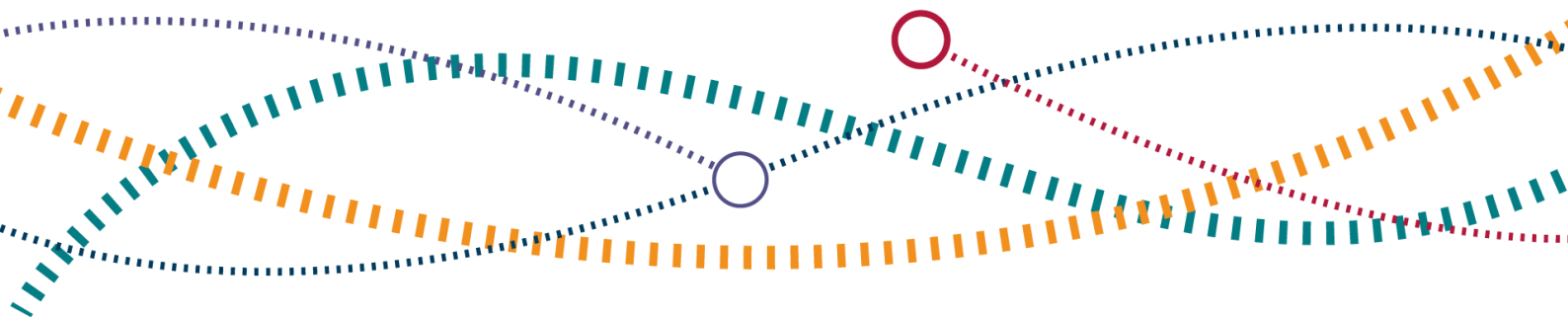




Whistleblowing Annual Report 2025-26

02 October 2026



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Background

Whistleblowing law is found in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It is narrowly focused on giving **employment protections** to those who raise public interest concerns.

ORR is a **prescribed person** under the [Public Interest Disclosure Act 1998](#) ('PIDA'), by virtue of inclusion in [The Public Interest Disclosure \(Prescribed Persons\) Order 2014](#), for:

"Matters relating to —

- a. the provision and supply of railway services; and*
- b. any activities not covered by (a) in relation to which the Office of Rail and Road has functions." **

* Further information on ORR's functions can be found at:

<https://www.orr.gov.uk/about/how-we-work/strategy-duties/our-functions>

This may include, for example:

- breaches of health and safety regulation on the railways;
- anti-competitive practices in the railway industry;
- compliance with regulations on accessible travel; or
- delivery of major programmes of investment and other performance commitments on the strategic road network.

As a prescribed person, the ORR is obliged to provide workers with a way to make a public interest disclosure ('blow the whistle') where they do not feel able to disclose directly to their employer (or have done so with no/inadequate action taken in response) and think that ORR might be in a position to act.

As well as raising issues through safety representatives and their trade union, railway employees can also raise concerns through CIRAS, a confidential report line:
<http://www.ciras.org.uk/>.

Only workers are protected under the Public Interest Disclosure Act 1998 (PIDA). In addition, ORR welcomes the reporting of concerns by heritage railway volunteers whilst recognising that they are not afforded the same legal protection.

Disclosures may be made by contacting the Board Secretary (0207 282 2093 (Mon-Fri, 10am to 4pm); or board.secretariat@orr.gov.uk

Prescribed Person Reporting Duty

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 enabled the Secretary of State to require “Prescribed Persons” to produce an annual report on whistleblowing disclosures made to them by workers. This duty to report aims to increase transparency in the way that whistleblowing disclosures are dealt with and to reassure whistleblowers that their disclosures are taken seriously.

No information is included in this report that would enable whistleblowers or the subjects of disclosures to be identified.

Our approach to whistleblowing

Whistleblowing reports are a vital source of information for the ORR, providing us with valuable insight and intelligence into areas we regulate.

People who work on the railways and England’s strategic roads network may decide to contact ORR with concerns about something that they have seen, or experienced, while working on the networks, that raises a matter of public interest. Disclosures may be confidential or anonymous, and are dealt with on a case-by-case basis.

