

**Whistleblowing Template**

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| **Template Guidance Notes**  You can use this template as a base for documenting the Firm’s whistleblowing policy and procedures.  A separate template ‘whistleblowing policy’ can be used for providing staff with the relevant information, alternatively, the firm can provide this document to staff.  Guidance notes and instructions are highlighted in yellow.  Red text indicates personalisation is probably required. |

**Firm Name**

**Whistleblowing Template**

**Month / Year**

# Whistleblowing - Policy and Procedures

## Introduction and overview

This document/section describes our ‘whistleblowing’ policy and procedures. These apply to all staff in the firm and its appointed representatives. Our separately documented ‘whistleblowing policy’ is for providing to staff so that they are aware of the firm’s policy and have all the relevant information.

## Relevant legislation

Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

From an FCA perspective, the term 'whistleblowing' refers to certain stakeholders, including employees, disclosing 'reportable concerns' about a wide range of issues including regulatory breaches, systems and controls failings, breaches of policies and wider reputational or financial harm. This is in addition to, and much wider than, pre-existing protections applicable to workers who make protected disclosures under the Public Interest Disclosure Act. The FCA rules are detailed in the FCA Handbook SYSC 18.

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| Key FCA rules  The key requirements include the following actions that a firm should take:  appoint a Senior Manager as their whistleblowers’ champion;  put in place internal whistleblowing arrangements able to handle all types of disclosure from all types of person;  put text in settlement agreements explaining that workers have a legal right to blow the whistle;  tell UK-based employees about the FCA and PRA whistleblowing services;  present a report on whistleblowing to the board at least annually;  inform the FCA if it loses an employment tribunal with a whistleblower;  require its appointed representatives and tied agents to tell their UK-based employees about the FCA whistleblowing service (see appendix).  Whistleblowers may make their allegations to other parties in the firm, which is known as 'internal' whistleblowing; or to external regulators, law enforcement and, in more limited circumstances, the media. |

## Whistleblowing policy

The rules in SYSC 18 are the basis for our whistleblowing policy and procedures.

*We always welcome open feedback from staff on our business. However, we recognise that a situation could arise where a member of staff would not feel comfortable making comment unless they knew that their concern would be treated seriously, in confidence and without fear of personal repercussion. The intention of this whistleblowing policy is to encourage a culture where individuals feel able to raise concerns and challenge poor practice and behaviour, safely and confidentially.*

## Whistleblowing procedures

1. **Responsibility for whistleblowing policy**

An identified member of the Senior Management team has full responsibility for ensuring that:

1. the firm’s whistleblowing policy and procedures are implemented correctly;
2. through appropriate communication and/or training, all staff are aware of the firm’s whistleblowing procedures and the option of reporting concerns to third parties, including, the FCA where appropriate;
3. records of all reports are maintained for at least six years;
4. all reports and their outcome are formally reported to the management team at least annually;
5. the FCA is notified if the firm loses an employment tribunal with a whistleblower;
6. an appropriate number of nominated managers are available to whom internal reports can be made and who can be involved in any investigation that is required;
7. s(he) is one of the nominated managers;
8. nominated managers are aware of the policy, procedures and expectations;
9. the identity of reporting individuals is not disclosed to any member of staff or management where the individual has requested confidentiality or has chosen not to reveal his or her identity;
10. the reporting individual is free from any victimisation arising from, or related to, the matter reported;
11. any settlement agreements are dealt with in line with SYSC 18.5
12. **Raising general concerns**

For reportable concerns, see 3. below. Otherwise, any member of staff who has *general* concerns about any aspect related to his/her role in the firm or general comments about our business is encouraged to raise those concerns with any member of the management team. We commit to dealing with the matter appropriately and, if necessary, investigating it fully and fairly, and implementing remedial action where required.

