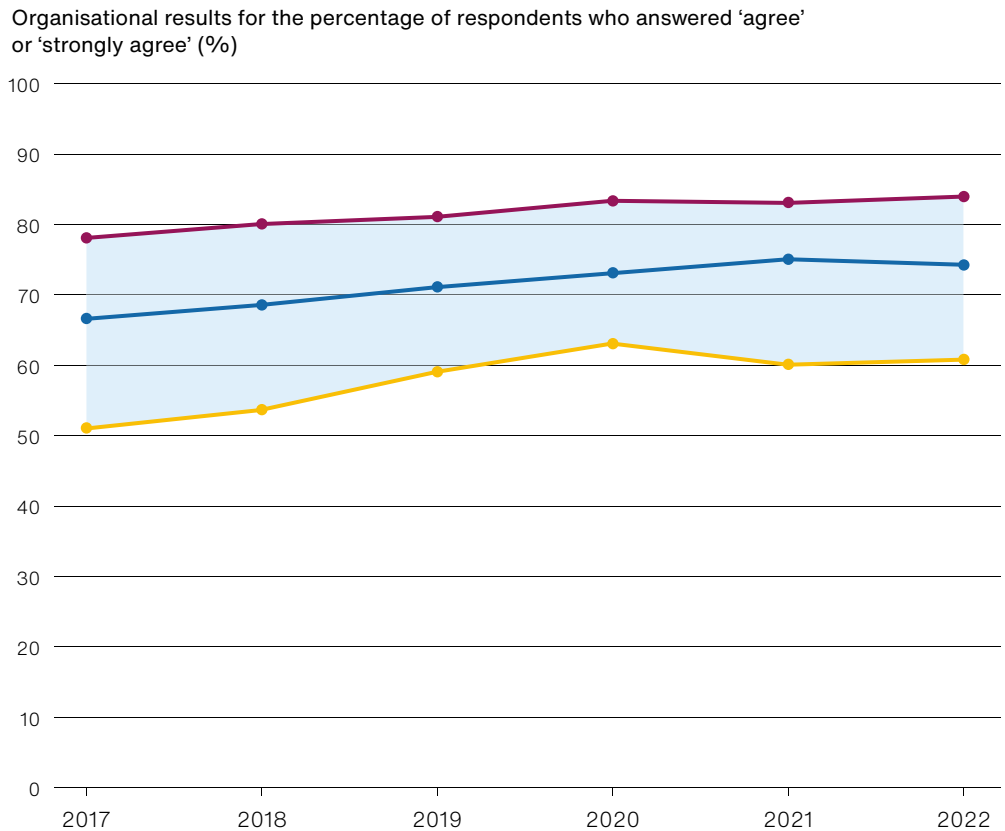
|	2017	2018	2019	2020	2021	2022
● 95th percentile	78.0	80.0	81.0	83.3	83.0	83.9
● Median score	66.5	68.5	71.0	73.0	75.0	74.2
● 5th percentile	50.9	53.6	59.0	63.0	60.0	60.7
▪ Range, 5th to 95th percentile	27.1	26.5	22.0	20.3	23.0	23.2

Notes

1   The median organisational score is presented for the group of participating organisations consisting of the government departments in existence in early February 2022 (and their predecessors) and all other organisations within our scope (for example, excluding bodies responsible to the devolved administrations). The number of organisations in this group varied between years, ranging between 70 and 75 organisations.

2   We include a range around the median score representing the middle 90% of organisational scores in the year, to show how most scores change over time. The full range fluctuates highly across the time-period due to organisations with unusually high or low scores in a given year, and so is not shown. The range does not account for sampling error in each individual organisation's score.

3   The median is the level where half of organisations have a higher score, and half of organisations have a lower score. The 95th percentile is the level where 95% of organisations have a lower score, while the 5th percentile is the level where 5% of organisations have a lower score.

4   We carried out some additional forms of analysis to assure ourselves that the overall picture presented is robust despite sampling error and other potential sources of bias. For example, using margins of error, between 2017 and 2022, 12 of 14 departments where it is possible to compare over time and 43 of 50 other organisations where this is possible saw a statistically significant increase in their survey score. In this additional analysis we drew on unpublished People Survey information about the number of responses received by participating organisations.