In order for ORR to consider what action may need to be taken in response to a disclosure, the Board Secretary will:

- work with the whistleblower to clarify and understand the information provided including the degree of urgency of the concerns;
- discuss the disclosure confidentially with appropriate staff, including our legal team;
- arrange for a case officer to determine the course of action to be undertaken with the disclosed information; and
- explain to the whistleblower what they can expect following the disclosure.

Information provided via a disclosure is shared internally on a need-to-know basis and with consideration of whether it is necessary to share details of the whistleblower’s identity and means of contact. When whistleblowers request it and we can contact them, we provide feedback on the outcome of their report.

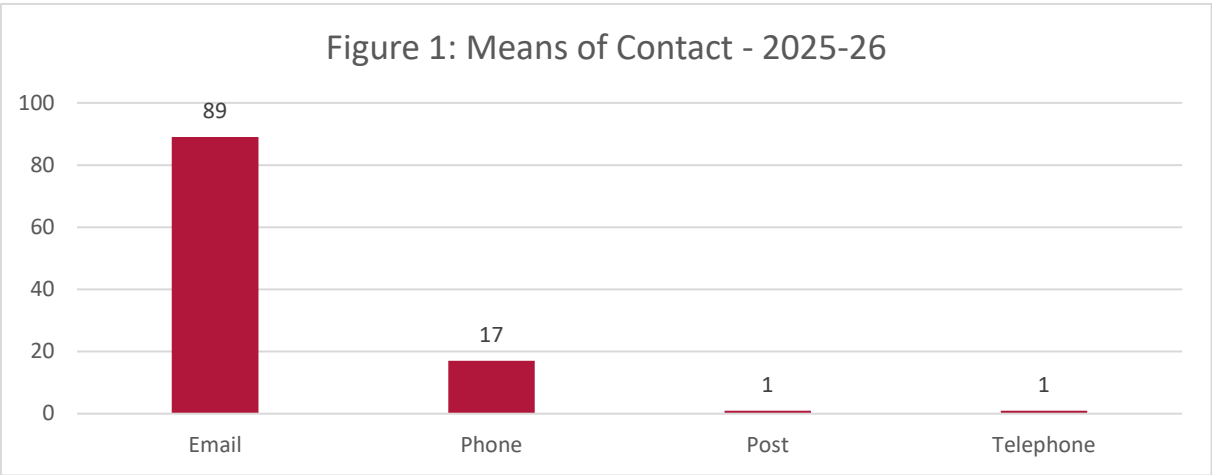
ORR will always protect the identity of a whistleblower as far as possible. Before any investigation is undertaken, ORR will talk to the whistleblower about their concerns. If there is a concern that an investigation may reveal the whistleblower’s identity to their employer or others (for example, because they are the only person who is aware of the issue so are easily identifiable), the intended approach will be discussed and agreed with the whistleblower. Nonetheless, there remain situations where ORR may have to reveal a whistleblower’s identity by law.

A whistleblower can choose to remain anonymous when making a report through any of our reporting channels. However, anonymity may make it more difficult for an individual to receive legal protection. This is because there would likely be no evidence to link any detriment they may suffer to the disclosure of information to ORR. In addition, if the whistleblower only contacts ORR once, with no line of communication (e.g. an anonymous email), and they do not provide a sufficient level of information, this can make investigation more difficult (as follow up questions cannot be asked).

