



The voice for water consumers
Llais defnyddwyr dŵr

CCW's response to Ofwat's driving better company performance through clear and effective whistleblowing practices consultation

13 October 2023

1. Introduction

The Consumer Council for Water (CCW) is the independent voice for water consumers in England and Wales. Since 2005, we have helped thousands of consumers resolve complaints against their water company, while providing free advice and support. All of our work is informed by extensive research, which we use to champion the interests of consumers and influence water companies, governments and regulators.

CCW welcomes any action to drive improvements to water company culture, performance and improved outcomes for consumers and the environment.

2. Our response

The water industry is at a crossroads with trust, so it is vital that water companies ensure that their culture is fit for purpose both for now and the challenges ahead.

We believe that companies need to have a customer-centric culture to improve trust levels and to ensure they are on track to become high performing companies. Our review¹ into customer-centric cultures explores this more.

An effective and fair whistleblowing policy is an important element in a customer-centric culture. Its role in encouraging encourages employees & other workers (including contractors, temporary/casual employees, agency staff, trainees and volunteers) to speak out about practices which could have/are having a negative impact on customers, employees and the environment is vital. As such, the company must be transparent about the outcomes of their investigations into the disclosures so that people can see that speaking out drives improvements.

Whistleblowing notifications are included in the suite of measures, recommended in our customer-centric review, that water companies should have in place to drive true transparency and ultimately drive greater organisational trust. This will give companies a view on whether their company values and behaviours are truly being demonstrated.

2: Response to specific questions

1: Do you have any comments or concerns about our proposed good practice expectations? We are pleased that the good practice expectations set out in the consultation document² seek to remedy the gaps and inconsistencies in water company approaches, as identified in your research and information gathering. It would have been useful to see references to the research materials that you viewed.

We welcome the inclusion of “the volumes of whistleblowing and any complaints about victimisation for making a disclosure (including complaints about breaches in confidentiality) and **what this says about the company’s culture and behaviours**”, in the detail of good practice expectation 8. As previously mentioned, this echoes the finding in our review that

¹ [Customer Centric Culture - CCW](#)

² [Ofwat consultation on driving better company performance through clear and effective whistleblowing practices](#)

companies should include this in their suite of measures that demonstrate if their culture and behaviour is being truly demonstrated.

2: Is there anything that our expectations do not cover that you consider would be relevant to enabling effective whistleblowing arrangements in water companies?

It needs to be made clearer that the whistleblowing policy should apply for employees and other workers (including contractors, temporary/casual employees, agency staff, trainees and volunteers) as defined by in Public Interest Disclosure Act (PIDA) 1998, part IVA - protected disclosures section 43K ³

Taking into consideration insight from KPMG's Whistleblower 2022 report⁴, it would be beneficial to add the following additional information into the detail of the expectations identified below:

Good practice expectation 8 – “The Board understands how to act if a concern is leaked to the public. The Board is prepared to handle such a contingency in a way that stands up to regulatory scrutiny and public opinion”.

Thank you for the opportunity to respond to this consultation.

Enquiries

Enquiries about this consultation should be addressed to:

[REDACTED]
Policy Manager

CCW

Email: [REDACTED]

Telephone: [REDACTED]

Date 13 October 2023

³ [Public Interest Disclosure Act 1998](#)

⁴ [KPMG whistleblower 2022 the impact of trust and technology](#)