Source: National Audit Office analysis of data from the Civil Service People Survey, available at: www.gov.uk/government/collections/civil-service-people-surveys

Figure 14

Change over time in organisational results for people responding to the Civil Service People Survey who agree with the statement, 'I feel able to challenge inappropriate behaviour in the workplace', 2017 to 2022

There have been overall rises in this measure across participating organisations within our scope

Organisational results for the percentage of respondents who answered 'agree' or 'strongly agree' (%)
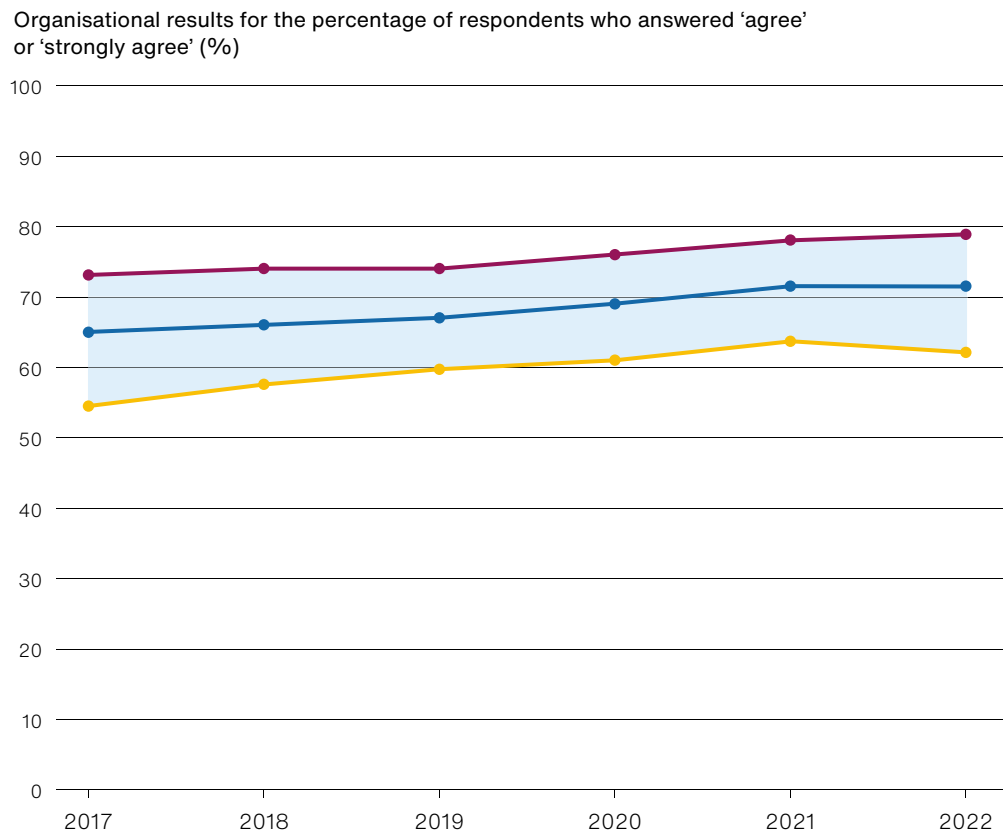
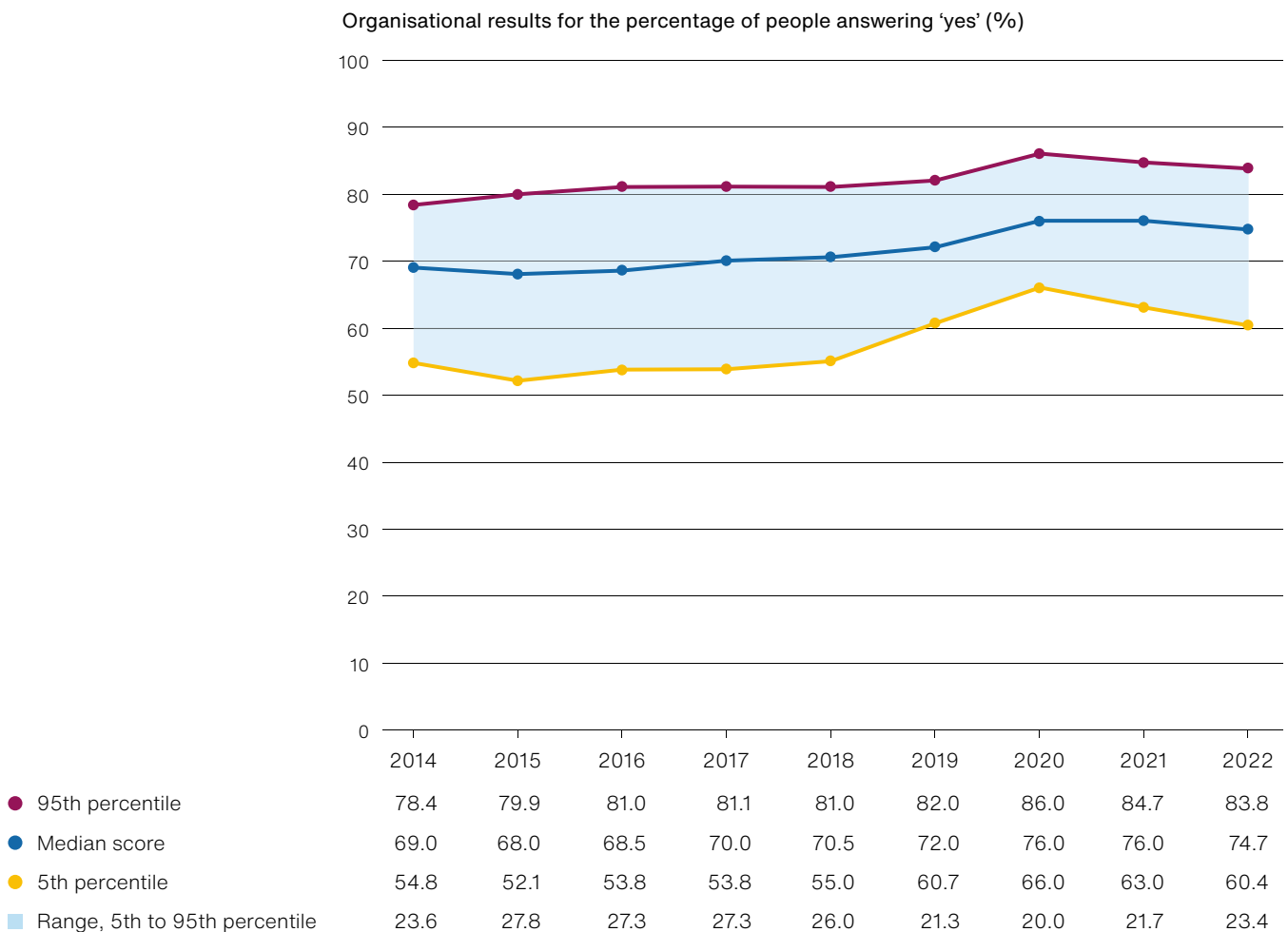|	2017	2018	2019	2020	2021	2022
● 95th percentile	73.1	74.0	74.0	76.0	78.0	78.9
● Median score	65.0	66.0	67.0	69.0	71.5	71.4
● 5th percentile	54.5	57.6	59.7	61.0	63.7	62.1
▨ Range, 5th to 95th percentile	18.7	16.5	14.3	15.0	14.4	16.8

