ABOUT US

Protect is the UK’s whistleblowing charity. We encourage safe whistleblowing and support individuals, organisations and society in the following three ways:

Supporting Whistleblowers
We provide free and confidential information and advice to whistleblowers

Supporting Employers
We work with organisations to develop effective whistleblowing arrangements

Campaigning
We campaign for legal and policy reform to better protect whistleblowers

www.protect-advice.org.uk

2020 BY NUMBERS

3,845
new cases handled by the Advice Line

10 million
We estimate that our advice could affect over 10 million workers

1.3 million
Our work with our employer members benefits over 1.3 million workers

40
We engaged with 40 regulators and professional bodies

270
Employer members

78
major media mentions in national, regional and trade press

126,000
unique visitors to our website, 20% more than in 2019

50%
increase in LinkedIn audience compared with 2019.

4
research reports issued plus a best-practice toolkit
Our aim in 2020 was two fold: to strengthen our position as the go-to place for expert whistleblowing advice, and to encourage more employers to introduce effective whistleblowing arrangements.

Our expertise is demonstrated through the unique service we provide to individuals, and through our research and policy work. This year we supported a record number of whistleblowers needing advice on their legal rights and how to raise their concerns. The advice we give to individuals has the potential to stop wrongdoing and harm in their workplaces – with an impact on an estimated 10 million workers.

Perhaps unsurprisingly during Covid, workers still sought advice on the familiar concerns we see on our Advice Line – of financial malpractice, safeguarding and bullying cultures. Working remotely brought new risks too, and channels for raising concerns were less easy for many to access. The demand on our Advice Line increased rapidly as whistleblowers contacted us for support over new Covid-related concerns such as a lack of Personal Protective Equipment (PPE), social distancing and furlough fraud.

Cases in June 2020 were up 74% on June 2019, and over the year we saw an increase of 20% in cases – 3845 in 2020 compared with 3188 in 2019. We know how hard it has been for many workers to speak up in such difficult times, when jobs may be at risk and futures uncertain – but our Advice Line shows how many are willing to speak up in the public interest.

Our projects to encourage employers to improve their speak-up arrangements included publication of research highlighting the plight of whistleblowers in financial services and those raising concerns during the pandemic. We produced guidance for regulators dealing with whistleblowers and highlighted the gaps in whistleblowing arrangements in the charity and not-for-profit sector. Over the year we worked with almost 300 employers, encouraging them to test the effectiveness of their arrangements through our unique Whistleblowing Benchmark tool, and providing training and consultancy. The employers we work with have over 1.3 million workers between them - improving their whistleblowing arrangements means more workers can speak up and stop harm.

2020 has proved challenging, both in how we adapted our work with employers, and in meeting the rapid rise in demand for our advice services. My first year as Chief Executive has certainly been a strange one but I am immensely proud of how everyone at Protect adapted to the challenges Covid-19 presented.

Within days of the first lockdown in March, our Advice Line was up and running for whistleblowers needing help, as our Advisers worked remotely and continued to do so throughout the year. Adapting to change at speed was also the mantra for our Business Support team who moved our training and consultancy to successful online offers, helping businesses in all sectors improve their whistleblowing arrangements and make our workplaces safer.

Covid-19 has shone a light on how vital whistleblowers are to us all – indeed this year many workers’ concerns have been matters of life and death. Others have rightly spoken up when employers have been committing fraud on the public purse by abusing the furlough scheme. For staff who whistleblow - we know you are speaking up for the benefit of us all, often with little thanks, and too often at great personal cost.

At Protect we want to change that – we want whistleblowers to be valued, and organisations to understand the benefits of listening and responding to concerns.

We hope that the difficult times we’ve experienced will lead to a new respect for health and care staff, teachers and other key workers who have continued going out to work in difficult and demanding circumstances, and that there will be greater value placed on those who speak up to stop harm.

Elizabeth Gardiner
Chief Executive
Protect aims to be the “go to” place for expert whistleblowing advice. We run a unique service, helping people raise concerns effectively, and providing advice on their legal rights as whistleblowers.

