

Reference: 2025-094

Thank you for your email in which you requested the following information under the Freedom of Information Act 2000 (FOIA):

Policies and registers (likely generic/disclosable)

1. The SFO's current policies/procedures on:
 - a) conflicts of interest for staff (including declarations of interest, screening and recusal on case allocation),
 - b) whistleblowing (intake, triage, protections), and
 - c) case allocation/governance (who allocates "pre-investigation" referrals and how conflicts are considered).
2. The standard template(s) used by staff to declare outside interests and conflicts (blank/redacted template is fine).
3. The SFO's central conflicts register (or equivalent) showing categories/fields recorded. I am content to receive this with names and personal data redacted, retaining only job grade/role where already public.

"██████████" (██████████-related referrals) conflict screening and allocation records.

4. The conflicts-screening/recusal record(s) created when allocating "██████████" in 2021 (e.g., screening checklist, declaration, email or minute noting any prior employment/pension links and the allocation decision). Please disclose with names of non-senior staff redacted; you may retain the names of SCS/ELT post-holders where already public.
5. The case allocation/triage log for "██████████" showing: date first received; internal case reference; the unit/team assigned; date closed; and the decision maker(s). Content can be limited to a simple table; redact any investigative content if needed.
6. Any written record (email/minute) that considered possible conflicts concerning staff with prior ██████████ employment/pension interests on "██████████," and any mitigation (e.g., Chinese walls or recusal).

Records relating to the 17 September 2008 ██████████ intranet statement.

7. A description (not the document itself) of the statement the SFO/FOI team refers to when corresponding with ██████████, including:
 - a) the title/description used internally;
 - b) the source from which it was obtained (e.g., supplied by FCA, ██████████, SFO powers); and
 - c) the file metadata you are able to release (file type and creation/modified dates).
8. If you consider section 44 (statutory bar) and/or section 30/31 apply to the content, please still provide non-content metadata and a provenance description where lawful.

Communications with the FCA (scoped)

9. A schedule (date/sender/recipient/subject line only) of communications between the SFO and the FCA about "██████████" or the 17 September 2008 ██████████ intranet statement from 1 Jan 2021 to 31 Jul 2021. Redact content if necessary; I seek only the existence/metadata for transparency.

Response

Please see below our response to your questions.

Questions 1a and 4 – 9

We confirm that we hold this information. However, this is exempt from release under section 31(1) of the FOIA.

Section 31(1)(a), (b), and (c) provides that:

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,*
- (b) the apprehension or prosecution of offenders,*
- (c) the administration of justice:*

How the exemption is engaged

As a law enforcement agency, the Serious Fraud Office (SFO) holds highly sensitive information, which is of interest to others, including those we investigate. Releasing detailed information about our cases and internal policies could therefore undermine our investigative functions, compromise our ability to protect SFO investigative material and information systems, thereby prejudicing the interests at (a), (b), and (c) above.

Public interest test

Sections 31(a), (b), and (c) are qualified exemptions and require consideration of whether, in all the circumstances of the case, the public interest in exempting this data outweighs the public interest in disclosing it. More information about exemptions in general and the public interest test is available on the ICO's website at www.ico.org.uk.

It is recognised that there is a general public interest in publicising information about the SFO, so that the public knows that serious fraud, bribery, and corruption are being investigated and prosecuted effectively, and so that the public can be reassured about the general conduct of our organisation and how public money is spent.

However, having considered the public interest in releasing this information, we consider that the stronger interest lies in maintaining these exemptions of the FOIA. Primarily, the risk that this information could pose to the SFO's investigative functions against which it is essential to safeguard given the highly sensitive nature of the information held as a law enforcement agency. Releasing sensitive information about our internal policies and the cases we investigate risk compromising the SFO's ability to provide and maintain data security for the cases at pre-investigation, investigation, prosecution stages and beyond.

Having considered the opposing arguments, I believe that the stronger public interest lies in exempting the information from release.

Question 1b

Please see below Annex A

Question 1c

Heads of Department are responsible for allocating pre-investigation referrals. When potential conflicts of interest arise, they assess whether an actual conflict exists and determine appropriate mitigation measures.

