

Telephone: 020 7066 8080  
Email: foi@fca.org.uk

13 September 2016

Our Ref: FOI4681

Dear

**Freedom of Information: Right to know request**

Thank you for your request under the Freedom of Information Act 2000 (the Act), for the following information,

- “Q1) The number of contacts received by the whistleblowing team, for each month from November 2014 to as recently as possible.*
- Q2) The number of new cases, in which actionable whistleblowing derived intelligence was disseminated to departments within the FCA and other regulators and law enforcement agencies, for each month from November 2014 to as recently as possible.*
- Q3) The number of cases created by subject (e.g. fitness and propriety, market manipulation) for each month from November 2014 to as recently as possible.*
- Q4) The number of new cases that have resulted in the imposition of penalties against a company or an individual since you started keeping records of this*  
*Many thanks in advance.”*

Before we consider your request, it is worth noting, in relation to Q1, the way in which we answer whistleblowing FOIA requests has changed since your last submission to us. “Contacts” is no longer a terminology we use or a figure we calculate when defining incoming information to our Whistleblowing team.

Turning back to your request. Your request has now been considered and I can confirm we hold the information you have requested.

In relation to Q1, each ‘*Case Opened*’ represents a new whistleblowing disclosure recorded by the Whistleblowing Team in line with our whistleblowing policy and legal and regulatory remit.

Incoming correspondence to the Whistleblowing Team which does not relate to a whistleblowing matter but requires the source to be referred to another part of the FCA and/or external law enforcement/regulatory agency is also recorded as a ‘*Forwarded Item*’.

The following table displays a month-by-month breakdown of Cases Opened and Forwarded Items' processed during this period (please note, as mentioned above, 'contacts' is no longer used as a measure for Whistleblowing Team activity):

<b>Month</b>	<b>Cases Opened</b>	<b>Forwarded Items</b>
November 2014	92	78
December 2014	103	72
January 2015	88	98
February 2015	93	94
March 2015	121	91
April 2015	116	77
May 2015	79	72
June 2015	121	77
July 2015	107	105
August 2015	71	63
September 2015	78	56
October 2015	79	70
November 2015	85	64
December 2015	66	44
January 2016	78	63
February 2016	77	70
March 2016	63	51
April 2016	79	71
May 2016	79	69
June 2016	80	78
July 2016	80	85

Regarding Q2, the figures below are taken from the FCA Intelligence System on which whistleblowing intelligence is stored and represent the number of whistleblowing derived intelligence logs disseminated within the FCA and to other regulators and enforcement agencies through appropriate legal gateways:

**Dissemination Records (broken down monthly):**

<b>Month</b>	<b>Record Amount</b>
November 2014	116
December 2014	148
January 2015	120
February 2015	107
March 2015	123
April 2015	125
May 2015	93
June 2015	100
July 2015	126
August 2015	76
September 2015	62
October 2015	63
November 2015	111
December 2015	99
January 2016	93

February 2016	93
March 2016	93
April 2016	81
May 2016	78
June 2016	81
July 2016	127

The number of disseminations exceeds the number of cases opened for a number of reasons including disseminations to more than one organisation, requests for further dissemination of intelligence created in earlier cases and, to a lesser extent, the time delays between opening cases and disseminating intelligence.

Our response to Q3 & Q4 can be found in the Annex.

Yours sincerely

**Information Access Team**

## **Annex**

### Response to Q3.

The Whistleblowing Team create case for each new disclosure received via phone, email, letter or other referral that is considered at the outset to be a PIDA / non-PIDA whistleblowing matter in line with the FCA approach to whistleblowing (<http://www.fca.org.uk/site-info/contact/whistleblowing/guidelines>).

The List of 'Subject' types on the case management system used by the Whistleblowing Team to record cases are; Competition, Consumer credit, Consumer Detriment, Crime, Culture of organisation, Fitness & Propriety, FX-related, Market Activity, Non-regulated products, Other, Pension, Remuneration and Incentivisation, Systems & Controls and Treating Customers Fairly. It should be noted that when a case is logged in our case management system only one primary 'Subject' can be recorded for each case although a case may contain elements of several 'subject types.'