Our legally trained Advice Line team are experts in handling complex, challenging calls which range from fraud, patient safety, to governance issues, amongst many others. But 2020 was not an ordinary year. Within a week of lockdown in March, our Advice Line was up and running remotely and our Advisers were providing advice around new Covid-19 concerns including PPE, social distancing and furlough fraud. We heard from new sectors in 2020 – including many cases in retail and hospitality – and from many in small organisations who found it difficult to raise concerns without any effective internal arrangements.

Each year our Advice Line handles around 3000 cases, and in our 27-year history, we have supported around 45,000 whistleblowers. As 2020 drew to a close, we saw an increase of 20% in calls with 3845 in 2020 compared with 3188 in 2019.

In 2020 we asked our callers about the size of organisation they worked for and found 66% work for small and medium sized employers (up to 250 staff) while 28% worked for employers of over 10,000 staff. We know that many whistleblowers report on concerns much wider than their own department or employer. As a conservative estimate, the advice we give could have an impact on over 10 million workers in the UK.

In 2020 we were pleased to provide two employment law podcasts for the Mayor of London’s rights hub, which were translated into many languages, helping workers understand their rights during Covid-19.

75% of visitors to our website found our advice pages useful

Whistleblowers we helped through our Advice Line said...

“I feel a lot less scared going to work now and less fearful of spreading the virus to my elderly parents and vulnerable patients in the clinics we look after. Many thanks for totally getting this and all your excellent advice”.

A healthcare worker we advised during the pandemic, 2020

“Thank you so so much for all your help and with the letters and your support. It has made a great difference and I feel so much better. Just talking through my case with you also helped tremendously. Thank you for listening and all your patience.”

Advice Line caller
THE GROWTH OF CASES IN THE LAST FIVE YEARS

![Bar chart showing growth of cases from 2016 to 2020]

THE SECTORS ADVICE LINE CALLERS WORK IN

![Pie chart showing percentages of sectors]

BIGGEST CONCERNS

- Covid-19 related concerns - 33%
- Working practices - 17%
- Ethical - 17%
- Abuse of a vulnerable person - 11%
- Financial malpractice - 8%
- Patient safety - 7%
- Work safety - 6%

Other 23%
Charities 19%
Health 15%
Care 11%
Education 10%
Leisure/hospitality 5%
Retail 5%
Financial services 8%
ADVICE LINE CASE STUDY

UNSAFE FOOD PRACTICES RESOLVED AS A RESULT OF WORKER SPEAKING UP

David (not his real name) was a maintenance engineer at a large UK food manufacturer. The company was in the process of transferring its production to a new building which involved using welding equipment and potentially hazardous cleaning materials. David was concerned that this could contaminate food on the production line. He worried that management and maintenance supervisors had ignored the contamination and hygiene hazards, despite other employees having similar concerns.

We advised David to raise the concern internally either to his supervisor or a responsible senior manager. They were not fully aware of the situation so David could explain his concerns and recommend closing the food line during the transfer. If no action was taken, he could consider contacting the Food Standards Agency.

David spoke to senior management who agreed with his concerns. They provided training to the relevant parties and stopped the transfer during production hours.

SUPPORTING WHISTLEBLOWER JONATHAN TAYLOR

Protect joined forces with an international community of civil rights and humanitarian campaigners and politicians to seek the safe return of whistleblower Jonathan Taylor to the UK. Mr Taylor blew the whistle in 2013 on a $275 million international network of bribes paid by Monaco-based Dutch oil platform company SBM Offshore. He provided evidence to the UK Serious Fraud Office, investigators in Brazil and the Netherlands as well as the FBI and the Department of Justice in the United States. This has resulted in fines to SBM Offshore of over $800 million.

Mr Taylor, a lawyer from Southampton, was arrested on 30 July 2020 whilst on holiday in Croatia as a result of an Interpol Red Notice seeking his extradition to Monaco. The authorities in Monaco sought to pursue charges against Mr Taylor which appear to have been initiated as retaliation against him by his former employer.