Notes

1   The median organisational score is presented for the group of participating organisations consisting of the government departments in existence in early February 2022 (and their predecessors) and all other organisations within our scope (for example, excluding bodies responsible to the devolved administrations). The number of organisations in this group varied between years, ranging between 70 and 75 organisations.

2   We include a range around the median score representing the middle 90% of organisational scores in the year, to show how most scores change over time. The full range fluctuates highly across the time-period due to organisations with unusually high or low scores in a given year, and so is not shown. The range does not account for sampling error in each individual organisation's score.

3   The median is the level where half of organisations have a higher score, and half of organisations have a lower score. The 95th percentile is the level where 95% of organisations have a lower score, while the 5th percentile is the level where 5% of organisations have a lower score.

4   We carried out some additional forms of analysis to assure ourselves that the overall picture presented is robust despite sampling error and other potential sources of bias. For example, using margins of error, between 2017 and 2022, 13 of 14 departments where it is possible to compare over time and 40 of 50 other organisations where this is possible saw a statistically significant increase in their survey score. In this additional analysis we drew on unpublished People Survey information about the number of responses received by participating organisations.

Source: National Audit Office analysis of data from the Civil Service People Survey, available at: www.gov.uk/government/collections/civil-service-people-surveys

Figure 15

Change over time in organisational results for people responding to the Civil Service People Survey who answered 'yes' in response to the question, 'Are you confident that if you raised a concern under the Civil Service Code in your organisation it would be investigated properly?', by organisation, 2014 to 2022

There have been overall rises in this measure across participating organisations within our scope

Organisational results for the percentage of people answering 'yes' (%)

	2014	2015	2016	2017	2018	2019	2020	2021	2022
● 95th percentile	78.4	79.9	81.0	81.1	81.0	82.0	86.0	84.7	83.8
● Median score	69.0	68.0	68.5	70.0	70.5	72.0	76.0	76.0	74.7
● 5th percentile	54.8	52.1	53.8	53.8	55.0	60.7	66.0	63.0	60.4
▨ Range, 5th to 95th percentile	23.6	27.8	27.3	27.3	26.0	21.3	20.0	21.7	23.4

Notes

1 The median organisational score is presented for the group of participating organisations consisting of the government departments in existence in early February 2022 (and their predecessors) and all other organisations within our scope (for example, excluding bodies responsible to the devolved administrations). The number of organisations in this group varied between years, ranging between 70 and 75 organisations.

2 We include a range around the median score representing the middle 90% of organisational scores in the year, to show how most scores change over time. The full range fluctuates highly across the time-period due to organisations with unusually high or low scores in a given year, and so is not shown. The range does not account for sampling error in each individual organisation's score.