1. **Reportable concerns - what should be reported?**A reportable concern is defined as a concern held by any person in relation to the activities of a firm, including:
2. anything that would be the subject-matter of a protected disclosure, including breaches of rules;
3. a breach of the firm’s policies and procedures; and
4. behaviour that harms or is likely to harm the reputation or financial well-being of the firm.
5. **Raising concerns in confidence – internally**

Any member of staff who has concerns about wrongdoing at work that they do not feel is appropriate to raise with his/her direct line management can instead report the matter in confidence to any of the following nominated senior managers.  
<NAME AND CONTACT DETAILS OF EACH OF THE INTERNAL INDIVIDUALS NOMINATED BY THE FIRM AS CONFIDENTIAL REPORTEES - IDEALLY THERE WILL BE MORE THAN ONE INDIVIDUAL>  
The matter will be investigated fully and fairly, and remedial action taken where required. The identity of the reporting individual will not be disclosed to any other member of staff or management.

1. **Raising concerns in confidence – externally**

In the event that the reporting individual does not feel comfortable about reporting internally, or if (s)he believes that an internal report has not been dealt with appropriately, the matter should be reported to the Financial Conduct Authority using the contact details shown below.

Whistleblowing contact line: 020 7066 9200

Email: [whistle@fca.org.uk](mailto:whistle@fca.org.uk)

Post: Intelligence Department (Ref PIDA),

Financial Conduct Authority,

12 Endeavour Square, London, E20 1JN

1. **Ensuring awareness of the policy and procedures**  
   In order to ensure that all staff are aware of the whistleblowing policy and procedures, each member of staff is provided with a summary of how they can report concerns within our whistleblowing policy. Formal training will be provided as required - as at <DATE OF INITIAL TRAINING> for staff in place at that date and as part of the induction program for all new joiners. Refresher training will be provided annually to ensure staff are reminded and receive up to date information.

The whistleblowing policy provides links to various sites providing further information and details about the support available for whistleblowers. We will display the FCA poster at Appendix 1 as a reminder to staff of how they can report concerns.

1. **Dealing with internal reports**

The individual(s) nominated by the firm (see 4. above) will deal with internal reports according to the following process:

1. The nature and facts of the matter being reported will be identified in detail through a confidential discussion with the reporting individual. Any evidence that the reporting individual can provide will be obtained or identified for later investigation if not immediately available.
2. The individual should be assured that:
3. the report is welcomed;
4. it will be investigated fully and fairly, and remedial action taken where required;
5. the identity of the reporting individual will not be disclosed to any member of staff or management where the individual has requested confidentiality or has chosen not to reveal his or her identity;
6. where feasible and appropriate, (s)he will receive feedback on the outcome of the report.
7. The matter must be fully documented and investigated, discussed with relevant staff and a course of action agreed with relevant senior management.
8. The investigation will result in appropriate remedial action including, but not limited to:
9. Change of procedures;
10. Disciplinary action;
11. Client remediation;
12. Communication with staff;
13. Staff training;
14. Reporting to the FCA if required by rules (rule breaches or other notifiable matters).

## Further information

1. FCA website: [www.fca.org.uk/firms/whistleblowing](http://www.fca.org.uk/firms/whistleblowing)
2. Also see: [www.hmso.gov.uk/si/si1999/19991549](http://www.hmso.gov.uk/si/si1999/19991549) and use ‘search’ to find the Public Interest Disclosure Act.
3. Free, confidential advice, and information on how individuals are protected if they report concerns as a whistleblower can be obtained from Protect (an independent charity).

Telephone: 020 3117 2550

Website: <http://protect-advice.org.uk/>

Email: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)

1. Other organisations who can help and may be able to provide advice include:

Trade Bodies/Unions

ACAS https://www.acas.org.uk/

Citizens Advice https://www.citizensadvice.org.uk/

# APPENDIX 1 - FCA suggested poster

The FCA has published this poster for firms to use as the basis for a communication to staff. Copies can be posted where appropriate within our offices so as to be visible to all staff.

<https://www.fca.org.uk/publication/information-sheets/whistleblowing-where-get-help-poster.pdf>