Protect has supported the Taylor family, by highlighting his case to the UK government, as well as the media and UK politicians. MPs Margaret Hodge and Caroline Nokes and Lord Wills raised parliamentary questions and we briefed politicians of all parties for short debates in both Houses. Our support continues – we fear that such far-reaching retaliation against a whistleblower may have a chilling effect on others coming forward to reveal corruption. The UK government has now sought assurances about his protection as a whistleblower but, at the time of writing, Mr Taylor remains in Croatia awaiting a lengthy court process to determine whether he must be extradited or can return home to his family.
Protect is very lucky to work with a number of law firms and barristers’ chambers who together form our Legal Support Network.

The network supports Protect in a variety of ways. In 2020, members of our network have provided funding for the advice line and jointly sponsored research, training and events. Other members offer their whistleblowing expertise to our legal advice team, helping us with tricky areas of law and potential cases for intervention.

Many also offer pro bono support with case work and in a year when we experienced an unprecedented rise in calls, this meant we were able to help more whistleblowers.

We thank all our Legal Support Network.

THANK YOU TO OUR LEGAL SUPPORT NETWORK

Allen & Overy
Arpita Dutt (BDBF)
Baker McKenzie
Cloisters
CM Murray
Corinne Alridge (Kingsley Napley LLP)
Daniel Stilitz QC
Harrison Clark Rickerbys
Howard Kennedy
James Laddie QC
Joseph England (3PB)
Leigh Day
Littleton Chambers
Mayer Brown
Mukhtiar Singh (Garden Court Chambers)
Slater and Gordon
Paul Daniels (Keystone Law)

LEGAL SUPPORT NETWORK CASE STUDY

CARE WORKER RAISING COVID-19 SAFETY CONCERNS DISMISSED BY BULLYING MANAGERS

Raj worked as a care assistant for a company of care homes. Raj raised concerns that an outbreak of Covid-19 within the home had been handled poorly and a decision taken by the home not to refer a patient to hospital had resulted in their death. Raj also raised concerns about patients being treated outside of the Care Quality Commission’s Regulations on Dignity and Respect. These issues were reported to Raj’s manager and the CQC. Following a period of targeted bullying by managers within the home, Raj was dismissed by his employer on the grounds of poor conduct which were unfounded. Protect advised Raj of his rights under the Public Interest Disclosure Act 1998 and reassured him that he had done the right thing. We secured pro bono support for Raj from a member of Protect’s Legal Support Network who also offered to represent him.
We believe that effective arrangements for identifying and addressing workers’ concerns are a good thing – for workers, for employers, and for society. Our business support team help employers introduce effective arrangements, making UK workplaces better and safer places to work, through the consultancy and training we provide. Over the course of 2020 Protect worked with around 300 different employers, benefiting a total of over 1.3 million workers in those organisations.

Organisations we work with

Despite the challenges Covid presented over the year, we were delighted to welcome aboard 16 new members who recognise the business benefits a strong whistleblowing culture offers. Our online Covid-19 webinar: ‘Whistleblowing during Covid-19: Keeping your organisations and employees safe’ proved extremely popular and was attended by a diverse range of delegates.

“The staff at Protect have always been professional and helpful. The support provided through the development and delivery of training was exemplary, both in personal attendance here in Scotland for courses for selected personnel on two occasions, and in the development of our Intranet based ‘Moodle’ Package, which is a mandatory training package for all officers and staff. This, coupled with the provision of the ongoing Advice Line and a Whistleblowing Benchmark review of our new processes has ensured that Police Scotland is best placed to facilitate and support anyone who wishes to report wrongdoing within our organisation.”

Clarke L Callaghan, Chief Inspector, Professional Standards, Police Scotland

BUSINESS SUPPORT IN NUMBERS

- 270 employer members
- 1.3 million workers were impacted by our work with employer members
- 16 new members
- 9/10 average training feedback score
- 20 in-house sessions and briefings
- 12 Whistleblowing Masterclasses
- 50 delegates attended our Covid-19 webinar
WHISTLEBLOWING BENCHMARK

Our Whistleblowing Benchmark is a key tool for organisations to audit the effectiveness of their arrangements. It continues to provide invaluable insights to members on where they may have organisational shortfalls. Twenty organisations completed the Whistleblowing Benchmark over the year and we hope to support many more in 2021.

Testimonials from third sector pilot participants on their experience of using the Whistleblowing Benchmark:

“The Benchmark was a useful framework. We knew we were never going to get a high score, but it gave ideas for us to think on and we now have an action plan which is very comprehensive.”

