

30<sup>th</sup> July 2019

To the Office of the Parliamentary Commissioner for Standards

Dear Sir,

I bring the following concerns to your attention in the expectation that action will be taken.

My concerns about the APPG on Whistleblowing are set out below.

These concerns mainly fall under the heading of “Transparency”

On Page 40 of the APPG report, WBUK have listed themselves as a proposed proscribed person. The system being put forward would **directly benefit** the secretariat of this APPG. It would also directly benefit all the supporters of this proposed system such as the compliance and legal industries, Protect PCAW, Navex Global, Constantine Cannon Etc.

The code of conduct for MPs states that secretaries, family members and aides must declare any interests which they may benefit from as a result of an MPs work. I submit this must also include the secretariats of APPGs

**Please Note:** We have at no time given evidence to this group and the fact their report refers to Compassion in Care as a proposed Proscribed person is highly offensive as we would never endorse flawed whistle-blower protection in order to gain status or financial reward because it would clearly be wrong and neither would we ever act as secretariat to any such group.

This APPG has issued misleading press statements which were widely reported along the lines of “*after hearing evidence from whistle-blowers MPs publish a new report today calling for, **an office for the whistle-blower.***” The clear inference being that the proposals were reached as a result of the evidence heard.

This is completely dishonest as WBUK, the groups secretariat has made exactly the same proposals as early as two years ago and probably long before that.

WBUK is a sham organisation.

We have received a number of concerns about WBUK over a sustained period of time, mainly relating to a complete lack of support or no response to help-line callers at all.

There has been nothing on the WBUK twitter account for 3 months and their website content is almost nil, please compare this with our website and twitter content in an average month, we have no paid staff and the comparisons do not bear scrutiny. We have evidence to publish as a result of our work, WBUK do not.

WBUK is masquerading as a support organisation for whistle-blowers but clearly is not anything of the sort. Its funding sources have one common factor, the compliance and legal industries profitability which would be guaranteed by the “**office for the whistle-blower**” system, a system WBUK has long promoted. The conclusions reached in the APPG report are completely misleading.

Perversely the protection of those who act in the public interest are completely lost in this scramble to serve self-interests namely the interests of WBUK and those who fund WBUK. It could not be further from the essence of “Public Interest” We never forgot those whose lives depend on whistle-blowers because we deal with their suffering day in and day out.

WBUK has also attempted to obtain costs from an Employment Tribunal case which resulted in WBUK withdrawing the claim **only** after a judge questioned the lawfulness of WBUKs actions.

The APPG website prominently displays the groups purpose as being “The APPG on whistle-blowing”

This is highly misleading as is the only piece of work they have produced to date, a report entitled “Whistleblowing”

I fully dispute the data contained in this report as being related to whistleblowing at all.

On Page 11, The reported wrongdoing is broken down into categories with the largest group relating to bullying and harassment 28.4%. This is taken from 400 alleged whistle-blowers who submitted evidence to this APPG.

**Please note** We recognise there are some genuine whistle-blowers in this 400 but the genuine can never be given the protection they deserve whilst whistle-blowing is being applied to situations that are not whistle-blowing at all.

The APPG data is impossible for the following reasons, I run two national helplines for whistle-blowers, [www.compassionincare.com](http://www.compassionincare.com) and [www.thewhistler.org](http://www.thewhistler.org)

From **7000** whistle-blowers, only **2** cases related to a whistle-blower reporting the bullying and harassment **of others** in their workplace.

Of course, bullying and harassment of a whistle-blower **after** they have whistle blown happens in most cases, we deal with, but it is **rarely** the whistle-blowing disclosure. These numbers show that the evidence this APPG relies on includes individuals that I suspect have reported **their own** bullying and harassment as whistleblowing when it is rightly a work grievance. Therefore, this groups title and statement of purpose needs amending to reflect the evidence it is relying on and I suggest, “**The APPG on work grievances and some whistle-blowing matters**” would be more appropriate and completely accurate.

I also fully dispute the data on page 13 that states the Banking and Finance sector at 6.9% is the source of more concerns than the Private Health and Social Care Sector at 6.6%. We deal with **all** sectors on our helpline and Health and Social care are the largest proportion, followed by Education, prisons, courts, probation services, police, retail then banking and financial sector and aviation in that order.

The APPG data reflects the interests of the APPG which is the financial sector as predominantly that is the sector the APPG tweets about as well as referred to in the contents of their report.

We believe all whistle-blowers should be equally protected in accordance with the rule of law, clearly the APPG and WBUK believe otherwise.

I fully dispute the contents of this APPG evidence and draw your attention to the comments of Stephen Kerr in the recent whistleblowing debate, namely that he wants an office for the whistle-blower.

I draw your attention to the following principles in the MPs code of conduct in relation to the concerns I raise.

#### **“IV. General Principles of Conduct**

8. In carrying out their parliamentary and public duties, Members will be expected to observe the following general principles of conduct identified by the Committee on Standards in Public Life in its First Report as applying to holders of public office.<sup>1</sup> These principles will be taken into account when considering the investigation and determination of any allegations of breaches of the rules of conduct in Part V of the Code.

##### ***“Selflessness***

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

##### ***Integrity***

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

##### ***Objectivity***

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

##### ***Accountability***

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

##### ***Openness***

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

##### ***Honesty***

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

##### ***Leadership***

Holders of public office should promote and support these principles by leadership and example.”

To pretend that this APPG has been set up to hear evidence and consult a wide range of individuals and organisations in order to reach conclusions is inherently dishonest when that conclusion is only ever going to be the agenda of WBUK and its funders.

If this same situation were applied to a court, where a judge said “I will only hear evidence that I agree with because I have already decided my verdict” then there would be public outcry because that of course would be Misconduct in a Public Office.

If you can conclude that any of this is not wrong and is within the rules, then it is high time those rules were changed because what **is** happening is as wrong as it's possible to get.

Public confidence in Parliament has been seriously damaged by this APPG and its associates. Please ensure a proper investigation addressing each of these points because I will take this as far as I have to for the sake of the genuine whistle-blowers failed everyday and for those with no voice whose suffering is held in contempt by this APPG and its dubious associates.

Eileen Chubb

Further information

<https://compassionincare.com/scandal-behind-uk-whistle-blowing-law>