Question 2 & 3

Some information responsive to this request may be found in our Annual Report and Accounts here: [SFO Annual Report and Accounts 2024-25 - GOV.UK](#).

The remaining information is exempt from release under section 40(2) of the FOIA, as it constitutes personal data relating to identifiable individuals.

Section 40(2) states that personal data which is not the personal data of the requester (i.e. third-party personal data) should not be disclosed if this would contravene the data protection principles. This would constitute a breach of the first data protection principle outlined in the General Data Protection Regulation (GDPR), which states that “personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject”.

How the exemption is engaged

We maintain that releasing information about the ‘standard template’, whilst potentially appearing to be just a blank form, would inherently contain fields and categories that could reveal personal information about staff members' potential conflicts and outside interests. Disclosing the template could enable someone to infer what types of personal circumstances, relationships, or financial interests SFO staff are required to declare.

We further maintain that releasing information about individual members of staff to the world at large could not reasonably be interpreted as “fair” processing because the Data Subject would have a reasonable expectation that their personal data would not be disclosed in this way.

Section 40(2) of the FOIA is an absolute exemption and we are therefore not required to consider the public interest in releasing the information requested.

Annex A – Whistleblowing Policy

Policy Objective

To have in place effective arrangements so our people feel safe to speak up if they come across something in the course of their work, past, present or imminent, that they think is fundamentally wrong, illegal or endangers others.

We are committed to:

- ensuring everyone feels able to, and understands their responsibility to speak up when they see something that doesn't feel right
- listening to those who raise a concern and treating them with respect
- handling concerns responsibly, professionally and in a positive manner
- ensuring those raising a concern are afforded protection as detailed in the procedure
- supporting those involved

Introduction

The Serious Fraud Office (SFO) is committed to ensuring high standards of conduct in all that it does. We believe our people share this commitment and understand that if they suspect wrongdoing, they have a responsibility to speak up and not to assume that someone else will come forward.

Effective arrangements that enable concerns to be raised can help:

- improve staff engagement and effective delivery of business
- detect and deter wrongdoing
- provide managers with the information they need to make decisions and control risk
- save and/or protect: lives, the environment, property, jobs, money and both personal and organisational reputations
- reduce the likelihood of legal claims against the SFO

Individuals who raise a concern often do so out of a sense of duty and a desire to 'do the right thing', but it is not always easy to come forward. Leaders and managers at all levels across the SFO should therefore welcome and actively encourage open dialogue. This will help to create a culture where individuals feel safe to speak up when they need to, and when they do, feel confident that they are listened to and supported.

Anyone who raises a concern using this policy and procedure, will be supported and should not suffer any unfair or negative treatment as a result. Any instances of victimisation will be taken seriously and managed in line with the SFO's disciplinary policy and procedure. Where a protected disclosure is made the individual also has a legal entitlement to protection.

Who is covered by this policy

All workers including: employees, consultants, contractors, casual workers and agency workers can use this policy to raise a concern.

However, only Civil Servants can raise a concern under the Civil Service Code with the Civil Service Commission.

What types of concerns can be raised under this Policy?

If an individual is asked to do something, or is aware of the actions of others, which they consider to be fundamentally wrong, illegal, have the potential to endanger others or breach the values of the Civil Service Code, they should raise a concern using this policy. The policy refers to this as 'wrongdoing'.

The issue must be something that affects others such as work colleagues, customers or the general public.

This policy cannot be used to raise personal complaints about management decisions or concerns about individual treatment, including complaints of bullying, harassment and discrimination. These should be raised using the Department's Dispute Resolution procedure.

Equally, this policy cannot be used to raise a matter of individual conscience, where for example, an individual is required to act in a way which conflicts with their faith or a deeply held personal belief, but where there is no suggestion of wrongdoing or a breach of the Civil Service Code. If an individual has a 'crisis of conscience' they should discuss it with their line manager or another manager they feel comfortable talking to.