Whistleblowing disclosures

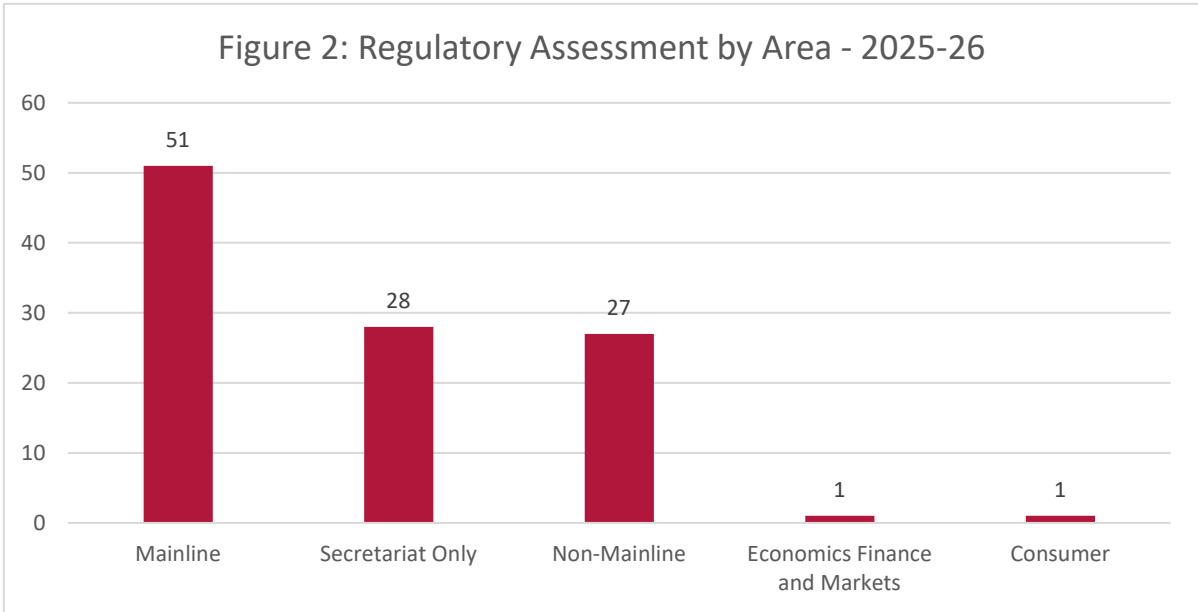
Between April 2025 and March 2026, ORR's Board Secretariat received a total of 108 contacts raising concerns, which were assessed to determine whether they were likely to constitute whistleblowing under the Public Interest Disclosure Act 1998 ('PIDA').

Concerns were received via several channels, including email, telephone and post:



To support the initial assessment of concerns received, ORR records the broad regulatory area to which each contact relates. This helps us identify trends, allocate cases to the appropriate specialists and understand where whistleblowing intelligence is arising across our regulatory responsibilities.

"Secretariat Only" captures contacts that were assessed by the Board Secretariat but did not proceed into a regulatory investigation, for example because they were outside ORR's remit, did not constitute whistleblowing, related to personal employment matters, or contained insufficient information for assessment.



Every report we receive will contain one or more allegations of wrongdoing. Of the 108 contacts received:

- **16** were forwarded to ORR's Public Correspondence Team (PCT) to be handled in accordance with our complaints and general enquiries procedures, typically because the individual was not a worker for the purposes of whistleblowing legislation;
- **9** were assessed as individual employment matters (grievances) rather than whistleblowing disclosures;
- **7** were referred to another body because the concerns raised were outside ORR's remit;
- **7** were closed due to insufficient information to determine whether further action was required;
- **1** complaint was withdrawn prior to assessment;
- In **1** instance, no regulatory concerns were identified;
- **18** reports were received from volunteers and, while not falling within the scope of protection under PIDA, were nonetheless carefully considered and addressed in accordance with our established investigation procedures.

Where possible, advice was provided to more relevant sources of assistance, where appropriate, and no further action was taken by ORR.

The remaining **49** contacts were reasonably believed to be 'qualifying' (within the meaning of s43B Employment Rights Act 1996) and falling within the matters the ORR is prescribed for. All of the qualifying disclosures related to the provision and supply of railway services.

The allegations received in qualifying disclosures related to, for example:

- Health and safety concerns on the mainline railway;
- Working conditions and patterns, including management of fatigue;
- Sufficiency of risk assessments;
- Station and depot hygiene standards;
- Fatigue management and rostering discrepancies;
- Training and competency of railway workers; and
- Standards and guidance concerns.

