

For whistleblowing to become more common we need to understand what more can be done by government, employers and civil society

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*In recent months we have seen a number of public outcries over controversies in which those within an organisation knew about malpractice but could not or would not speak up. However **Cathy James** argues that calls for greater accountability are unlikely to lead anywhere unless they are combined with an increased awareness of the structural and cultural obstacles to whistleblowing.*



Whistleblowing has been at the centre of many news stories in the last few months, from the safety of our food, the culture of gagging in the NHS, whistleblowing in our police forces, alleged price fixing in the wholesale gas industry and phone hacking in the media. Hardly a day goes by without another scandal in which those working in the organisation will likely have known the full story. Calls for accountability inevitably follow – how much easier to have invited staff to speak up in the first place and to listen carefully when they do.

Media stories and the findings of Public Inquiries often conclude that workers, who are the eyes and ears of an organisation, have been either too scared to speak up or dissuaded from raising concerns because of a sense that nothing will be done. How can we find out whether this is what is happening in all workplaces or only the few? Do we have any chance of gauging the culture within British workplaces and are there any policy initiatives that can turn around the damaging perception that to be a whistleblower you have to suffer in order that the truth will out?

We need to establish that whistleblowing is seen to be an effective and positive activity while balancing the competing interests of whistleblowers, their colleagues, employers and society at large.

As a charity that has worked on this issue for the last 20 years, it would be easy to feel as though we have made no progress at all, but to assume this belies the underlying truth. We do have a comprehensive whistleblower law on our statute books – one that is in need of amendment, but one which nevertheless has the basic framework right. We have a government that has said it is going to look at where the law needs strengthening and has listened to lobbying on the need to change a number of key areas in the legislation. We have a free and independent press that seems better than ever at keeping our politicians, regulators and the powers that be on their toes.

Attitudes to whistleblowing have also changed in recent years. Two decades ago the term whistleblowing had pejorative connotations such as “sneak”, “snitch” or “grass”. At the time of the introduction of whistleblower protection in the UK, leading broadsheets described the legislation as a charter for whingers and troublemakers. Public Concern at Work commissioned Cardiff University’s School of Journalism to [research media perceptions of whistleblowing](#), to mark the 10th anniversary of the legislation. It was found that there was a positive perception of whistleblowers: with most media stories post the inception of [PIDA 1998](#) being either positive or neutral towards whistleblowers.

So if attitudes have changed is public awareness getting any better? Sadly not – [surveys undertaken by PCaW](#) in the past few years show a worryingly low level of awareness of the protection available with only 23% of workers knowing that there is a law available to protect whistleblowers. In order to change attitudes more research is necessary and this is why we have set up the Whistleblowing Commission, which will examine the legal framework for whistleblowing in the UK and the requirements placed upon workers, employers and regulators. We will also commission a number of surveys, looking at the experience of individuals, attitudes towards whistleblowing in the general public, and business attitudes and practices.

There are also calls within the media to replicate the rewards systems put in place by US regulators to uncover financial malpractice. Would this result in the kind of sea change in attitudes that some believe is necessary in order to tip the balance in favour of those who speak up? Would the introduction of criminal offences for those who ignore whistleblowers be a good idea? We are nervous about each of these issues because each might have unintended consequences in the development of whistleblowing as an activity of good citizenship that should increase openness in the workplace. We want your views to help stimulate the public debate that is required to inform policy development.

Having had a comprehensive law on the statute books in the UK for over a decade, we believe we have an ideal opportunity to take stock and to consider how law and policy can be used to make workplace whistleblowing effective to avoid and prevent future harm. In the UK the role of regulatory bodies or authorities who deal with whistleblowing concerns has not been explored or examined in detail. From PCaW's experience, it is not enough to solely consider the individual's situation. For whistleblowing to be embedded in our culture and for a sense that it is safe to speak up early and loudly, we need to understand what more can be done by government, employers, regulators, policy makers and civil society alike.

Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics. Please read our comments policy before posting.

About the author

Cathy James has been Chief Executive of Public Concern at Work since May 2011 and before that was the charity's Legal Director, heading up the charity's advice line and corporate advice work. Public Concern at Work, the whistleblowing charity, aims to protect society by encouraging workplace whistleblowing. We operate a free, confidential advice line for workers with whistleblowing dilemmas, support organisations in establishing effective arrangements for staff to speak up, inform public policy and campaign for legislative reform.