“The key is to be honest and brutal. Sometimes a low score is good. The numerics are useful as we can set KPIs around it. We have agreed with internal audit to use this as a basis to assess where we are at.”

“There is huge value working through the tool as it opens internal debate, such as do we do internal training? Why don’t we? Makes you realise what needs to be done.”

TRAINING AND CONSULTANCY

Our support to our Member organisations and stakeholders adapted over 2020, and unable to offer our face to face group training, we delivered live training online, both to individual organisations and to wider groups. We held webinars for regulators and professional bodies, on whistleblowing during Covid-19 and on our finance sector research “Silence in the City 2”. We also held specialist training for the third sector, for whistleblowing champions in the finance sector, and for the insurance sector. The feedback on our training is positive – we asked delegates on a scale of 1 to 10 how likely they would be to recommend Protect services to a friend or colleague, and we scored an average 9.

“We loved the discussion and interactive style, and everybody got so much more out of it than they would have done from content just presented ‘at’ them.

All the case studies were very thought provoking and tailored. They took a long time to work through, but we can see how that was necessary to bring the learnings back to the fundamental points.

There was a lot of information to take on board, but it didn’t feel overwhelming because of the way it was presented, and the way we were involved. We will be using this as a launch pad to catalyse further thinking.”

Sanger Institute
Campaigning for reform of whistleblowing law, the Public Interest Disclosure Act, continued throughout 2020. We briefed MPs on our draft Whistleblowing Bill, and for the Parliamentary debate on Dr Philippa Whitford MP’s Private Members Bill. We produced four reports in 2020 and partnered with Eurocadres to produce a best practice toolkit for trade unions.

We issued our ‘Better Regulators Guide’ in April to help regulators support whistleblowers approaching them, and in December we held a webinar attended by 40 regulators and professional bodies. Our Third Sector Whistleblowing Benchmark pilot, Time to Transform was published in May and in June we published Silence in The City 2 looking at the experiences of finance sector whistleblowers with thanks to law firm Slater & Gordon. October saw the release of The Best Warning System: Whistleblowing During Covid-19 with some unsettling findings about the treatment of whistleblowers raising very serious concerns.

SILENCE IN THE CITY 2

In June, with law firm Slater & Gordon, we published Silence in The City 2, a follow up to our initial 2012 report into whistleblowing in the finance sector. The research for Silence in The City 2 (SITC2) analysed the lived experience of 352 finance sector whistleblowers who contacted the Protect Advice Line between January 2017 – December 2019.

There were some positive findings, such as more trust amongst finance sector whistleblowers in internal whistleblowing systems - 93% raised their concerns internally first, compared with 73% in our 2012 report. However our headline finding was too many whistleblowers are still being victimised with 7 in 10 whistleblowers either victimised, dismissed or felt resignation was the only option open to them.
COVID-19 WHISTLEBLOWING

Our Advice Line soon began taking calls from whistleblowers raising Covid-19 related concerns about PPE, social distancing and furlough fraud. Indeed, furlough fraud became the fastest new issue our Advice Line has dealt with. We raised our concerns about emerging themes in the media, and provided evidence to the House of Commons Business, Energy and Industrial Strategy (BEIS) Committee inquiry on “The impact of coronavirus on businesses and workers”.

Protect call for HMRC to reopen fraud line

As furlough fraud became a major national issue, we were disappointed that HMRC shut their fraud reporting hotline, though they told us that this was for staff safety. We contacted HMRC explaining the dramatic spike in calls to our Advice Line, and our concerns over the fraud reporting line closure, which attracted some media interest. We explained to HMRC that reporting fraud via its website as the only option was not good for whistleblowers as we know from our own Advice Line work reassurance and a discussion with an adviser is needed.

As the calls continued and we were dealing with more and more concerned whistleblowers worried about furlough fraud, we briefed Lord Wills, of the Whistleblowing All Party Parliamentary Group (APPG), to ask a parliamentary question about when the HMRC fraud hotline would re-open.

