



## **Whistleblowing – Frequently Asked Questions**

### **What is whistleblowing?**

“Whistleblowing” describes a situation in which an individual raises serious concerns about the events or circumstances at the firm where that individual is employed.

### **Who should I raise concerns with?**

Individuals should initially raise their concerns with their employer. With effect from 1 January 2017 all regulated entities are obliged to have an internal whistleblowing policy in place. Individuals may also raise serious concerns with the Isle of Man Financial Services Authority (‘the Authority’), ideally after raising them directly with the employer, and if they remain unsatisfied at the end of the employer’s process.

### **Are whistleblowers protected?**

In some cases. The Isle of Man has provisions under the Employment Act 2006 to protect whistleblowers in certain situations. The protection is under employment (rather than regulatory) law and means that the dismissal of a worker will be automatically unfair in the principal reason for dismissal is that they have made a protected disclosure in good faith. The law is set out in the [Public Interest Disclosure \(Prescribed Persons\) Order 2016](#).

### **How can I get advice on the Employment Act 2006?**

Only an employment tribunal can decide, after the event, whether a disclosure is protected and whether it will result in compensation. The Authority does not have the ability to decide whether a disclosure is protected or to intervene. It cannot provide legal advice. A [guide](#) to whistleblowing issued by the Department of Economic Development describes the types of disclosure which may qualify for protection.

### **Who should I contact at the Isle of Man Financial Services Authority?**

You can ring us on 689300 during office hours. Initially the contact person will be the Relationship Manager of the regulated entity.

If the person you want to speak to is not there, you can leave a message on voicemail.

If you prefer to e-mail us, please write to [info@iomfsa.im](mailto:info@iomfsa.im). Our postal address is:  
Isle of Man Financial Services Authority, P O Box 58, Finch Hill House, Bucks Road, Douglas,  
IM99 1DT.

### **Will my call be recorded?**

The Authority does not routinely record the contents of its telephone communications. However, as is standard with most modern telephone systems, the system retains a record of the telephone numbers that have been called by, or that have called into, the Authority, and it has the ability to record voicemail.

### **Do you need to know my name?**

We cannot insist that you give us your name, but in order to consider taking any meaningful action, it would be helpful to have your name and a method to contact you away from your workplace.

### **Could my identity become known to my employer?**

We appreciate that whistleblowing is a difficult thing to do. We will treat your communication sensitively and will do our best to protect your identity, if you wish.

However, we cannot guarantee confidentiality. It may be that we could not pursue enquiries without the source of information becoming apparent, or that disclosure of identity becomes unavoidable in law. If that is the case, we will do our best to make sure that you are told first.

### **Will I find out what action you have taken as a result of my information?**

Unfortunately this is usually not possible. This is because of restrictions placed on the Authority by law, the effect of which is that such details would be classed as “restricted information” and this cannot be publicly disclosed. However, if any public action is taken against a regulated entity, this would be available in the public notices section of the Authority’s website, but the public notice would not state that the action resulted from whistleblowing. Please remember that even though the outcome of investigations usually cannot be disclosed, this does not mean that the information is not useful and action is not taken.

### **What will happen to any personal data I provide?**

Any personal data you provide us will be processed in accordance with the Authority’s [Privacy Policy](#). The policy provides information on how the Authority collects and processes personal data and provides contact details for the Authority’s Data Protection Officer.