

Consultation on driving better company performance through clear and effective whistleblowing practices – Wessex Response

In general, we are in support of the principles set out in this consultation, however there are areas that would benefit from further consideration and clarification.

1. We do not think that there is necessarily a direct correlation between a well-run company and culture and a subsequent flow of whistle-blower concerns.
2. We think that there is merit in retaining flexibility in the guidelines. As with BLTG (Board Leadership, Transparency and Governance), arrangements need to be appropriate for the business. We feel that there is a risk that an overly prescriptive approach may impose processes/steps that do not fit the way a company works and could be counterproductive to creating an open and transparent culture. We think guidance like that around BLTG where you set up arrangements that work for the individual company and explain why these are appropriate.
3. We think that there is an inference in your consultation that any failures in compliance are due to a failure in compliance culture. We do not think this is necessarily the case. There is a range of potential non-compliance, ranging from isolated one-off events to systemic issues. We would appreciate further details and guidance on what would constitute a licence condition breach.

As with any licence change, we think that it is important that it is carefully designed and contextualised to ensure that it enables the desired outcomes. We welcome further consultation on what any potential change would look like.