

## Annex A

### Request and Response

**1. How many reports did you receive from whistleblowers in 2019 and in 2020?**

The 2019 data on internal whistleblowers can be found in paragraph 3.15 of the document in the following link:

<https://www.food.gov.uk/sites/default/files/media/document/fsa-20-09-11-annual-board-report-freedom-of-information-external-complaints-and-internal-whistleblowing-sept-2020-final.pdf>

The 2020 data on internal whistleblowers has been withheld under section 22 of the Act as it is intended for publication in September 2021. Please see Annex B for further information on our use of this exemption.

**2. How many people do you have in your organisation that are trained/permitted to take reports from whistleblowers?**

The FSA has one Nominated Officer for matters raised under the Raising a Concern and Whistleblowing Policy.

Any manager of grade 7 or above and Trade Union Representatives could also be contacted by internal whistleblowers.

Support is provided to them by the Nominated Officer, who is the only person who can authorise that the report is taken into the official process for Raising a Concern and Whistleblowing.

**3. What training have the people in question number 2 received in whistleblowing?**

None specifically. Across Government, Nominated Officers are provided with guidance and can obtain support from a number of routes, including cross government networks. Within the FSA, managers receive guidance and support from the Nominated Officer's office.

**4. What cost, if any, was there for this training?**

Not applicable

**5. Which organisation delivered each course?**

Not applicable

**6. What is the name of the person that arranged this training and what is their email address?**

Not applicable

7. **What methods do you have for whistleblowers to contact a person that is authorised to take their report and what are the specific details of these, i.e., email addresses, telephone numbers etc?**

Contact can be made by email, telephone, face to face, or remote communication method. The Nominated Officer's email address is [Noel.Sykes@food.gov.uk](mailto:Noel.Sykes@food.gov.uk).

His mobile telephone number is made available to staff internally. It has been withheld from disclosure under section 40 (personal information) of the Act. Please see Annex B for further information on our use of this exemption.

8. **What are the email addresses for the people authorised to receive whistleblower reports?**

See response to question 7. Although other members of staff may receive contacts from individuals wishing to raise a concern (as explained in the response to question 2), these are not necessarily concerns appropriate for progressing under the FSA's Raising a Concern and Whistleblowing Policy and it is only the FSA's Nominated Officer who can authorise that the report is taken into the official process for Raising a Concern and Whistleblowing.

9. **How many whistleblowers have left the organisation within 12 months of making a report?**

None

10. **How many whistleblowers have made an allegation of 'detriment' against your organisation?**

None

## **Annex B**

### **Section 21 – information already reasonably accessible**

Under section 21 of the Act, we are not required to provide information that is already reasonably accessible to you.

Section 21 is an absolute exemption which means there is no requirement to conduct a public interest test.

### **Section 22 – information intended for future publication**

The FSA holds information in scope of your request relating to 2020 data on internal whistleblowers, however we are withholding the information in full as we consider it to be exempt under section 22 of the Act.

The public interest in permitting public authorities to publish information in a manner and form and at a time of their own choosing is important. It is a part of the effective conduct of public affairs that the general publication of information is a conveniently planned and managed activity within the reasonable control of public authorities.

As there is a commitment to publish, we are reasonably entitled to make our own arrangements to do so.

Overall, we consider the balance is in favour of withholding this information at this point in time.

### **Section 40 – personal information**

The information in relation to the Nominated Officers mobile telephone number has been withheld under section 40 (2) & (3) of the Act which relates to personal information.

We consider that it would be disproportionate for us to publicly disclose details regarding direct contact details of FSA employees, unless there is a strong public interest in doing so.

The individual has a legitimate and reasonable expectation that their personal details will not be disclosed in the context in which it is held. Disclosures under the Act are not just to those who request it but to the 'the world'. Article 5 (1) (a) of the General Data Protection Regulations (GDPR) and Section 35 (1) of the Data Protection Act 2018 (DPA) requires the processing of personal data to be fair and lawful.

On balance, we do not consider there to be a legitimate public interest in disclosing this information. Disclosure of this information would contravene the first data protection principle, particularly that to process the data in this way (i.e. by disclosure to the public)

would not be fair in all the circumstances. Furthermore, we do not consider that Art 6 (1) of the GDPR is satisfied in that disclosure would not be lawful.

Therefore, the information is exempt under section 40 (2) & (3) of the Act.