3 The median is the level where half of organisations have a higher score, and half of organisations have a lower score. The 95th percentile is the level where 95% of organisations have a lower score, while the 5th percentile is the level where 5% of organisations have a lower score.

4 We carried out some additional forms of analysis to assure ourselves that the overall picture presented is robust despite sampling error and other potential sources of bias. For example, using margins of error, between 2014 and 2022, nine of 12 departments where it is possible to compare over time and 32 of 45 other organisations where this is possible saw a statistically significant increase in their survey score. In this additional analysis we drew on unpublished People Survey information about the number of responses received by participating organisations.

Source: National Audit Office analysis of data from the Civil Service People Survey, available at: www.gov.uk/government/collections/civil-service-people-surveys

3.7 The median organisational score of people agreeing they 'think it is safe to challenge the way things are done in my organisation' has increased the most since 2014, from 41.0% to 52.2%. There are statistically significant increases in most individual organisations where we can make comparisons: 10 of 12 departments and 34 of 45 other organisations.[10] However, the final (2022) overall score of 52% remains lower than the other measures, and lower than the closest comparison in the NHS staff survey for 2022 (overall 61.5% of NHS staff felt safe to speak up about anything that concerns them). However, levels of confidence that their concerns will be addressed among NHS staff are lower (48.7% in 2022) than levels of confidence among civil servants that their concerns under the Civil Service Code will be investigated properly (more than 70% in 2022).

3.8 Most of the overall increases in the measures took place before 2020. The picture since then is more mixed about the direction, size and statistical significance of changes. For example, seven of 15 departments and 29 of 57 other organisations saw a statistically significant increase in the 'feel able to challenge inappropriate behaviour' measure between 2020 and 2022, reflected in an increase in the overall median organisational score for this measure. However, there was an overall decrease in the median organisational score for the 'think it is safe to challenge the way things are done' measure over the same period. For 12 of the 15 departments and 24 of 57 other organisations, the drop in feeling safe to challenge was statistically significant.[11] The decreases among departments ranged from 14 percentage points (at Department for Education) to one percentage point (at Department for Work & Pensions).

Whistleblowing health checks

3.9 The Government People Group has asked departments to self-assess their whistleblowing arrangements four times against its whistleblowing health check framework (see Figure 2). The latest framework sets out four key indicators and associated outcomes. In summary, the key indicators and outcomes are:

- **a process for raising a whistleblowing issue or concern.** Staff know what to do if they come across a concern in the course of their work. There are routes for them to raise concerns in a safe way;

- **leaders role-model behaviour.** Whistleblowing is a high priority. Senior leaders role-model a supportive culture that gives people confidence to raise concerns;

10 For example, we have excluded four departments from individual comparisons as significant machinery of government changes made comparisons over time potentially misleading.
11 Given the shorter period, there were fewer changes limiting comparisons over time. For departments the only one was the additional responsibilities gained by the Department for Levelling Up, Housing & Communities relative to the Ministry of Housing, Communities & Local Government.

- **skilled managers and nominated officers.** Managers and nominated officers know what to do if an employee approaches them with a concern. There is an appropriate number of nominated officers; and

- **issues are identified and addressed.** Departments collect information on whistleblowing concerns, identify systemic issues or lessons and discuss findings at senior level.

3.10 The framework includes suggested assurance and evidence that departments can use in their self-assessment. Departments are free to consider their own evidence and be assured that this is sufficient to meet the requirements of the indicators and outcomes.

3.11 The Government People Group does not systematically assess the returns for completeness or quality or to assure the adequacy of whistleblowing arrangements across government. Since the start of the COVID-19 pandemic, it has produced summary statistics on concerns twice, for 2019-20 to 2020-21 and for 2021-22 and shared them with departmental policy leads for whistleblowing and through its online hub. Evidence shared by Government People Group suggests these routes together ensure the statistics directly reach 46 organisations within our scope, although Government People Group told us it expects departments to work with their arm's-length bodies. It also alerted 150 organisations to the presence of the summary statistics on the Hub, although not all of these are within our scope. However, it does not systematically analyse the information it collects to identify and share insight on practice, trends and learning with government. For example, by analysing trends and relationships within and between different categories of data such as dates cases are raised and closed.

3.12 Completing the self-assessment intends to provide departments with assurance of their current arrangements. We requested and reviewed departments' health checks to assess the level of assurance they provide. Overall, we found inconsistency in departments' approach to their self-assessment, and the quantity and nature of the material provided.