Examples of the type of concern that might be raised under this policy include:

- A threat to national security (e.g. failure to follow security vetting procedures or falsifying documentation)
- Theft, corruption or fraud (e.g. dishonest or fraudulent conduct relating to payments or falsifying documents)
- Failure to comply with legal obligations (e.g. not protecting personal data as required by the Data Protection Act 2018, Gender Recognition Act 2004, Health and Safety regulations or any other relevant legislation)
- Danger to the environment or to people (e.g. improper disposal of hazardous materials or abuse or mistreatment of children or vulnerable people)
- Civil Servants can also raise a concern about a breach of the core values of the Civil Service Code (e.g. if the employee has been required to act in a way that conflicts with the core values of honesty, integrity, objectivity or impartiality, or believes that another civil servant is acting, or has acted, in a way that conflicts with the Code)

This is not an exhaustive list.

If individuals are unsure whether their concern can be raised under this policy they are encouraged to speak to their Line Manager, HR Policy Lead or the Nominated Officer.

It is rare for an individual to raise a vexatious, malicious or knowingly untrue concern. However, if they do so it could result in disciplinary action being taken against them.

Whistleblowing

'Whistleblowing' is a generic term relating to the internal or external disclosure of information to expose past, present or potential wrongdoing in an organisation. 'Whistleblowing' can cover the disclosure of information to someone within the organisation or revealing the information outside of the organisation, for example to a regulator.

This policy explains how to report concerns internally.

Raising a concern outside of this procedure, for example, with the media, campaign groups, on social media or with political parties could, if it amounts to an unauthorised disclosure, result in disciplinary action and may also breach the Official Secrets Act.

The Public Interest Disclosure Act 1998 (PIDA), more commonly known as ‘whistleblowing legislation’, is part of employment law.

PIDA protects workers who make a ‘qualifying disclosure’. There are number of requirements for a disclosure to be qualifying including that the individual has a reasonable belief that the disclosure is in the public interest.

The disclosure must also be a ‘protected disclosure’ which will broadly depend on the identity of the person to whom the disclosure is made.

PIDA encourages disclosure to the worker’s employer (internal disclosure) as the primary method of whistleblowing. Disclosure to third parties (external disclosure) may be protected if more stringent conditions are met. Disclosures to a “responsible” third party, or a “prescribed person” are also likely to gain protection. However, wider disclosures, such as to the police or to the media, will only qualify in very limited cases. See GOV.UK for information on prescribed persons.

PIDA provides protection to workers from suffering any detriment on the grounds that they made a protected disclosure. It also provides protection against dismissal as a result of making a protected disclosure.

Individuals may wish to seek their own legal advice before reporting a concern externally

How to raise a concern

Individuals should follow this procedure if they suspect or come across wrongdoing during the course of their work. This includes something they believe goes against the core values in the Civil Service Code. Under the Civil Service Code, civil servants have a right and a responsibility to speak up and report behaviour that contravenes the Code’s values. It is important that concerns are raised as soon as possible. Proof is not needed, just a reasonable, honest belief that wrongdoing has or is likely to occur.

There are a number of routes for raising a concern:

- talk to a manager – this might be a line manager or another manager that they feel comfortable talking to. The manager will be able to either help them progress the matter or arrange for them to speak to someone who can help – this might be a more senior manager or a Nominated Officer
- speak directly with a Nominated Officer, for example if the concern is particularly serious and urgent or if it is believed that managers may somehow be implicated or if it would be helpful to seek impartial advice.

Nominated Officers

Nominated Officers are individuals in the department who can offer impartial support and advice, outside of the management chain, to those who suspect wrongdoing and want to raise a concern. Their role is to ensure individual voices are heard and help make sure that concerns are properly addressed.

Nominated Officers can also provide information about the Civil Service Code and the role of the Civil Service Commission in hearing concerns that relate to a breach of the Code.

They can provide advice on:

- whether your concern falls under this policy and procedure
- the appropriate channels available to you to raise the concern
- alternative channels to follow where your concern falls outside of this policy and procedure
- whether the Permanent Secretary or Chief Executive needs to be informed/consulted
- next steps

If it is believed that the concern is extremely serious and urgent and it cannot be raised with a senior manager or Nominated Officer, then it can be raised with the Director. A concern should only be raised in this way if proper consideration has been given to other internal options first.

Confidentiality

Individuals should feel able to voice concerns openly under this policy. This makes it easier to investigate the matter and provide feedback.

Any disclosures made under this procedure will be treated in a sensitive manner. Details of individuals will only be shared with those who need to know, in order to investigate and progress the matter.