### **November 2014**

<b>Total</b>	<b>92</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>8</b>
<b>Consumer Detriment</b>	<b>4</b>
<b>Crime</b>	<b>8</b>
<b>Culture of Organisation</b>	<b>14</b>
<b>Fitness &amp; Propriety</b>	<b>25</b>

FX-related	2
Market Activity	5
Non-regulated Products	3
Pension	3
Remuneration & Incentivisation	8
Other	0
Systems & Controls	9
Treating customers fairly	3

December 2014

Total	103
Competition	0
Consumer Credit	9
Consumer Detriment	10
Crime	12
Culture of Organisation	16
Fitness & Propriety	22
FX-related	3
Market Activity	4
Non-regulated Products	3
Pension	2
Remuneration & Incentivisation	1
Other	1
Systems & Controls	16
Treating customers fairly	4

January 2015

Total	88
Competition	0
Consumer Credit	3
Consumer Detriment	6
Crime	13
Culture of Organisation	11
Fitness & Propriety	23
FX-related	2
Market Activity	6
Non-regulated Products	3
Pension	2
Remuneration & Incentivisation	1
Other	1
Systems & Controls	14
Treating customers fairly	3

February 2015

Total	93
Competition	0

Consumer Credit	5
Consumer Detriment	7
Crime	11
Culture of Organisation	15
Fitness & Propriety	12
FX-related	1
Market Activity	6
Non-regulated Products	3
Pension	2
Remuneration & Incentivisation	2
Other	7
Systems & Controls	13
Treating customers fairly	9

March 2015

Total	121
Competition	0
Consumer Credit	8
Consumer Detriment	11
Crime	6
Culture of Organisation	14
Fitness & Propriety	17
FX-related	0
Market Activity	13
Non-regulated Products	8
Pension	10
Remuneration & Incentivisation	5
Other	3
Systems & Controls	19
Treating customers fairly	7

April 2015

Total	116
Competition	0
Consumer Credit	2
Consumer Detriment	13
Crime	18
Culture of Organisation	22
Fitness & Propriety	30
FX-related	0
Market Activity	4
Non-regulated Products	4
Pension	2
Remuneration & Incentivisation	6
Other	5
Systems & Controls	9
Treating customers fairly	1

May 2015

<b>Total</b>	<b>79</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>5</b>
<b>Consumer Detriment</b>	<b>4</b>
<b>Crime</b>	<b>7</b>
<b>Culture of Organisation</b>	<b>8</b>
<b>Fitness &amp; Propriety</b>	<b>8</b>
<b>FX-related</b>	<b>3</b>
<b>Market Activity</b>	<b>11</b>
<b>Non-regulated Products</b>	<b>1</b>
<b>Pension</b>	<b>2</b>
<b>Remuneration &amp; Incentivisation</b>	<b>1</b>
<b>Other</b>	<b>6</b>
<b>Systems &amp; Controls</b>	<b>15</b>
<b>Treating customers fairly</b>	<b>8</b>

June 2015

<b>Total</b>	<b>121</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>1</b>
<b>Consumer Detriment</b>	<b>23</b>
<b>Crime</b>	<b>7</b>
<b>Culture of Organisation</b>	<b>14</b>
<b>Fitness &amp; Propriety</b>	<b>27</b>
<b>FX-related</b>	<b>2</b>
<b>Market Activity</b>	<b>6</b>
<b>Non-regulated Products</b>	<b>3</b>
<b>Pension</b>	<b>4</b>
<b>Remuneration &amp; Incentivisation</b>	<b>5</b>
<b>Other</b>	<b>13</b>
<b>Systems &amp; Controls</b>	<b>13</b>
<b>Treating customers fairly</b>	<b>3</b>

July 2015

<b>Total</b>	<b>107</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>2</b>
<b>Consumer Detriment</b>	<b>10</b>
<b>Crime</b>	<b>0</b>
<b>Culture of Organisation</b>	<b>24</b>
<b>Fitness &amp; Propriety</b>	<b>27</b>
<b>FX-related</b>	<b>2</b>
<b>Market Activity</b>	<b>2</b>
<b>Non-regulated Products</b>	<b>6</b>
<b>Pension</b>	<b>4</b>

Remuneration & Incentivisation	3
Other	10
Systems & Controls	13
Treating customers fairly	4

#### August 2015

Total	71
Competition	0
Consumer Credit	4
Consumer Detriment	14
Crime	8
Culture of Organisation	12
Fitness & Propriety	13
FX-related	1
Market Activity	1
Non-regulated Products	0
Pension	3
Remuneration & Incentivisation	0
Other	6
Systems & Controls	6
Treating customers fairly	3