3.13 From the evidence we received, departments took very different approaches to completing and evidencing their self-assessment. There were two departments that reported conclusions to their leadership by exception and did not keep other records. One reported there was full compliance with the five 'key indicators' and the other reported that one aspect of recommended process and one piece of recommended assurance were not satisfactory. At the other extreme were departments that had clearly worked their way systematically through more than 80 suggested evidence and assurance points in the framework, for example recording evidence or comments against each. Most departments were in between: for example they followed the suggested evidence and assurance points but less closely or completely, recorded summaries more at the level of the 21 'business outcomes', or recorded summaries at the level of the five 'key indicators'.

3.14 Departments differed in how clearly they recorded the judgements they reached as part of their self-assessments. The clarity was not related to the approach to responding to the self-assessment overall. The 'by exception' examples presented clear judgements, as did some other self-assessments, for example by including a red, amber or green rating for each key indicator. Some self-assessments contained detailed information but treated this as self-explanatory rather than recording the conclusion management drew from it.

3.15 The health check exercise in February 2022 specified that departments should cover their agencies as well as themselves. From the material we received, there is variation in how departments responded. Around half of departments either carried out health checks explicitly covering their agencies or stated that these bodies carried out their own health checks (in some instances providing examples of these). The material from most other departments did not indicate explicitly whether their agencies were covered or not and did not mention separate agency health checks. One department provided whistleblowing policies from its agencies but could provide no evidence they had asked the agencies to carry out health checks.

3.16 The health check sets an expectation that organisations should monitor whistleblowing data. It suggests using sources such as People Survey data and feedback from whistleblowers to identify systemic issues or lessons learned. We found that departments reported that they carried out analysis of whistleblowing data, either explicitly or by not including this in their reporting by exception. There was often a limited level of detail on the analysis so we could not understand the extent of the analysis or its use of wider sources of information. However, some departments did provide us with examples of analysis reported to their audit committees.

3.17 The health check requires senior leaders to have a complete picture of the whistleblowing process, and to discuss analysis of whistleblowing data. The available data are largely reassuring that board-level discussions of whistleblowing take place. Of the 16 health checks, 13 clearly state reporting whistleblowing data to the audit committee or other senior group. Of the 38 civil service organisations responding to the Cabinet Office's 2022 survey of arrangements for 'Raising a Concern (including whistleblowing)', 33 stated that their organisation has board-level discussions about raising a concern.

3.18 We found a mixed picture when we reviewed the health check material against the 'leaders role-model behaviour' indicator. Some departments included limited evidence. Those departments that provided more evidence included descriptions of messaging and processes, such as having a Senior Civil Service (SCS) whistleblowing champion or senior leadership communications encouraging whistleblowing. This is in line with suggested evidence in the framework. However, it is more limited than the Committee on Standards in Public Life's emphasis on role modelling needing to avoid inconsistency between messaging and actions, for example praising or promoting people who have not been open to concerns or challenge.

Internal audit

3.19 Providing assurance on the governance arrangements of client organisations is part of the core function of internal audit. The government functional standard for internal audit expects work to be part of a risk-based plan and take into account the objectives and priorities of the organisation. Areas of governance such as whistleblowing can also be examined to inform cross-government strategic decision-making or identify areas of common weakness. However, the health check framework does not suggest the work of internal audit as a source of evidence or assurance.

3.20 There are relatively few examples of using internal audit for assurance on whistleblowing in the civil service. The Government Internal Audit Agency lists 15 departments and many other bodies as internal audit clients. It told us about 12 individual reviews with whistleblowing in the title that it had carried out in the three years 2020-21 to 2022-23. Six were at civil service organisations and six at other public bodies. In the health check material provided to us, two departments made reference to internal audit work: one to completed work and the other to work that was expected to start soon. Another civil service body mentioned their review in its 2022 annual return to Cabinet Office about whistleblowing arrangements, describing it as a consultative audit on whistleblowing and raising concern that reached conclusions and made recommendations.

Organisational learning

Learning from concerns raised

3.21 The clearest evidence of civil service organisations learning from concerns raised with them in the data reported to Cabinet Office is the 31 recorded instances of changes to policies and procedures. These represent 4.9% of concerns that were not still ongoing at the point of data collection. Concerns that found wrongdoing more commonly led to this type of learning than other completed concerns. 21.1% of concerns that found wrongdoing led to changes to policies and procedures (16 of the 31 instances of such changes). 2.7% of concerns where wrongdoing was not found led to changes to policies and procedures (the remaining 15 of the 31 instances).

3.22 The health check framework does not suggest including details or examples of learning from concerns as part of assurance; the health check material we reviewed did not contain additional evidence on this point. Our wider work (paragraph 1.12) shows organisational responses and the speed at which they learn can be slow.

