



**SFO**

serious  
fraud  
office

Guidelines on making a public interest disclosure

## Speaking out about fraud and other economic crime

- Do you want to tell someone something you think is an instance of serious or complex economic crime?
- Are you worried about the consequences of speaking to the SFO about a possible serious economic crime?
- Are you unsure about what will happen to the information you give us?

If you have answered yes to any of these questions, read on to find out how to tell us about economic crime and how we (and other organisations) can help you.

# Contents

- p.4 - Should I report a suspected economic crime to the SFO?
  - I am worried about what might happen to my job if I speak to the SFO. What is the Public Interest Disclosure Act and how can it help me?
- p.5 - How will the SFO treat me if I have been an unwitting participant in a crime?
  - What types of economic crime should be reported to the SFO?
- p.6 - How do I contact the SFO to report an economic crime?
  - Can I speak out in confidence?
- p.7 - What happens once I contact the SFO?
- p.8 - Will I be kept informed of the outcome of the SFO's investigation?
  - Am I covered by the Public Interest Disclosure Act?
- p.9 - Will the SFO give me legal advice on my work or employment status?
  - Where can I get more information about the Public Interest Disclosure Act?
- p.10 - Acceptance criteria

## Should I report a suspected economic crime to the SFO?

Yes. Your report could give us valuable information which may help us successfully investigate and prosecute wrongdoers. It does not matter if the crime is happening now, took place in the past, or is planned for the future.

Reporting economic crime could positively benefit you and society by:

- reducing economic crime
- protecting the public from future criminal activity
- reducing the cost of economic crime on society
- delivering justice and the rule of law
- enabling compensation to be paid to victims
- maintaining confidence in the UK's business and financial institutions.

<sup>1</sup> The term 'workers' (as covered by the Public Interest Disclosure Act 1998) covers those people who work for an organisation in various capacities, including employees, contractors, trainees, agency staff, home-workers, police officers and every professional in the NHS.

## I am worried about what might happen to my job if I speak to the SFO. What is the Public Interest Disclosure Act and how can it help me?

We appreciate why you may be worried about the consequences of speaking out about your employer or wrongdoings in your workplace. The Public Interest Disclosure Act 1998 (PIDA) was created specifically to protect workers<sup>1</sup> who reasonably believe and report serious concerns of wrongdoing to the proper authorities (for example, reporting a reasonable suspicion of economic crime to the Serious Fraud Office).

If you follow the correct process and speak to us in good faith about information that you reasonably believe to be true, your disclosure can qualify you for protection from victimisation by your employer. This can include protection from unfair dismissal or exclusion from promotion and other opportunities that your employer would have otherwise offered you.

PIDA lists us as the responsible organisation for public interest disclosures relating to serious and complex fraud. You will qualify for protection under PIDA if, when you raised your concerns with us, you reasonably believed that the suspected economic crime was happening, was going to happen or had already happened. Even if, after further investigation, your belief turns out to be false, you will still be protected under PIDA.

## How will the SFO treat me if I have been an unwitting participant in a crime?

Please speak to us even if you think that you may be implicated in the wrongdoing that you believe has taken place, is taking place or will take place. We will listen to you and treat you fairly.



## What types of economic crime should be reported to the SFO?

We are a government department and part of the UK criminal justice system. We are here to protect society by pursuing and prosecuting the people who commit serious and complex economic crime. Our aims and objectives contribute to:

- protecting the public by reducing the incidence and the cost of economic crime
- delivering justice and the rule of law
- maintaining confidence in the UK's business and financial institutions.

Fraudsters do not recognise international boundaries. We have jurisdiction over England, Wales and Northern Ireland (but not over Scotland, the Isle of Man or the Channel Islands) but work closely with other law enforcement agencies and regulators, both in the UK and abroad, to investigate and prosecute people who commit serious and complex economic crime.

Our International Assistance team works closely on cases where crimes have been committed principally in another jurisdiction. Where this happens we work closely with partner agencies in other countries like the Department of Justice in the United States.

## How do I contact the SFO to report a fraud?

If you are concerned that a serious or complex economic crime has happened, is happening or is going to happen, please report it to us through our Fraud Reporting Line on **020 7239 7388**. This is open between 09:00 and 17:00 Monday to Friday. If you call outside this time, you can leave a message on our answering service.

However please examine our acceptance criteria on page 10 before you call. If you wish to report a fraud which does not appear to meet our criteria, please contact your local police force or regional fraud squad.

If you have read our criteria but are still unsure to whom you should report the suspected fraud, then please call us on **020 7239 7388**. We will be happy to help you.

## Can I speak out in confidence?

Yes. If you ask us to, we will treat any information you give us sensitively and in confidence. We will protect your identity and will only disclose it with your consent or if a court orders us to. You do not have to give us your name and contact details but it will help us if you do. This is because it may be harder for us to investigate your concerns if we cannot check or ask follow-up questions. Also if you give us your details, it is easier to get protection under the Public Interest Disclosure Act.