If an individual wants to raise a concern confidentially on the basis that their name is not revealed without their consent, this will be respected as far as possible. However, a situation may arise where the investigation itself may indicate the source of the information and in some cases it may not be possible to resolve the concern without revealing an individual's identity. In these circumstances, this will be discussed with the individual before proceeding. The same considerations of confidentiality are afforded to anyone at the centre of the concern, as far as possible.

Raising a concern anonymously is preferred to silence, but it is much better to raise a concern openly. If a concern is raised anonymously, it may limit the extent to which the department can investigate the matter and may therefore put others at risk. Raising a concern openly makes it easier to investigate fully and provide feedback on the outcome and any remedial action taken. If an individual is concerned about remaining anonymous, speaking to a Nominated Officer may help alleviate any concerns.

If a concern is raised anonymously steps will be taken to establish the seriousness of the matter and the likelihood of being able to investigate further. In some circumstances, the likely source of the information may become apparent during the course of the investigation. Individuals are therefore encouraged, where possible, to put their name to concerns raised. In this way, the Department can support them during the process and ensure they do not suffer any unfair or negative treatment as a result.

If a concern that is raised anonymously cannot be progressed due to insufficient information, the Nominated Officer must be informed to ensure that a record is kept for future reference.

Protection

Anyone who raises a genuine concern in line with this policy and procedure should not suffer any detriment as a result of raising that concern, this includes where further enquiries or an investigation subsequently confirms there has been no wrongdoing.

If an individual feels they have been victimised for raising a concern, either during the investigation or after the matter has been dealt with, the Department will take appropriate action and look into the allegation, in line with the Department's disciplinary policy.

If the manager dealing with the matter, an investigation manager or Nominated Officer is concerned for the well-being of an individual or that their working environment is unsafe, they should contact Human Resources for advice.

In addition to the protection given under this policy, the Public Interest Disclosure Act 1998 (PIDA) also serves to protect 'workers' who make a 'qualifying disclosure' in one of the permissible ways set out in the Act. In order to be protected, the procedure set out in the Act will need to be followed.

Information needed to raise a concern

When raising a concern under the procedure individuals should try to provide as much information as possible, including:

- the background and reason behind the concern
- whether the concern has already been raised with anyone else and the response
- any relevant dates
- if applicable, how the values and behaviours in the Civil Service Code have been breached.

If an individual has, or could be perceived to have, any personal interest in the outcome, it is important that they declare this at the outset.

The information provided should demonstrate that there are reasonable grounds for the concern to be acted upon. It is important that matters are not investigated by individuals themselves. Remember, proof is not needed, just a reasonable, honest belief that wrongdoing, has or is likely to occur.

It can be helpful if the concern is set out in writing. It does not have to be in any particular format but setting the matter out in writing can make sure nothing is missed. Nominated Officers can advise if there is difficulty doing this. If the matter is particularly serious and urgent it may be sensible to speak to a manager or Nominated Officer at the outset to avoid any delay.

How the concern will be handled

Once a concern has been raised, the manager dealing with the matter, will arrange a meeting with the individual to discuss the concern. The seriousness/urgency of the matter will dictate how quickly this needs to happen but in all cases the meeting should be held within 3 working days of the concern being raised.

This meeting is an opportunity for the manager to check they have a clear understanding of the matter. It is also an opportunity to discuss how the matter will be taken forward, either using this policy or whether another route such as the Dispute Resolution or other HR policy would be more appropriate. Making sure a concern is handled correctly from the outset is important.

Depending on the circumstances, this meeting can be conducted over the telephone rather than face to face, or in a suitable location away from the normal place of work.

Individuals may wish to be accompanied by a trade union representative or a work colleague at this meeting. They can be a helpful source of moral support for the individual. All those present at the meeting are expected to maintain confidentiality and not discuss the matter with others outside of the meeting.

If it is established that the nature of the concern means the matter would be better dealt with using a different route (e.g. Dispute Resolution or another HR policy) this will be explained. The manager will make sure the individual receives the support they need for the matter to be progressed.

If the concern is to be dealt with under this policy, the manager will need to establish:

- If preliminary enquires need to be made and who will do that
- whether to instigate an investigation and
- who will deal with the investigation, for example, the Security Adviser, Head of HR or the Nominated Officer

Written confirmation will be sent to the individual, within five working days of the meeting.

