



For the future of our environment

The Prescribed Persons (Report on Disclosures of Information) Regulations 2017

Whistleblowing: Annual Report 1 April 2022 – 31 March 2023

Introduction

The Scottish Environment Protection Agency (SEPA) is designated as a prescribed person for whistleblowing and workers can contact SEPA about matters in relation to acts or omissions which have an actual or potential impact on the environment, or the management or regulation of the environment, including those relating to flood warning systems and pollution.

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 (the Regulations) require prescribed persons to produce an annual report on whistleblowing disclosures made to them by workers. This report covers the reporting period of 1 April 2022 to 31 March 2023.

Our functions, objectives and statutory powers

The Scottish Environment Protection Agency (SEPA) is Scotland's principal environmental regulator. Scotland's environment is a precious and unique resource, and we have a unique and visionary Statutory Purpose: to protect and improve the environment in ways that, as far as possible, also create health and wellbeing benefits and sustainable economic growth.

This is a very powerful purpose for an environment protection agency, and delivering this successfully requires new ways of thinking and new ways of acting. We are supporting innovation and digital transformation, creating modern, accessible, and responsive public services for environmental regulation and flood risk management. Our priorities are focused around five areas of Avoid; Protect; Adapt; Improve; and Warn.

Number of Disclosures

In this reporting period, SEPA received 34 disclosures which were initially identified as whistleblowing matters via its dedicated whistleblowing team and the SEPA contact centre.

Following an initial assessment, it was determined that 9 number of these disclosures did not meet the standard of a qualifying disclosure. These were determined to not meet the standard because they were:

- Not made by a worker; 6
- Not sufficiently detailed to be considered a disclosure; 2
- Not within SEPA's prescribed person remit; 1

Therefore, there were 25 disclosures within this reporting period that fell within SEPA's remit and which we considered to be "qualifying disclosures".

Further actions undertaken due to disclosures

All qualifying disclosures were followed up on, using our regulatory powers, to minimise any potential negative impact on the environment.

In some instances, there were no evidence of wrongdoing when sites were visited however for a number of sites (or where necessary or where deemed appropriate) ongoing monitoring will continue to be undertaken.

Following investigation, action was required at a number of sites. These sites are subject to ongoing compliance monitoring.

In respect of disclosures made towards the end of the reporting period some elements of investigations are still subject to ongoing monitoring and follow up work.

The Impact on our work

A number of investigations resulted in action being taken that will minimise harm to the environment. In addition SEPA has gathered useful intelligence information which will inform future regulatory action.

As part of ongoing continuous improvement work is being undertaken in respect of guidance both externally about how to contact SEPA and internally to staff about how to recognise potential whistleblowing.

For information on accessing this document in an alternative format or language, please contact SEPA by emailing equalities@sepa.org.uk

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