Making improvements to whistleblowing arrangements

Departmental use of the civil service model whistleblowing policy

3.23 In summer 2022, the Government People Group asked civil service organisations whether they had reviewed their whistleblowing policy in response to the health check request or the revised model policy for 'Raising a Concern', released in February 2022. Responses showed that organisations had taken a range of approaches, both in terms of speed of action, and the choice between adopting and adapting the model policy. Of the 37 organisations answering this question:

- 13 had adopted the model policy, either in full or with minor tweaks;

- 11 had reviewed their policy and were content that it aligned with the principles of the model policy; and

- 13 were planning to adopt the policy within the next six months.

Respondents may have differed in what they meant by alignment to the principles of the model policy, or how they judged this.

Available information on actions to improve the reporting chain for concerns or wider culture related to whistleblowing

3.24 In their responses to Cabinet Office's 2022 survey, 28 of the 38 responding civil service organisations reported they had taken actions to improve whistleblowing in their organisations in response to board-level discussions of data about whistleblowing (**Figure 16**). The most reported actions aimed to promote a culture supportive to whistleblowing (24 organisations) and the least common were actions to ensure feedback to individuals raising a concern (four organisations).

3.25 Organisations also reported other actions they had undertaken or planned related to developing a safe and supportive culture for raising concerns:

- Nineteen of 38 organisations reported having a 'Speak Up' champion in place, with a further three organisations reporting they were recruiting or replacing such a champion.

- Twelve out of 38 organisations reported plans to increase their numbers of nominated officers.

- Eight out of 38 organisations reported having published positive stories/outcomes to encourage others to raise concerns. A further nine organisations said that they planned to do this in the next 12 months.

- All organisations reported carrying out work to ensure managers know what to do when an individual raises a concern with them, with half having included relevant material in training for managers.

Figure 16

Number of organisations reporting they have taken these actions in response to board-level discussions of whistleblowing data, 2022

'Promote supportive culture' was the most commonly reported action arising from board-level discussions of whistleblowing data

Actions undertaken

Action	Number of organisations
Promote supportive culture	24
Raise awareness of Civil Service Code	15
Develop managers and investigators	11
Improve concern reporting mechanisms	10
Increase level of reporting	9
Improve data and recording	5
Ensure feedback to individuals	4
Other	9

Number of organisations

Notes

1   Thirty-eight organisations employing civil servants and within our scope responded to the 2022 Cabinet Office survey about their whistleblowing arrangements; 28 of these organisations reported actions in response to board-level discussions of whistleblowing data.

2   Organisations were able to report more than one action each.

3   We have not sought to verify the discussions or actions reported.

Source: National Audit Office analysis of Cabinet Office data

Appendix One

Our investigative approach

Our scope

1 Our investigation examines whistleblowing in the civil service. It presents what the evidence tells us about the number and type of whistleblowing concerns, the whistleblowers' experience, assurance on whistleblowing and what has happened since we last reported on whistleblowing in 2015. It is not an evaluation of whistleblowing practice in individual organisations or an assessment of value for money from whistleblowing across government. Our conclusions are based on our analysis of the evidence we have collected. We also draw on our previous good-practice work on both whistleblowing and improving operational services to highlight gaps and opportunities.

2 We focus on the civil service, which includes government departments, executive agencies and other government organisations that primarily employ civil servants. We exclude bodies responsible to the devolved administrations. We also do not cover the wider public sector beyond the civil service, such as hospitals, councils or the police.

3 In some of our data collection and analysis we distinguish departments from other bodies employing civil servants. By departments, we mean 16 that were in place on 1 January 2023 (prior to machinery of government changes to departmental structures announced in February 2023). Departments in existence at this time and included in our category were: Department for Business, Energy & Industrial Strategy; Cabinet Office; Department for Digital, Culture, Media & Sport; Department for Environment, Food & Rural Affairs; Department for Education; Department for Transport; Department of Health & Social Care; Department for International Trade; Department for Levelling Up, Housing & Communities; Department for Work & Pensions; Foreign, Commonwealth & Development Office; HM Revenue & Customs; HM Treasury; Home Office; Ministry of Defence; and Ministry of Justice.

4 Our fieldwork took place between March and October 2023. We did not request new or additional information from individual organisations. The coverage of organisations in existing data varies, so our analysis ranges from departments only to all civil service organisations within our scope. We used organisations' information created in response to Cabinet Office requests, which is unaudited management information that we have not quality-assured. We examined:

● the contextual landscape for whistleblowing in the civil service and what has happened since we last reported;

● the number and type of concerns raised;

● the whistleblower experience;

● whether whistleblowing arrangements are working; and

● learning and improvement actions from whistleblowing concerns.

Methods

Quantitative analysis

5 We analysed three datasets: one published dataset and two unpublished. The unpublished data have the following limitations: they do not go through national statistics or official statistics quality-assurance processes; participation is voluntary; and organisations may take different approaches to data-recording.