#### September 2015

Total	78
Competition	0
Consumer Credit	4
Consumer Detriment	8
Crime	2
Culture of Organisation	11
Fitness & Propriety	18
FX-related	0
Market Activity	3
Non-regulated Products	1
Pension	2
Remuneration & Incentivisation	3
Other	7
Systems & Controls	15
Treating customers fairly	4

#### October 2015

Total	79
Competition	0
Consumer Credit	5
Consumer Detriment	9
Crime	2
Culture of Organisation	11

<b>Fitness &amp; Propriety</b>	<b>20</b>
<b>FX-related</b>	<b>0</b>
<b>Market Activity</b>	<b>3</b>
<b>Non-regulated Products</b>	<b>2</b>
<b>Pension</b>	<b>2</b>
<b>Remuneration &amp; Incentivisation</b>	<b>2</b>
<b>Other</b>	<b>11</b>
<b>Systems &amp; Controls</b>	<b>8</b>
<b>Treating customers fairly</b>	<b>4</b>

November 2015

<b>Total</b>	<b>85</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>2</b>
<b>Consumer Detriment</b>	<b>15</b>
<b>Crime</b>	<b>7</b>
<b>Culture of Organisation</b>	<b>14</b>
<b>Fitness &amp; Propriety</b>	<b>13</b>
<b>FX-related</b>	<b>0</b>
<b>Market Activity</b>	<b>2</b>
<b>Non-regulated Products</b>	<b>1</b>
<b>Pension</b>	<b>3</b>
<b>Remuneration &amp; Incentivisation</b>	<b>2</b>
<b>Other</b>	<b>10</b>
<b>Systems &amp; Controls</b>	<b>13</b>
<b>Treating customers fairly</b>	<b>3</b>

December 2015

<b>Total</b>	<b>66</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>4</b>
<b>Consumer Detriment</b>	<b>9</b>
<b>Crime</b>	<b>6</b>
<b>Culture of Organisation</b>	<b>9</b>
<b>Fitness &amp; Propriety</b>	<b>5</b>
<b>FX-related</b>	<b>0</b>
<b>Market Activity</b>	<b>0</b>
<b>Non-regulated Products</b>	<b>0</b>
<b>Pension</b>	<b>1</b>
<b>Remuneration &amp; Incentivisation</b>	<b>3</b>
<b>Other</b>	<b>11</b>
<b>Systems &amp; Controls</b>	<b>11</b>
<b>Treating customers fairly</b>	<b>7</b>

January 2016

<b>Total</b>	<b>78</b>
<b>Competition</b>	<b>0</b>



Consumer Credit	4
Consumer Detriment	7
Crime	9
Culture of Organisation	11
Fitness & Propriety	15
FX-related	0
Market Activity	3
Non-regulated Products	0
Pension	1
Remuneration & Incentivisation	0
Other	12
Systems & Controls	10
Treating customers fairly	6

February 2016

Total	77
Competition	0
Consumer Credit	4
Consumer Detriment	15
Crime	6
Culture of Organisation	3
Fitness & Propriety	10
FX-related	0
Market Activity	2
Non-regulated Products	1
Pension	0
Remuneration & Incentivisation	5
Other	11
Systems & Controls	14
Treating customers fairly	6

March 2016

Total	63
Competition	0
Consumer Credit	4
Consumer Detriment	11
Crime	3
Culture of Organisation	10
Fitness & Propriety	15
FX-related	0
Market Activity	0
Non-regulated Products	1
Pension	2
Remuneration & Incentivisation	1
Other	4
Systems & Controls	8
Treating customers fairly	4

April 2016

<b>Total</b>	<b>79</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>2</b>
<b>Consumer Detriment</b>	<b>15</b>
<b>Crime</b>	<b>3</b>
<b>Culture of Organisation</b>	<b>12</b>
<b>Fitness &amp; Propriety</b>	<b>14</b>
<b>FX-related</b>	<b>0</b>
<b>Market Activity</b>	<b>1</b>
<b>Non-regulated Products</b>	<b>1</b>
<b>Pension</b>	<b>2</b>
<b>Remuneration &amp; Incentivisation</b>	<b>7</b>
<b>Other</b>	<b>5</b>
<b>Systems &amp; Controls</b>	<b>12</b>
<b>Treating customers fairly</b>	<b>5</b>