If you are concerned about confidentiality you may like to talk to the lawyers at Public Concern at Work (an independent charity and a leading authority on public interest disclosures). You can contact them on **020 7404 6609**, by email at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk) or you can look at their website - [www.pcaw.co.uk](http://www.pcaw.co.uk).

## What happens once I contact the SFO?

It will help if your call, form, letter or email includes all the details, information and evidence that you have of the suspected economic crime. If you aren't sure what to include, call us on **020 7239 7388**. We will be happy to help.

We will note the details of your disclosure so that we can make an initial assessment of the information you give us. We may need to get in touch with you for more details.

Don't be alarmed if we don't get in touch with you again. This does not mean that your information was not important. We will value your contribution very much but because of the sensitive nature of criminal investigations, we may not (for operational reasons or because of legal restrictions) be in a position to discuss any detail of the action we have taken as a result of your information. We hope you appreciate this.

If it becomes apparent that it is more appropriate for another government organisation (for example the police or the Financial Services Authority) to act on the information you have given us, we will ask you (if we have your contact details) if you agree to us passing on the information.



## Will I be kept informed of the outcome of the SFO's investigation?

We appreciate that you may like to know what we have done with the information you have given us. If you wish, we will keep you informed when we are able to do so. Please note however that the sensitive nature of criminal investigation work means that we may not be able to discuss matters with you. In fact, in some occasions, the law may prevent us from discussing matters with you.

Complex investigations can take considerable time and it may seem to you that nothing much has changed since you gave us your information. But this does not necessarily mean that nothing is happening. The process of investigating and gathering evidence needs to be planned and executed carefully – this is not always visible.

## Am I covered by the Public Interest Disclosure Act?

The Public Interest Disclosure Act 1998 covers employees, contractors, trainees, agency staff, home-workers, police officers and every professional in the NHS. The usual employment law restrictions on minimum qualification period and age do not apply to this Act. It does not cover the self-employed (other than in the NHS), volunteers, the intelligence services or the armed forces. If you are not sure if you are covered, ask us when you report your concerns.

We will make sure that we log your disclosure for future reference should you require it. If you wish to obtain independent legal advice, you can get this yourself or through an organisation, such as Public Concern at Work, dedicated to helping workers in your situation.

## Does the SFO provide legal advice on my work or employment status?

No. We cannot give legal advice or intervene in matters of employment relations and we have no powers to determine whether Public Interest Disclosure Act (PIDA) protection would apply to you.

However, we will log your disclosure for you should you want the fact that you have made a disclosure to us recorded. If you need confidential advice on what is protected by PIDA and how you can best raise your concerns, you may want to speak to your own solicitor or to the legal team at Public Concern at Work (an independent charity and a leading authority on public interest disclosures).

You can contact them on [020 7404 6609](tel:02074046609), by email at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk) or you can look at their website: [www.pcaw.co.uk](http://www.pcaw.co.uk).

## Where can I get more information about the Public Interest Disclosure Act

You can contact:

- your solicitor
- Public Concern at Work for free, confidential advice.
- DirectGov for useful information about the Act and your employment rights. It also has lists of useful contacts:  
[www.direct.gov.uk/en/Employment/ResolvingWorkplaceDisputes/Whistleblowingintheworkplace/index.htm](http://www.direct.gov.uk/en/Employment/ResolvingWorkplaceDisputes/Whistleblowingintheworkplace/index.htm)

# Acceptance criteria

By law we can only investigate cases where there is evidence to show that serious or complex economic crime has taken place. In deciding this we consider whether:

- the value of the alleged economic crime is £1m or more
- it has a significant international dimension
- the case is likely to be of widespread public concern
- the case requires highly specialised knowledge (for example, of financial markets, etc)
- the SFO's special powers, such as Section 2 of the Criminal Justice Act, are required.

We also consider factors such as whether:

- the fraud will impact on the integrity of the financial market
- others in addition to shareholders or creditors lost money as a result of the alleged fraud
- fraudsters have targeted financial institutions and government (local or central) or other public serving authorities
- the case involves multiple countries
- evidence is likely to be found in multiple locations (in the UK or in other countries)
- the case involves multiple and complex financial transactions. It may, for example, involve a number of companies, accounts, trusts and countries
- the investigation will require a large accountancy analysis.

# Contact page

If you want to contact the SFO you should get in touch with:

Name:

Phone:

Fax:

Email:

It will help us if you quote this reference:

## Contacting the Serious Fraud Office

If you believe that you have been the victim of a fraud there are a number of ways to contact the Serious Fraud Office. You can call the Fraud hotline on +44 (0)20 7239 7388 which is answered between 09:00 and 17:00. Out of hours messages can be left on the answering service. You can also contact us through our website [www.sfo.gov.uk](http://www.sfo.gov.uk).

Serious Fraud Office  
Elm House  
10-16 Elm Street  
London WC1X 0BJ

Telephone: +44 (0)20 7239 7272  
Fraud hotline: +44 (0)20 7239 7388

[www.sfo.gov.uk](http://www.sfo.gov.uk)  
(V1/3/10)