6 The Civil Service People Survey data are of higher quality. There is some limitation in how the data can be analysed over a period of years due to machinery of government changes.

Published annual Civil Service People Survey data from 2014 to 2022

7 We analysed the results of four questions that we judged to be potentially relevant whether managers in civil service organisations are open to challenge, receptive to those raising concerns, and take appropriate action in response.[12] These are:

● 'I think it is safe to challenge the way things are done in [my organisation]' (Question B46 in the 2022 survey);

● 'In [my organisation], people are encouraged to speak up when they identify a serious policy or delivery risk' (Question B56);

● 'I feel able to challenge inappropriate behaviour in the workplace' (Question B57); and

● 'Are you confident that if you raise a concern under the Civil Service Code in [your organisation] it would be investigated properly? (Question D03).

    We also carried out preliminary analysis of questions about understanding of the Civil Service Code and awareness of how to raise a concern under the Code but found these results to be less informative.

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12 Where questions take the form of statements, respondents were asked to rate the extent to which they agreed with the statement using options ranging from strongly agree to strongly disagree.

8   Participating organisations can choose how to carry out the People Survey, for example as a single departmental group including executive agencies rather than as separate bodies. We used group results where more detailed results were not available, or not consistently so, such as for the Department for Education and its agencies. We excluded results from organisations outside our scope, such as devolved bodies.

9   Our analysis primarily sought to examine change over time in these measures. We present results for organisational median scores, which the People Survey's technical guide describes as "a more accurate measure of organisational performance". We accompany this with the range covering 90% of organisations; some small organisations had results that fluctuated because of the small number of responses involved, so the full range would have given a misleading picture. As additional assurance, we sought to test the sensitivity of the overall results to sources of bias such as sampling error or the potential impact of differences in size between organisations.

10   We used unpublished People Survey data to calculate margins of error around the results of individual bodies, and then used these to assess whether changes over time were statistically significant (if the margins of error do not overlap) or not (if the margins of error do overlap). A similar approach has been used by the People Survey team. When making these comparisons over time at the individual level we excluded organisations where there was missing data or we were aware of significant shifts in their workforce due to machinery of government changes. We present the results separately for departments and other bodies, with a departmental group classed as a department. We also created mean scores, which aggregated all staff at participating bodies within our scope. While not a measure of organisational performance, changes in the mean result for a question represents a change in the chance of getting a particular response if picking a civil servant at random from participating bodies within our scope. For example, an increase over time in the mean score for the question represented in Figure 12 is equivalent to having a greater chance of picking a civil servant that agrees with the statement in the later year than in the earlier year.

11   These alternative analyses did not present a substantially different overall picture of change over time to the analysis captured in Figures 12 to 15. As with any survey it is possible that staff who were who were surveyed but did not respond may have had different views to those who did respond. Our analysis could not address this, for example, the possibility that any such difference between respondents and non-respondents changed over time or varied between organisations.

12   Separately, we combined the People Survey data with data from the 'Raising a Concern (including whistleblowing)' survey to see if any relationships could be identified.

Unpublished Cabinet Office data from the 2022 'Raising a Concern (including whistleblowing)' survey of whistleblowing policies and processes

13 The data come from 38 civil service organisations within our scope. It includes data on whistleblowing arrangements, such as the number of nominated officers and the routes available for raising concerns. We used the data to identify variation in processes between organisations, and to understand the nature of data collected centrally. We combined the data with other datasets where appropriate to explore potential relationships. For example, we combined data on the number of nominated officers with whistleblowing case data and headcount data to explore the absence or presence of relationships between these.

Unpublished Cabinet Office data on whistleblowing cases/concerns raised, particularly in 2019-20, 2020-21 and 2021-22

14 The 2019-20 to 2021-22 data come from 41 civil service organisations; data for 2019-20 were collected retrospectively due to a data collection pause at the start of the COVID-19 pandemic. We used the data to explore the number and characteristics of whistleblowing cases, and to understand the nature of data collected by organisations or centrally. We combined the data with other datasets where appropriate to explore potential relationships.

15 Figure 4 combines data from both of the unpublished Cabinet Office data sources. This analysis should be treated as indicative due to the nature of the data involved, as set out in the notes to the Figure. The analysis illustrates substantial variation in numbers of concerns relative to headcount, even though the individual numbers are subject to some uncertainty. Due to the indicative nature of this analysis, we were more inclusive in relation to organisational change during the period covered or organistational boundaries than we were for the margins of error analysis outlined above. Examples include the creation of the Foreign, Commonwealth & Development Office, the replacement of Public Health England with the UK Health Security Agency, and including the Ministry of Defence figures although they cover concerns from both civil service and service personnel.

16 While we focused our analytical efforts on the most recent data, we also reviewed the extent of information collected by the Cabinet Office during the period 2015-16 to 2018-19.

