

(By email)

16 November 2018

Our Ref: FOI6005

Dear

Freedom of Information: Right to know request

Thank you for your request under the Freedom of Information Act 2000 ("the Act") dated 19 September 2018 for the following information:

"Whistleblowing champions and ET1 forms sent to the FCA as a Prescribed Persons

- 1) *Has the FCA received any whistleblowing disclosures or complaints about whistleblowing Champions not responding appropriately to finance sector staff who have raised concerns with them?*
- 2) *Please advise how many ET1 forms the FCA has been sent by the Employment Tribunal, in its capacity as a Prescribed Person under the Public Interest Disclosure Act (and not as an employer) in the years 2016/17 and 2017/18.*
- 3) *Please advise what data the FCA collates and holds centrally about ET1 forms that the FCA has received in this manner.*
- 4) *Please advise if as a result of being sent ET1 forms by the Employment Tribunal in the two years 2016/17 and 2017/18, the FCA contacted any of the relevant claimants who filed claims to the Employment Tribunal under the Public Interest Disclosure Act, to follow up the public interest matters, and if so, how many claimants did FCA contact?"*

Your request has now been considered and we apologise for the delay in responding to you. In answer to your request, we can confirm the following:

- 1) Yes, since the introduction of SYSC 18 in September 2016 we have received four disclosures that concern the actions of the relevant firms Whistleblowing Champion.
- 2) For the purpose of your request, we have interpreted ET1 as those forms submitted to the FCA pertaining to firms we regulate that relate to Public Interest Disclosure Act (PIDA) cases. The responsive information does not, therefore, include all ET1 forms received by the FCA for this period, simply those that are PIDA-related.

01/04/2016 – 31/03/2017: 4

01/04/2017 – 31/03/2018: 6

- 3) Upon receipt of an ET1 claim form, the FCA raises a whistleblowing case. The details pertaining to regulatory matters falling within the FCA remit are extracted from the ET1 claim form, anonymised to protect the whistleblower and then escalated to the relevant FCA team for assessment. ET1s are also reviewed for any

potential allegations of Whistleblower detriment. Relevant information is also extracted and saved to our whistleblowing case management system. For example, we extract information relating to the whistleblower, their allegations and the firm and individual(s) against whom they are making a claim. The ET1 claim form is also saved to our case management system.

- 4) 01/04/2016 – 31/03/2017: 4 – 3 contacted
01/04/2017 – 31/03/2018: 6 – 6 contacted

Yours sincerely

Information Disclosure Team

