

# Ethical Standards Commissioner

## WHISTLEBLOWING REPORT

2021/22

## OVERVIEW

The Commissioner for Ethical Standards in Public Life in Scotland, also known as the Ethical Standards Commissioner “(the Commissioner)” is a 'prescribed person' under the Public Interest Disclosure Act 1998. The Act provides protection for employees who pass on information concerning wrongdoing in certain circumstances. The protection only applies where the person who makes the disclosure reasonably believes:

1. that they are acting in the public interest, which means that protection is not normally given for personal grievances; and
2. that the disclosure is about one of the following:
  - criminal offences (this includes financial improprieties, such as fraud),
  - failure to comply with duties set out in law,
  - miscarriages of justice,
  - endangering someone's health and safety,
  - damage to the environment, or
  - covering up wrongdoing in any of the above categories.

The Prescribed Persons Regulations 2017 came into force on 1 April 2017. Prescribed persons are required to report annually on whistleblowing disclosures made to them.

The Commissioner is a 'prescribed person' in relation to complaints brought under the Ethical Standards in Public Life etc. (Scotland) Act 2000. This Ethical Standards Act gives the Commissioner power to investigate complaints about the conduct of Scottish local authority councillors and the board members of specified Scottish public bodies.

## BACK GROUND READING / EXTERNAL SERVICES

[Public Interest Disclosure Act 1998](#)

[The Prescribed Persons \(Reports on Disclosures of Information\) Regulations 2017](#)

## REPORTING

During the reporting period 1 April 2021 to 31 March 2022 the Commissioner received no qualifying whistleblowing disclosures.

The statutory template for reporting is published below:

Category	Number of disclosures
Number of non-qualifying disclosures	14
Number of disclosures withdrawn prior to confirming whistleblowing status	0
Number of qualifying disclosures	0
Number of qualifying disclosures requiring no further action	0
Number of qualifying disclosures requiring further action	0
Number of disclosures to be assessed as at 31 March 2022	4

The Commissioner investigates complaints about the conduct of Scottish local authority Councillors and the board members of specified Scottish public bodies. We offer all complainers the opportunity to identify as a whistle-blower and then investigate the circumstances to establish whether they qualify as such. We rarely receive complaints from workers of public bodies and local authorities.. In all instances during the year, the disclosure was non-qualifying as the complainer was not a worker.

## INVESTIGATIONS

No investigations were carried out in the reporting period.

## ACTIONS

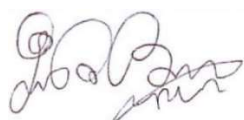
No actions were required during the reporting period.

## IMPACT OF DISCLOSURES ON THE COMMISSIONER'S ABILITY TO PERFORM ITS FUNCTIONS AND MEET ITS OBJECTIVES

There was no impact during the reporting period.

## IMPROVEMENT OBJECTIVES

No improvement objectives required during the reporting period.



Ian Bruce  
Acting Ethical Standards Commissioner

## CONTACT DETAILS

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