Document review

17   We conducted four different types of document reviews.

Background document review

18   We reviewed the recommendations, good-practice guidance, challenges and issues identified in reports into whistleblowing including those published by government, the Committee of Public Accounts (PAC), HM Treasury, the Committee on Standards in Public Life and our back catalogue of published work on whistleblowing.

19   We used the International Organisation for Standardisation guidelines for establishing, implementing and maintaining an effective whistleblowing management system based on the principles of trust, impartiality and protection as a framework for our analysis. We reviewed 22 documents and systematically reviewed nine of these documents to identify recommendations, good-practice guidance, challenges and issues and against the ISO 37002:2021(en) Whistleblowing management systems – Guidelines.

Systematic review of annual reports and accounts

20   We reviewed four years of annual reports and accounts (financial years 2018-19 to 2020-21) of 41 bodies listed on the GOV.UK page Annual Reports and Accounts for Central Government Departments, to see what they said about the effectiveness of whistleblowing arrangements in their governance statements. We used an automated document-mining process looking for keywords matches for: 'whistle'; 'speak'; 'raise' and 'concern'. We undertook a manual check to test the quality of the automated review and completed additional analysis where gaps were identified.

Systematic review of whistleblowing policies

21   We reviewed the whistleblowing policies of the 16 departments to see how they handle selected issues that have previously been of concern to PAC or the Cabinet Office (such as clarity over who the policies apply to or providing a suitable route to people to raise concerns relevant to national security).

Systematic review of whistleblowing health checks

22   We sought to understand the level of assurance that can be taken from the self-assessments of whistleblowing arrangements known as whistleblowing health checks. We requested self-assessments carried out at the 16 departments in response to the Cabinet Office's request of February 2022, along with any supporting evidence. We reviewed the material provided about departments to test:

● the evidence or independent assurance they drew on;

● areas identified as significant by PAC or Cabinet Office that are not covered by individual organisations; and

● the extent to which the self-assessments contained explicit judgements.

● Where necessary, we sought clarification of the material we received. We also charted the extent of the information provided about executive agencies.

Interviews

23 We carried interviews with officials and representative of the following organisations:

- Cabinet Office's Government People Group (formerly Civil Service HR), which 'owns' civil service whistleblowing policy.

- Department for Business & Trade, which 'owns' PIDA legislation and is currently carrying out a review of it, to ensure we understood the nature of the review and how it related to our scope.

- Government Internal Audit Agency to understand its work with civil service organisations on whistleblowing.

- Civil Service Commission to understand its role in civil service whistleblowing.

- Protect, the main whistleblowing charity, to seek its insights on whistleblowers' experiences.

- Advisory, Conciliation and Arbitration Service to understand its role and any insights in relation to whistleblowing.

- Public and Commercial Services Union to hear its views on civil service whistleblowing.

- Department for Work & Pensions to hear how a large department handles whistleblowing.

- Department for Transport to hear how it oversees whistleblowing in its agencies.

- Maritime & Coastguard Agency to hear its perspective as an executive agency of the Department for Transport.

Focus groups

24   We held one internal focus group in September 2023 with our own staff to gather insight into the experience of civil service whistleblowers. Attendees included the nominated officer for our internal whistleblowing policy, the former head of correspondence and freedom of information, the lead for handling whistleblowing, and line staff with experience of engaging with civil service whistleblowers who have approached the National Audit Office (NAO) in connection with the Comptroller and Auditor General's (C&AG) role as a prescribed person. We gathered their perspectives on:

● what whistleblowers had experienced, how this had affected them, and what this might say about the processes for whistleblowing and civil service culture; and

● what both the whistleblowers and the organisations they had worked for were like to deal with.

25   We recognise that civil service whistleblowers approaching the C&AG are a self-selecting and not necessarily representative group. We triangulated the information from this focus group against:

● information about whistleblower experience from our document review;

● information about whistleblower experience from stakeholder interviews; and

● views expressed in the focus groups we carried out with attendees working on whistleblowing within civil service organisations (these focus groups were primarily carried out to inform the development of our good-practice guide but did cast some indirect light on the experience of whistleblowers).

26   We also considered whether there was additional fieldwork we could carry out directly with whistleblowers that would overcome some of the limitations of the sources listed above. However, the methodological, practical and ethical challenges involved in identifying, contacting and seeking views from a representative group of civil service whistleblowers were prohibitive.

27   We held the external focus groups mentioned above with attendees from government departments in order to inform our understanding of whistleblowing practice in government, including practice to support the experience of whistleblowers. We held two focus groups in June 2023, attended by officials representing 10 different departments. Attendees included nominated officers, heads of teams with responsibility for governance or human resources, head of HR policy, policy leads on whistleblowing, HR caseworkers and confidential hotline staff.