



Protect's briefing on the Report Stage of the Public Office (Accountability) Bill

January 2026

Introduction

Protect welcomes the Bill and is supportive of the proposals of a new duty of candour on all public officials, reform of the old common law offence of misconduct in public office and a new offence of misleading the public.

Whistleblowing is a vital tool of public accountability. We rely on public officials to speak up to stop harm. However, too many [public inquiries into scandals](#) have revealed that someone inside the organisation knew that something was wrong but was afraid to raise concerns or, in some cases, spoke up only to be ignored.

It is because of this culture of fear and silence that we need this bill to strengthen whistleblowing protections, so that those that come forward under the new Duty of Candour can do so confident that they will not be victimised as a result.

A duty of candour may mean that we hear earlier when risks are emerging and reduce the costs associated with cover-ups of harm. However, better still would be a system where public officials speak up safely and effectively: prevention is better than cure.

As such, we are supportive of the Amendments 3 and 6 to the Bill, which would clarify and strengthen protections for those who come forward.

We are asking MPs to support these amendments and raise the issue of whistleblowing at the Report Stage debate: *expecting public officials to speak up without improving whistleblowing protections may undermine the potential effectiveness of the law.*

Amendment 3

Clause 2, page 2, line 39

at end insert—

“(f) ensure all relevant public officials can safely disclose information to an inquiry, investigation or inquest.”

Member's explanatory statement

“This amendment requires public authorities or officials who assisting an inquiry, investigation or inquest to demonstrate that they have taken steps to ensure relevant persons can safely disclose information relevant to an investigation.”

Lack of route to raise concerns outside the civil service is a clear concern

Civil service whistleblowing arrangements have long been plagued by an inability for civil servants to raise concerns independently. If civil servants are unable to speak candidly in their own departments, they have no option but to either raise their concerns via the media or, worse, stay silent - leading to risks escalating and scandals following.

Currently, [the Civil Service Commission](#) is only able to consider breaches of the civil service code, and often simply refers cases back to the department. The case study of Josie Stewart represents a clear example of the failure to have an external place for civil servants to raise concerns outside the civil service:

Case study: Josie Stewart

Josie Stewart approached BBC Newsnight about the Foreign Office's handling of the withdrawal from Afghanistan. She felt compelled to do so because she had no confidence that her department would investigate her concerns, and there was nowhere outside of the civil service that she could approach. An Employment Tribunal found that the Foreign Office had unlawfully removed Stewart's security clearances, and [unfairly dismissed her in 2022](#).

Removing Ms Stewart's security clearance was found to be a whistleblowing detriment. Stewart felt compelled to approach the BBC with whistleblowing concerns regarding the Foreign Office because she had no confidence in department would investigate the issues, and there was nowhere outside of the civil service she could approach.

The [Law Commission](#) recommended the introduction of an independent statutory commissioner with broad powers to investigate whistleblowing concerns related to issues of national defense and security. Our view is this is a good model to pursue more broadly for the civil service where they lack external, independent place to raise concerns outside the civil service. However Amendment 3 is still a clear step forward, creating a requirement that all public officials must have the ability to safely disclose information relevant to an investigation.

Amendment 6

Clause 9, page 8, line 18

after "disclosures" insert "and to whom such disclosures should be made;
(ba) how a person making a protected disclosure under paragraph (b) is protected;
(bb) a list of prescribed people and bodies to whom a potential whistleblower may speak to in confidence about a relevant concern."

Member's explanatory statement

"This amendment would require that a public authority's code of ethical conduct includes information on whom a person can make a protected disclosure to and how that person would be protected."

Flaws in the civil service whistleblowing culture and the need for protection

Whistleblowing cultures are key to ensuring that wrongdoing is highlighted early and that the coverups are challenged within Government. The barrier here is a well-documented culture in the civil service where challenge is not accepted. [The National Audit Office \(NAO\) report in civil service whistleblowing in 2023 found:](#)

"The 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."

Government Departments will have a whistleblowing policy and "nominated" people outside of line management who they can raise concerns with. However, there are questions about the effectiveness of these policies in practice, with few Government Departments monitoring their performance. [The results of the Civil Service People Survey 2024](#) found that only 51% agreed/strongly agreed with the statement "I think it is safe to challenge the way things are done in my organisation".

This mirrors the issues we see on our Advice Line, where 67% of callers that work in both local and central Government say that after blowing the whistle they are either dismissed, victimised by managers or co-workers or resign from their position.

As such, Amendment 6 is to be welcomed, as it would both clarify to potential whistleblowers how the whistleblowing system will protect them and provide an external place to raise concerns outside the employer is a sensible approach.

Conclusion

Improved whistleblower protection is needed alongside the proposed changes to introduce a duty of candour. Requiring people to speak up puts them at risk of being victimised or dismissed. For the proposals to work, stronger protections for whistleblowers are essential. As such, we urge all MPs to back amendments 3 and 6 at the Report Stage next week, which will ensure whistleblowers can safely disclose information and that all public authorities provide information on where they can make a protected disclosure to and how that whistleblower would be protected.

Protect

Protect is the UK's leading whistleblowing charity, our goal is to stop harm by encouraging safe whistleblowing. Through our Advice Line, we support more than 3,000 individuals each year and have handled more than 50,000 cases since we were founded in 1993. We work with thousands of employers every year helping them create good workplace cultures for speaking up. For more information, contact our Parliamentary Officer Doug Wilson at doug@protect-advice.org.uk or call 0203 455 2252.