Investigations will be conducted sensitively and as quickly as possible. The investigation manager will write to anyone who needs to be interviewed as a witness, as part of the investigation process.

In most cases it should be possible for the individual to continue their duties/role as normal whilst a concern is being investigated. However, the SFO has a duty to maintain a safe working environment and an individual should not suffer any unfair or negative treatment as a result of raising a concern. The manager dealing with the matter should discuss this with the individual, listen to any concerns they may have and seek advice from Human Resources as required.

The manager will aim to update the individual on progress within 28 days. In the event of an investigation or the involvement of police/security, it may not always be possible or appropriate to provide full details.

Whilst there can be no guarantee that the outcome will be as the individual may wish, the manager will confirm when the matter is concluded. They will explain the outcome of the investigation in as much detail as they are able, whilst maintaining security and confidentiality for all parties. Depending on the circumstances this can be done face to face or over the telephone, but should always be confirmed in writing. It is important that every effort is made to provide the necessary reassurance that the matter has been properly looked into and where appropriate action has been taken to address any wrongdoing, so concerns are put to rest.

Where a concern has been raised and the individual feels that the matter has not been adequately addressed, they can raise the matter with a more senior manager. In these circumstances, the manager will speak to the Nominated Officer, investigation manager and the manager who dealt with the matter. They will assess what steps have already been taken and ensure that appropriate challenge is applied to test the conclusions reached and whether further investigation is needed. That manager will close a matter once satisfied that the investigation is complete and that the resulting recommendations or actions have been acted upon. It is their responsibility to ensure that any risk to the SFO is properly managed.

If a civil servant remains dissatisfied with the outcome, and their concern involves a potential breach of the Civil Service Code, they may refer the matter to the Civil Service Commission.

Concerns raised directly with the Director

Where a concern has been raised directly with the Director or equivalent, they will appoint a manager to take the matter forward. The manager will keep the Director or equivalent informed of progress. Once any investigation is complete, the manager will inform them of the outcome before writing to the individual who raised the concern.

If a civil servant raises a concern under the Civil Service Code direct with the Director or equivalent, and they remain concerned that the matter has not been adequately addressed, they can raise the matter with the Civil Service Commission.

Sources of Support

It is not always easy to come forward and raise a concern. Considering whether to do so can be a difficult and stressful time. Talking to someone else can help gather your thoughts to decide the best course of action.

Investigations into wrongdoing can also be a difficult and stressful time for others involved in the process. Sources of support, such as the EAP, Work in Confidence, Mental Health Allies etc are available throughout to provide help and advice.

Changes to policy or procedures

Raising a concern can help to detect and deter wrongdoing. It can also reveal that policies and processes need to be improved.

If changes are made to the SFO's policies and procedures as a result of a concern being raised, feedback should be provided to the individual who raised the concern.

Where practical (taking into consideration the importance of protecting individuals and confidentiality), it may also be helpful to make it clear to others across the SFO that changes to policy or procedure have been made as a result of a concern being raised, to demonstrate the value placed on speaking up

Raising a concern with the Civil Service Commission

The Civil Service Commission is an independent body that can hear and determine concerns that relate to the Civil Service Code.

The Civil Service Code forms part of the terms and conditions of every civil servant. The Code expects civil servants to carry out their role with dedication and commitment to its four core values of integrity, honesty, objectivity and impartiality.

If a civil servant is asked to do something that conflicts with the values in the Civil Service Code, is aware or has reason to suspect, that another civil servant is acting in conflict with the values, they should:

- raise a concern within their own department
- give the department or agency time to consider the matter
- if not satisfied with the response, refer the matter to the Civil Service Commission, using the Commission's procedure.

Only civil servants can raise a concern under the Civil Service Code.

The Civil Service Commission can only deal with matters that relate to the Civil Service Code and that have been raised formally under the Code with the Department.

The Civil Service Code is concerned with the outward-facing roles of civil servants rather than their internal relations, which means there is likely to be a public interest dimension to a concern raised under the Code.