May 2016

<b>Total</b>	<b>79</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>1</b>
<b>Consumer Detriment</b>	<b>14</b>
<b>Crime</b>	<b>7</b>
<b>Culture of Organisation</b>	<b>9</b>
<b>Fitness &amp; Propriety</b>	<b>9</b>
<b>FX-related</b>	<b>0</b>
<b>Market Activity</b>	<b>6</b>
<b>Non-regulated Products</b>	<b>3</b>
<b>Pension</b>	<b>0</b>
<b>Remuneration &amp; Incentivisation</b>	<b>4</b>
<b>Other</b>	<b>12</b>
<b>Systems &amp; Controls</b>	<b>6</b>
<b>Treating customers fairly</b>	<b>8</b>

June 2016

<b>Total</b>	<b>80</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>4</b>
<b>Consumer Detriment</b>	<b>7</b>
<b>Crime</b>	<b>6</b>
<b>Culture of Organisation</b>	<b>16</b>
<b>Fitness &amp; Propriety</b>	<b>11</b>
<b>FX-related</b>	<b>0</b>
<b>Market Activity</b>	<b>1</b>
<b>Non-regulated Products</b>	<b>1</b>
<b>Pension</b>	<b>5</b>
<b>Remuneration &amp; Incentivisation</b>	<b>2</b>

<b>Other</b>	<b>15</b>
<b>Systems &amp; Controls</b>	<b>6</b>
<b>Treating customers fairly</b>	<b>5</b>

#### July 2016

<b>Total</b>	<b>80</b>
<b>Competition</b>	<b>0</b>
<b>Consumer Credit</b>	<b>2</b>
<b>Consumer Detriment</b>	<b>11</b>
<b>Crime</b>	<b>2</b>
<b>Culture of Organisation</b>	<b>6</b>
<b>Fitness &amp; Propriety</b>	<b>16</b>
<b>FX-related</b>	<b>1</b>
<b>Market Activity</b>	<b>1</b>
<b>Non-regulated Products</b>	<b>1</b>
<b>Pension</b>	<b>1</b>
<b>Remuneration &amp; Incentivisation</b>	<b>1</b>
<b>Other</b>	<b>34</b>
<b>Systems &amp; Controls</b>	<b>4</b>
<b>Treating customers fairly</b>	<b>0</b>

#### Response to Q4.

The FCA receives whistleblowing disclosures under The Public Interest Disclosure Act 1998 from anybody who wants to provide information about wrongdoing, in terms of regulated activity, but who seeks anonymity or confidentiality. A whistleblowing case is opened each time a whistleblower contacts us with information that falls within this category.

Intelligence derived from whistleblowing cases is initially managed and researched by the whistleblowing team. It is then disseminated to the FCA team responsible for supervising the firm or individual alleged to have been involved in wrongdoing. The Supervision team reviews the intelligence, assess other information the FCA already holds and determines whether further action is required using a risk based approach. The FCA has a variety of regulatory powers available to achieve outcomes that protect consumers and ensure markets work well without the need to refer cases to our Enforcement teams for investigation.

In a small number of cases our Supervision teams do refer cases for Enforcement investigation but it is rare that a single piece of intelligence from a whistleblower will lead, on its own, to an Enforcement investigation or action. Intelligence from whistleblowers may assist the progress of investigations, provide investigators with lines of enquiry and support or corroborate other intelligence.

We store all information received from whistleblowers securely so we can look into it again if circumstances change. We also share it with the FCA team that oversees emerging risks. Enforcement teams are able to review this information if it becomes relevant to an investigation at any time.

Should an Enforcement investigation already be open at the time whistleblowing intelligence is received, relating to the investigation or the firm or individual involved, it is disseminated to the relevant team.

In September 2013 we introduced a feedback process designed to capture the value of every piece of whistleblowing intelligence received by the FCA. FCA recipients of whistleblowing intelligence are required to grade the intelligence using one of four categories - which were designed to manage the difficulties in purely relying on enforcement outcomes as being the only worthwhile measure of value.

Between 15 November 2014 and 31 July 2016:

- Intelligence from 24 whistleblowing cases has been referred for FCA Enforcement activity or has directly led to the protection of consumers through other intervention.
- Intelligence from 218 whistleblowing cases was of significant value to the FCA and contributed to the discharge of its functions.
- Intelligence from 509 whistleblowing cases was, or may be, of value to the FCA but is not currently actionable or does not meet current regulatory risk thresholds.
- Intelligence from 87 whistleblowing cases was of little value and is unlikely to assist the FCA in the discharge of its functions.
- 951 cases remain open. Of these cases the vast majority are still under review or being assessed on an ongoing basis, therefore feedback is awaited. Some of this number will concern cases that do not require feedback for various reasons.