
From: Freedom of Information
Sent: 04 June 2013 14:00
To:
Cc: Freedom of Information
Subject: Freedom of Information : Right to know request

Our ref: FOI2967

Dear

We refer to your request of 8 May 2013 under the Freedom of Information Act 2000 (the Act), for the following information relating to whistleblowing. This request follows your previous request (FOI2939) which we advised would take more than 18 hours to process.

Your request has now been considered and we will answer each question in turn.

- 1) *How many calls to the whistleblower hotline / emails to the whistleblower address has the FSA (FCA) received (broken down by year, every year since the hotline was set up)?*

Statistics in relation to the total whistleblowing contacts per annum have been recorded since 2007:

2007 - 835
2008 - 1,186
2009 - 1,880
2010 - 4,648
2011 - 3,540
2012 - 3,929
2013 (January - April) - 1,615

- 2) *What five companies have been the subject of the most calls to the FSA's whistleblower hotline / emails to the whistleblower address since it was set up (and how many calls and emails have been received for each of those companies since the hotline began)?*

Having reviewed this part of your request again, we have come to the conclusion that it will also take more than 18 hours to locate, retrieve and extract the relevant information. As explained in our response to your previous request on 8 May, this is because the FCA does not have a business requirement to hold or identify information in the exact form or at the level of detail you have requested, so the information is not readily available.

In reaching this conclusion, we have not considered whether any other exemptions apply. In any event, information the FCA receives for the purposes of carrying out its regulatory functions under section 348 of the Financial Services and Markets Act 2000 is likely to be prohibited from disclosure as it would constitute confidential information. Such information is therefore likely to be exempt by virtue of section 44 (prohibitions on disclosure) of the Act. Other exemptions under the Act may also apply.

- 3) *Has the FSA ever received a call/email about the manipulation of Libor or related interest rate benchmarks to its whistleblower service? If so, when and how many?*
- 4) *Has the FSA ever received a call/email about the mis-selling of PPI to its whistleblower service? If so, when and how many?*
- 5) *Has the FSA ever received a call/email about the mis-selling of interest-rate swaps to its whistleblower service? If so, when and how many?*

6) *How many calls/emails has the FSA received about insider trading to its whistleblower service (broken down by year, every year since the hotline was set up)?*

In relation to questions 3-6, we can confirm that we hold the information you have requested. However, we are unable to provide the dates on which the calls were made, as this could lead to the identification of the individuals who made the contact. Therefore we consider that the following exemption applies:

- **Section 40 (Personal information)**

To the extent that the information that we hold contains personal data about an individual, section 40(2)(b) of the Act provides that "Any information to which a request for information relates is also exempt information if ... either the first or second condition below (see sections 40(3) and 40(4) of the Act) is satisfied".

We have applied this exemption because the first condition (as stated in section 40(3) of the Act) is satisfied as some of the information requested could lead to the identity of the individuals who made the contact being made public. As this information would comprise the personal data of individuals other than yourself, it would be a breach of Principle 1 of the Data Protection Act 1998 to disclose such information, as it would not be lawful or fair to the individuals concerned. The individuals concerned have not given their consent for this detail to be made public and the release of such information may be detrimental to the individuals themselves.

Notwithstanding the above, we can provide you with the number of times the FSA (now succeeded by the FCA) has been contacted regarding each issue. As previously explained in our email of 8 May 2013, this information relates to the period since March 2012 when the FCA adopted a different method for capturing data.

Contact issue	Number of contacts
Manipulation of Libor or related interest rate benchmarks	4
Mis-selling of PPI	14
Mis-selling of interest-rate swaps	1
Insider trading (including insider dealing)	18

7) *How many FSA/FCA employees work on answering calls to the whistleblower hotline on a normal day?*

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If you are unhappy with the decision made in relation to your request you have the right to request an internal review. If you wish to exercise this right, you should contact us within three months of the date of this email.

If you are not content with the outcome of the internal review, you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 01625 545 700
Website: www.ico.gov.uk

Yours sincerely