We also submitted evidence to the Treasury’s consultation on draft powers to enable HMRC to reclaim mistaken or fraudulently paid furlough money, pointing out that whistleblowers should be exempt from prosecution and should not be required to return mis-paid wages. We sought reassurance from HMRC that whistleblowers would not face having to pay back fraud debts out of their own pockets, and HMRC issued a statement to us that this would not be the case. We like to think our campaigning contributed to HMRC reopening their fraud hotline on 3 August, albeit with limited hours.

THE BEST WARNING SYSTEM:
WHISTLEBLOWING DURING COVID-19

In October, we published The Best Warning System: Whistleblowing During Covid-19, which examined over 600 Covid-19 calls to our Advice Line between March and September. The findings were troubling, and showed some employers were still choosing to ignore serious Covid-19 concerns from whistleblowing staff.

Key findings:

41% Employers ignored 41% of all whistleblowers raising Covid-19 concerns, this figure climbed to 43% if the whistleblower was raising a concern about public safety risks.

10% Almost half of concerns raised regarding ‘increasing risk to public safety’ were from health and care key workers, with just 10% saying their employers investigated their concerns.

20% 20% of whistleblowers were dismissed after raising concerns about Covid-19 issues.

62% Furlough fraud within the workplace made up 62% of Covid-19 cases to the Advice Line – and is the fastest emerging issue Protect has dealt with in its history.
TIME TO TRANSFORM: Insights from Protect’s Third Sector pilot

In May, we published the pilot findings of our work with a small cohort of 20 mid to large charities to test their whistleblowing culture using our Whistleblowing Benchmark tool.

We were delighted to attend the first meeting of the Charity Speak Up Network in September 2020, hosted by the Wellcome Trust, to build on the good whistleblowing work that is happening in many charities.

Time To Transform: Insights from Protect’s Third Sector pilot, found that although 90% of charities had a whistleblowing policy:

- 86% of charities did not train staff receiving and acting on whistleblowing concerns.
- Only 52% of charities differentiated between whistleblowing and grievances.
- Only 5% of charities reported capturing feedback from whistleblowers.

“Getting whistleblowing right starts with having good governance and policies, but it has to go further than that and this means providing training so staff know their responsibilities and by creating a culture where speaking up is championed.”

Stephanie Draper, CEO at BOND on Time to Transform findings

DEVELOPING A BEST PRACTICE TOOLKIT FOR TRADE UNIONS WITH EUROCADRES

During 2020 we completed our training of trade unionists across Europe, in advance of the new EU Whistleblowing Directive’s implementation, with our final training going online. The project was in partnership with Eurocadres, the trade union body for professionals and managers and in December 2020 together we launched the Whistleblowing Toolkit: Best Practice Guide for trade unions. We will continue to work with Eurocadres to disseminate the toolkit and hope to promote the good practice findings to trade unions in the UK.

BETTER REGULATORS GUIDE: Principles for Recommended Practice

In April, findings from our engagement work with regulators and professional bodies concluded with the publication of Better Regulators: Principles for Recommended Practice. Applicable to regulators, law enforcement bodies and professional bodies, the guide aims to demonstrate how effective whistleblowing practices can enhance the ability of regulatory bodies to carry out their functions.

A webinar with both regulators and professional bodies took place in December 2020 and was attended by delegates from more than 40 regulatory and professional bodies.
PROTECT IN THE MEDIA:

Protect has been raising its public profile through our research and commentary on the trends we’ve seen on the Advice Line. Over 2020 we’ve been reported in The Sunday Times, Financial Times, The Telegraph, The Guardian, Sky News, The Sun, Forbes magazine and several articles in Personnel Today, Care Home Professional and Care Markets, School Week as well as other trade titles and regional press.

Covid-19 and the pattern we saw emerging with calls from whistleblowers on PPE shortages, social distancing and furlough fraud soon became national news. Our comments on the difficulties faced by workers raising concerns about furlough fraud attracted media interest.

Our Chief Executive Elizabeth Gardiner was interviewed by the BBC’s Money Programme, offering advice to employees on what to do if asked to work illegally as well as a live phone-in on Radio 5 Live. We also took part in a Daily Mail podcast on furlough fraud. Our campaigning for Jonathan Taylor also secured much coverage, with articles in The Telegraph and The Guardian.