



## **Whistleblowing Policy Statement**

### **Introduction**

This Policy Statement sets out the Engineering Council's position on whistleblowing and is intended to help professional engineering institutions develop their own guidance and advice ('support') for members. Whilst whistleblowing is not a legal requirement, the Engineering Council believes that engineers and technicians should understand their professional obligations with respect to whistleblowing and know where to go to for support when they have a concern that they believe should be raised. The profession is committed to meeting its public benefit obligations to society. Developing a culture where individuals feel supported in raising a concern and speaking up in the public interest is part of meeting this commitment. Professional engineering institutions are well-placed to guide and advise their members on this matter.

This Policy Statement introduces a requirement for professional engineering institutions to promote awareness of whistleblowing and the support available to individuals in such situations. This and any other requirements contained in this Policy Statement will be incorporated into the Engineering Council's Licensing Manual and audited as part of the licensing process.

This Policy Statement is complemented by Guidance on Whistleblowing for engineers and technicians, available on the Engineering Council's website. A Guidance Note on Whistleblowing for professional engineering institutions is available on the Extranet.

### **What is Whistleblowing?**

'Whistleblowing' is defined by the UK Whistleblowing Commission as 'the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrongdoing which affects others'. This Policy Statement adopts a similar definition, although for engineers and engineering technicians, whose professional lives revolve around the management of risk, it substitutes 'inadequate quantification and management of risk' for 'risk' alone. The term 'concern' is used throughout this document as shorthand for any or all of these situations.

### **Who does this Policy Statement apply to?**

It applies to the professional engineering institutions that engineers and engineering technicians belong to, and refers to all professional engineering institution members to whom a Code of Conduct applies.

The general principles of this Policy Statement apply in whichever country an individual is working.

The underlying law applicable to the individual or the employer may be the law of the country in which they are working, but if their contract of employment is made in England it will remain subject to English law. There are other combinations of circumstances which may create more complexity and in many instances both English and local law may be relevant.

It should be noted that the principles in this Policy Statement may not apply to some categories of member, such as those working in the Armed Forces or involved in national security who are not protected by the Public Interest Disclosure Act 1998 (PIDA)<sup>1</sup>.

### **Support for whistleblowing**

There are potentially serious public and personal consequences if an engineer or engineering technician does not raise a concern and professional engineering institutions will be expected to take a proactive role in providing appropriate support to assist their members. As part of their responsibility to act in the public interest, the Engineering Council expects that, as a minimum, every professional engineering institution shall publish and communicate guidance for all members on whistleblowing in line with this Policy Statement.

Professional engineering institutions are required to have a Professional Code of Conduct which includes the obligations set out in the Engineering Council's Guidelines for Institution Codes of Conduct. Professional engineering institutions must consider whether their Code of Conduct adequately covers whistleblowing, and revise the code where necessary.

However, professional engineering institutions are not trades union and their charitable purpose prevents them from providing members with representation in the event of action being taken against them by the state, their employer or any other organisation.

### **Expectations of employers**

When engaging with employers, professional engineering institutions should, as a minimum, ask about their policies and procedures for employees who may wish to raise a concern. This would include how an employee should report and escalate a concern which is not, or cannot be, satisfactorily resolved with their immediate line management. This is because in whistleblowing situations an important principle is that individuals should first explore their employer's policies and procedures for raising concerns.

Employers' policies should be expected to cover all engineers irrespective of employment or registration status (e.g. employees, contractors, sub-contractors and partners). Firms which operate internationally should have specific guidance to support those employees who are internationally mobile and cannot assume the same legal protection is available in every country they work in. When entering into a partnership with employers in the UK, for instance in respect of apprenticeships, professional engineering institutions are encouraged to seek assurance that these arrangements are compliant with the Code of Practice proposed in the Whistleblowing Commission's report<sup>2</sup>.

The employer should have a published Code of Conduct and/or ethical policy which is consistent with the professional engineering institution's Code of Conduct.

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<sup>1</sup> For details on PIDA see PAS 1998:2008 Whistleblowing Arrangements Code of Practice BSI (July 2008)

<sup>2</sup> Whistleblowing Commission's report available at [www.pcaw.org.uk](http://www.pcaw.org.uk)