The Commission cannot hear concerns related to individual treatment or management decisions. These matters, including complaints of bullying, harassment and discrimination should be raised under the Department's appropriate HR procedures for prompt resolution. Nor can the Commission hear complaints in relation to matters of individual conscience, where there is no suggestion that the Civil Service Code has been breached.

Below are examples of the type of concern that may fall under the Civil Service Code:

- Misusing one's official position, for example by using information acquired in the course of official duties to further one's private interests or those of others
- Knowingly misleading or deceiving Ministers, Parliament, or others
- Being influenced by improper pressure from others or the prospect of personal gain
- Ignoring inconvenient facts or relevant considerations when providing advice or making decisions
- Frustrating the implementation of government policies once decisions are taken. This could be through declining to take, or abstaining from, actions which flow from those decisions
- Acting in a way that unjustifiably favours, or discriminates against, particular individuals or interests
- Acting in a way that is determined by party political considerations, or using official resources for party political purposes.

This is not an exhaustive list.

In very limited circumstances a concern may be raised directly with the Civil Service Commission. However, the Commission will normally expect civil servants to raise a concern within their own department first, and they will want to understand why this has not been possible. The Commission will decide on a case by case basis and reserves the right to exercise discretion when deciding whether to deal with a matter directly.

The Commission will not usually accept concerns raised anonymously. However, where it provides evidence of a Civil Service Code risk, the Commission may forward the matter to the relevant department for them to consider and establish the likelihood of being able to investigate further.

Special Circumstances

Concerns raised by individuals who formerly worked at the SFO, non-civil servants and civil servants on loan

Individuals who formerly worked at the SFO

If a concern is raised by an individual who formerly worked at the SFO, the presumption should be that it is made in good faith and it should be investigated. Where the individual provides details that allow them to be contacted, the concern should be acknowledged. The SFO should aim to update them on progress within 28 days where possible. The SFO should also confirm

when the matter is concluded and where possible/appropriate, the outcome, maintaining security and confidentiality for all parties.

If an employee raises a concern either before resigning or during their notice period, the presumption should again be that it is made in good faith and it should be investigated. The concern should be acknowledged and they should be updated on progress, even after they leave. The SFO should also confirm when the matter is concluded and where possible/appropriate, the outcome, maintaining security and confidentiality for all parties.

Treating the matter in this way may help avoid the need for external disclosures.

Former civil servants will not generally have recourse to the Civil Service Commission unless they raised their concern whilst still a civil servant.

Non-Civil Servants

If you are a non-civil servant seconded into the Civil Service you can use this policy to raise a concern. As a non-civil servant, you are not subject to the Civil Service Code, so you do not have recourse to the Civil Service Commission. You are, however, required to observe the provisions of the Civil Service Code and departmental rules on conduct, confidentiality and security.

Concerns raised by civil servants on secondment or loan

If you are a civil servant seconded out of the Civil Service, you retain your status as a civil servant. This means you will continue to be bound by your Civil Service terms and conditions and the Civil Service Code. Therefore, if you want to raise a concern about a departmental matter you should use this policy and if you do not receive what you consider to be a reasonable response you may refer the matter to the Civil Service Commission.

If your concern relates to matters within the non-Civil Service organisation you have been seconded to, you should use the organisation's own policy and the matter cannot be brought to the Civil Service Commission. [Note: In cases such as this, the correct actions may depend on the terms of the particular secondment.]

If you are a civil servant on loan to another department, you are bound by the provisions applicable to all civil servants, including the Civil Service Code. You should therefore, depending on the terms of your loan, either use the policy of your parent department for raising a concern, or the department you are on loan to. If you do not receive what you consider to be a reasonable response you may refer the matter to the Civil Service Commission.

Concerns raised by someone outside of the SFO

If a concern is raised, about potential wrongdoing within the department, by someone outside the department (and not covered in para 7), the presumption should be that it is made in good faith and it should be investigated. If contact details are provided, the concern should be acknowledged and they should be updated on progress. The Department should also confirm when the matter is concluded and provide as much information as possible about the outcome, whilst maintaining security and confidentiality.

Concerns about matters in other organisations

If, during the course of their work, an individual suspects wrongdoing in another organisation, they should raise this using one of the routes described in the policy. The department will consider how to take the matter forward and will keep the individual informed as appropriate.