By way of comparison, in 2024-25 we received a total of 78 contacts, of which 37 were reasonably believed to be 'qualifying'. The current reporting period, 2025-26, saw an increase in both overall contacts and the number of reports reasonably believed to be 'qualifying'. Although the proportion of contacts assessed as qualifying disclosures remained broadly unchanged, the increase in volumes may indicate greater awareness of

ORR's whistleblowing arrangements and how concerns can be confidentially raised with a prescribed person.

Alongside the increase in volumes, there has been an increase in both the length and complexity of disclosures. This may in part be attributable to the growing accessibility and use of artificial intelligence tools by the general public. While these tools can help individuals articulate their concerns more clearly and comprehensively, they can also result in lengthy submissions containing significant amounts of background information that is not directly relevant to the matters being reported. In some cases, this can make it more difficult to identify the core concerns being raised, assess whether they engage the public interest and determine whether they fall within ORR's remit.

Whistleblowers should not feel that disclosures need to be lengthy or written in legal or technical language. Reports are often most effective when they clearly and concisely explain the concern being raised and the information that supports it. This helps ORR to assess the matter efficiently and determine what action, if any, may be required.

Action taken by the ORR during the reporting period in respect of whistleblowing disclosures received

Prescribed Persons with investigatory and regulatory functions, such as ORR, can consider acting on the information that has been disclosed to them. We are prescribed to accept and act upon concerns about matters which fall within our remit.

Sometimes we are unable to act or respond directly to a whistleblowing disclosure. This may be because there is insufficient information, or our review does not identify any regulatory issues.

Where we can act on a whistleblowing disclosure, possible actions include:

- seek to gather further information before reaching a decision on whether to investigate;
- requesting information about an organisation's processes and procedures for the purposes of a desk-based review;
- undertaking site visits and meetings;
- opening an investigation which may lead to enforcement action, depending on the seriousness of the findings;
- addressing the allegations without opening a formal investigation;
- passing the information to a more appropriate regulator; or
- deciding not to investigate further.

ORR is not legally required to investigate every disclosure received. When deciding whether or not to investigate, we consider how well we are using the resources at our disposal to protect the public interest.

ORR cannot offer advice to whistleblowers about what protection is offered to them. However, other sources of support are available and include:

- Protect, the whistleblowing charity;
- ACAS;
- Citizens Advice; and
- The whistleblower's own trade union, if a member.

ORR cannot determine whether a disclosure qualifies for protection or intervene in employment relations.

Table 1: Outcome of disclosure – September 2026

Of the **49** protected disclosures (under PIDA) that were handled in line with our investigation procedures, the below table summarises the action taken and outcome where applicable.

Action taken	Outcome	Total
Enquiries made / concerns investigated	Outcome shared with subject of disclosure (where requested)	22
Enquiries made / concerns investigated	Ongoing	4
Saved as general intelligence	Outcome shared with subject of disclosure (where requested)	9
Referred to dutyholder	Sent to dutyholder	9
Pursued through regular liaison	Outcome shared with subject of disclosure (where requested)	3

Within remit but did not meet threshold for investigation	Outcome shared with subject of disclosure (where requested)	1
Satisfied with dutyholder investigation	Outcome shared with subject of disclosure (where requested)	1

How whistleblowing disclosures have impacted on the ORR's ability to perform its functions and meet its objectives during the reporting period

Every whistleblowing disclosure to the ORR can add to the evidence base which ORR relies on to perform its duties:

- Schedule 3 of the Railways Act 2005 gives ORR a general duty to do such things and make such arrangements as it considers appropriate for the purposes of railway safety, and to assist and encourage persons concerned with matters relevant to those purposes to further those purposes.
- Section 1 of the Health and Safety at Work etc. Act 1974 (HSWA) also gives ORR a general duty to secure the health, safety and welfare of persons at work, and of those who might be put at risk as a result of the activities of persons at work.
- For economic regulation our duties are set out under section 4 of the Railways Act 1993.
- The Infrastructure Act 2015 gives ORR functions in relation to monitoring and enforcing in its role as regulator for National Highways.

Disclosures also support ORR to further its strategic objectives, namely:

- A safer railway;
- Better rail customer service;
- Value for money from the railway; and
- Better highways.



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