



# Whistleblowing



# Learning objectives

- What is whistleblowing?
- When should you blow the whistle?
- Our company's whistleblowing policy
- Your responsibilities





# What is whistleblowing?

*“...the disclosure of information related to corrupt, illegal, fraudulent or hazardous activities being committed in or by public or private sector organisations – which are of concern to or threaten the public interest – to individuals or entities believed to be able to effect action...”*

**Transparency International**

*“...when a worker reports suspected wrongdoing at work. It can be about things that aren't right, are illegal or if anyone at work is neglecting their duties, including health and safety, environmental damage, a criminal offence - such as bribery, collusion, or covering up wrongdoing...”*

**UK Government**



# What do you think?

Whistleblowers only ever act for reward



True  
False ✓

There are no legal protections for whistleblowers



True  
False ✓

Anyone can blow the whistle if they suspect wrongdoing or unethical behaviour



True ✓  
False



# Why is whistleblowing important?

Whistleblowers have exposed cases of market and benchmark manipulation

Whistleblowers have also helped us uncover cases of insider trading

We've been told about pressure selling via whistleblowers

**42% of corporate fraud is uncovered by whistleblowing**



# When to blow the whistle

1. A criminal offence
2. Violations of laws and regulations by our Company
3. A miscarriage of justice
4. A health and safety risk that has not been addressed
5. Damage to the environment
6. Covering up of wrongdoing



## When it goes wrong

Sacked NHS  
whistleblower gets  
£1.22m in damages

Trader banned for  
failing to blow the  
whistle

BlackRock pays  
\$340,000 penalty  
for removing  
whistleblowing  
incentives

Whistleblower RBS  
escapes Libor fines  
of \$140m

SEC awards  
whistleblower  
\$30m



## Busting myths

“It’s a guaranteed way of losing your job”

No. Whistleblowers are protected from unfair dismissal or redundancy, unfair treatment, and bullying and harassment by law

“It’s hard to speak out against your friends”

It’s tricky, but you can report concerns anonymously via our confidential whistleblowing hotline

“You’ll just be seen as a troublemaker”

No. We strongly encourage you to speak out. You’ll face no sanctions, provided you act in good faith





# The law & whistleblowing

- The Public Interest Disclosure Act (PIDA) 1998 (UK)
- Specific protections for whistleblowers:
  - The right not to suffer detriment
  - Protection from unfair dismissal and redundancy by their employer, bullying or harassment by co-workers, and unfair treatment

**Note: Similar laws exist in other jurisdictions**



## Opinion: What do you think?

Not sure.

Whistleblowing is bad and never ends well for those who make reports. Look at what happened to Edward Snowden.

We all have a duty to act responsibly, even if that sometimes makes us feel uncomfortable. What about our values and principles?



# Why are people reluctant to get involved?

- Fear of not being taken seriously or listened to
- Fear that you will be victimised
- Unsure about the wrongdoing (psychologists call this '**ambiguity**')
- Assuming that someone else will act, especially someone more qualified who is responsible in the situation (psychologists call this '**diffusion of responsibility**')
- Not acting in accordance with usual social responsibility in the company of strangers (psychologists call this '**low cohesion**')



## Scenario 1



*“I thought Marco’s trades were suspicious and when I think back, there were changes in his behavior – he became very jumpy. But, I still never said anything.”*



# How will you Justify inaction?

I was new and didn't really know anyone at the time

- a) Ambiguity
- b) Diffusion of responsibility
- c) Low cohesion



I didn't want to make accusations in case his actions were entirely innocent

- a) Ambiguity
- b) Diffusion of responsibility
- c) Low cohesion



Lots of other people saw what was happening and didn't say anything – why should I?

- a) Ambiguity
- b) Diffusion of responsibility
- c) Low cohesion





# Our Whistleblowing Policy

- Providing information and training – raising awareness
- Explaining our systems and controls
- Appointing people with specific responsibility for whistleblowing – including a Whistleblowers' Champion
- Requiring everyone to read and implement our Whistleblowing Policy



## Do

- ✓ Read our Company's Whistleblowing Policy – make sure you understand our rules and know what to do
- ✓ Stick to the facts when making a report
- ✓ Be vigilant and watch out for indicators of suspicious behaviour or activity
- ✓ Report any wrongdoing or concerns as soon as possible via our approved channels
- ✓ Remember you're a witness **not an investigator!**



## Don't

- ❌ Wait until you have gathered evidence before making a report
- ❌ Turn sleuth and launch your own investigations –valuable evidence may be lost
- ❌ Use whistleblowing to settle scores or air personal grievances – follow our grievance policy instead
- ❌ Victimise others who raise concerns or report wrongdoing – you may face disciplinary action!





## Think about it: Is it reportable or not?

Which of the following should you report via our whistleblowing channels?



- a) Sally resents her boss – he gives her all the tough tasks
- b) There's a high accident rate where Arjun works, and safety is a low priority
- c) Marta, a nurse, thinks staff shortages are putting patient safety at risk
- d) Chester suspects a colleague of insider dealing but has no evidence



## Think about it: True or False?

***“Under no circumstances should you ever take concerns directly to a regulator”***



True

False





## Think about it

SEC, the US regulator, makes financial awards to those who blow the whistle on firms. Maybe that's something we should try?

What does it matter anyway? Who cares why they come forward? The important thing is that they DO and they feel confident speaking out.

Seriously? People should report concerns because it's the right thing to do, not for any financial reward.



## Next steps

- Call \_\_\_\_\_ on \_\_\_\_\_ if you need information or guidance
- Call \_\_\_\_\_ on \_\_\_\_\_ if you need to raise concerns
- Access self-study courses on our e-learning portal for further training  
[or optionally – Complete your mandatory training on our corporate e-learning portal]
- Complete the assessment to obtain a Certificate

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