



National Audit Office

The UK's independent public spending watchdog

Switchboard +44 (0)207 798 7000

Direct Line +44 (0)207 798 7264

Email FOI@nao.org.uk

Reference FOI-1844

Date 8 August 2025

INTERNAL WHISTLEBLOWER DATA

Thank you for your email on 12 July 2025 asking about our internal whistleblower data. Your request has been handled under the terms of the Freedom of Information Act 2000 (FOIA).

We have checked our records and can confirm that we hold some of the information you requested. Your specific request is set out in **Annex A** where we have provided our response to each question. We have withheld some of the information because personal data is exempt under section 40(2) of the FOIA (personal information). Details of this exemption and how it applies to your request can be found in **Annex B**.

Our policy is to respond to requests as helpfully and promptly as possible. I hope this information is helpful and you are happy with the way we have handled your request. If you are not happy with this response, you can ask for an internal review within 40 working days by writing to the NAO FOI Team at FOI@nao.org.uk. If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The primary way of escalating your concerns to the Information Commissioner is at: <https://ico.org.uk/foicomplaints>.

Yours sincerely,

NAO FOI Team

Annex A

Your FOI request is in italics with our response to each question below:

How many whistle blowers has the NAO had in the last ten years?

Three whistleblowing concerns have been raised in the last 10 years.

How many of these whistle blowers are still with the department and how many have left?

Two whistleblowers are still working at the NAO. The third has left the NAO.

How many were on sick leave during the whistle blowing issues?

We are unable to answer this question as this would require us to disclose the identity of the individual more widely within the NAO.

How much sick pay was paid out for whistle blowers over the ten years?

We are unable to answer this question as this would require us to disclose the identity of the individual more widely within the NAO.

How many of the whistle blowing cases were successful and how many were not?

Of the three whistleblowing concerns raised in the 10 last years:

- One concern was partially upheld*
- Two concerns were not upheld*

Please can you confirm, if possible, the number of each grade that have been whistle blowers for the last ten years?

We are unable to answer this question as this would require us to disclose the identity of the individual more widely within the NAO.

Please can you confirm how many of these cases went to tribunal or court and the cost in the last ten years?

None of the three whistleblowing concerns raised in the last 10 years went to tribunal.

Annex B

Section 40, Freedom of Information Act 2000 – Personal information

Section 40, paragraphs 1-4, of the Freedom of Information Act 2000 (FOIA) provides that:

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

- (a) it constitutes personal data which does not fall within subsection (1), and*
- (b) the first, second or third condition below is satisfied.*

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

- (a) would contravene any of the data protection principles, or*
- (b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.*

(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).

(4A) The third condition is that—

(a) on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for access to personal data, the information would be withheld in reliance on provision made by or under section 15, 16 or 26 of, or Schedule 2, 3 or 4 to, the Data Protection Act 2018, or

(b) on a request under section 45(1)(b) of that Act (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.

Reasons why we have applied this exemption

We are not obliged under Section 40(2) of the FOIA to provide personal information about another person if releasing it would contravene any of the provisions of the Data Protection Act 2018.

We believe releasing the details of whistleblowers concerning sickness and grade in relation to National Audit Office employees would contravene the first data protection principle, which is that the processing of personal data must be lawful, fair and transparent. We have therefore redacted this information from the information we are releasing to you.