

ARTICLE

A conversation on the future of whistleblowing



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We co-chaired The Future of Whistleblowing. This event sought to explore what the future of whistleblowing looks like, as new legislation aims to redefine whistleblowing in the UK through the creation of an 'Office of the Whistleblower'.

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When someone speaks up, why should we listen?

First, because it's the right thing to do. Integrity is essential, and listening when employees speak up creates a culture where everyone feels empowered to speak up and will be listened to.

Secondly, investing in a whistleblowing framework is profitable and good for a business's bottom line. Research by George Washington University has shown a clear correlation between the increased use of internal hotline reporting systems and improved business performance.

There's a dual impact in a good whistleblowing framework; first, identifying and stopping activities and secondly, deterring others from considering exploitation.

Finally, there's the risk of what happens when you don't listen; unchecked issues may continue to grow, and employees may go externally to regulators or the press. The controversial question was raised in the room – why even speak up when you can become an informant instead?

Should whistleblowing be incentivised?

The debate in the room considered if it is somehow disreputable to blow the whistle just to be paid for it. Typically, people blow the whistle because it is in the interest of the business or public for information to be shared, and therefore why would someone need additional financial incentivisation?

The cultural angle was also explored in a room full of professionals from both sides of the Atlantic. We considered, is it simply not very British to financially incentivise whistleblowing?

Conversely, speakers argued for the need to incentivise 'right-doing', particularly when the personal impact of whistleblowing can be so great. Whistleblowers may find themselves with costs such as lost income, lost progression opportunities and the time spent in developing their case; here, speakers noted examples of whistleblowers needing to move houses and falling ill due to stress, leading to further consequential costs.

What are the most important aspects of managing an effective whistleblowing framework?

The final session of the day sought to answer the question of how we manage an effective whistleblowing framework. Three key takeaways were identified:

1 Awareness – Make people aware of the hotline and how they can use it through training, communications, assigning whistleblowing champions, and if possible, showcase someone who's used it and can speak to its effectiveness.

2 Safety – No one will use a hotline they don't think is safe and secure.

Protect the whistleblower – when reports are received, assess through the lens of the whistleblower, considering the potential mechanisms to keep them safe. Some examples include:

- If there are four people in a team, and one is the whistleblower, interview all four of them so that the whistleblower is not identifiable.
- Don't tell the team that the investigation results from a whistleblower allegation. Is it possible that an internal audit could identify the same information? If so, conduct an internal audit to find that very same information.

3 Confidence – Employees won't use whistleblowing channels if they think they'll be ignored. Keep whistleblowers up to date on the progress of the investigation so they don't feel isolated and uninformed. Finally, thank all whistleblowers for using the framework and feedback ultimate conclusions as far as possible, even where claims they've made cannot be substantiated.

It's fascinating to discuss the potential return on investment from your whistleblowing hotline but realistically, it's not the real driver.

Some success indicators are not directly measurable, such as how many people are deterred from misconduct. If you're interested in discussing any of the topics raised here, please get in touch with Emma Kirkpatrick.

References

- [Study: Blowing the whistle won't harm the bottom line, Compliance Week 2019](#)