

blueprint for  
**FREE SPEECH**

## Whistleblowing in Spain:

Workers, Management  
and Speaking Up

Authors: Naomi Colvin, Bruno Galizzi, Dr. Suelette Dreyfus

Design: Ilva Letoja

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## EXECUTIVE SUMMARY

Spain lacks a national law protecting whistleblowers, putting the country's *alertadores* in a more vulnerable position compared to other EU member states.

That situation will change with the transposition of EU Directive 2019/1937 (the EU Whistleblower Directive). The Directive creates duties for organisations to set up reporting channels and grants protections against retaliation for those who report wrongdoing. Formally, Spain has until the end of 2021 to enforce the Directive's provisions in national law.

EU member states have a significant degree of discretion in how the legislation will be implemented. And some of the issues whistleblowers face – such as social stigma and ostracism – require cultural as well as legal change.

As Spain decides how to transpose the EU Whistleblowing Directive into national law, this data shows a strong desire for greater transparency across the board, overwhelming public support across Spain for the act of blowing the whistle on wrongdoing and a clear recognition of the need for anonymous reporting channels.

Despite overwhelming majorities in favour of protecting whistleblowers from retaliation, there is a recognition that the current situation does not achieve this. Those in non-management roles and on lower incomes are particularly likely to feel that whistleblowers are in a vulnerable position.

In light of this protection gap, a majority of Spaniards believe that whistleblowers should be able to withhold their identity when they make a report.

There is a **significant gap** among those surveyed between those who feel they should report serious wrongdoing (72%) versus those who believe their organisation would actually protect whistleblowers (45%).

These results mean that companies, not-for-profits and government must still convince Spaniards that these organisations will actually defend those who reveal serious corruption.

A new stand-alone law would potentially reassure whistleblowers. However our research results suggest Spaniards will also be looking closer to home – inside their own organisations - to see how well management actually delivers such reassurances in practice.

The implementation of the new law will be as important as any guarantees written in the legislation itself when it comes to winning the confidence of the Spanish people.

Blueprint For Free Speech researched public attitudes towards whistleblowing in Spain. Details of the research, based on interviews with 2174 people across the country, are provided at the end of the report.

## SECRECY IN ORGANISATIONS

A majority of Spaniards (57%) think that too much information is kept secret, across the public and private sectors. This majority holds across all Spanish regions and across genders.

While there were majorities across all grounds, respondents with a higher level of education and higher earnings tended to be more sceptical of secrecy.

## A MAJORITY IN FAVOUR OF GREATER TRANSPARENCY

A majority of Spaniards (57%) think that too much information is kept secret, across the public and private sectors. This majority holds across all Spanish regions and across genders.

There is a desire for more transparency across the political spectrum. In fact, the three regions registering the largest majorities against secrecy - La Rioja, Cantabria and Murcia (86%, 72% and 69%) – have governments with different political allegiances.

While there were majorities across all grounds, respondents with a higher level of education and higher earnings tended to be more sceptical of secrecy.

Respondents educated to university level were more likely to be in favour of greater transparency (59%), while those with a lower secondary level education were least likely to think there was too much corporate and institutional secrecy (50%). Respondents with an upper secondary education were somewhere in the middle (55%).

There was also a clear relationship between earnings and perceptions about transparency. Those who reported higher annual incomes of 60,000 euros or more, or an income of between 30,000 and 60,000 euros, were more likely to be sceptical about secrecy (64% and 60% respectively).

The self-employed were significantly more likely (65%) to say there is too much secrecy in public and private organisations.

## OVERWHELMING SUPPORT FOR THE ACT OF BLOWING THE WHISTLE

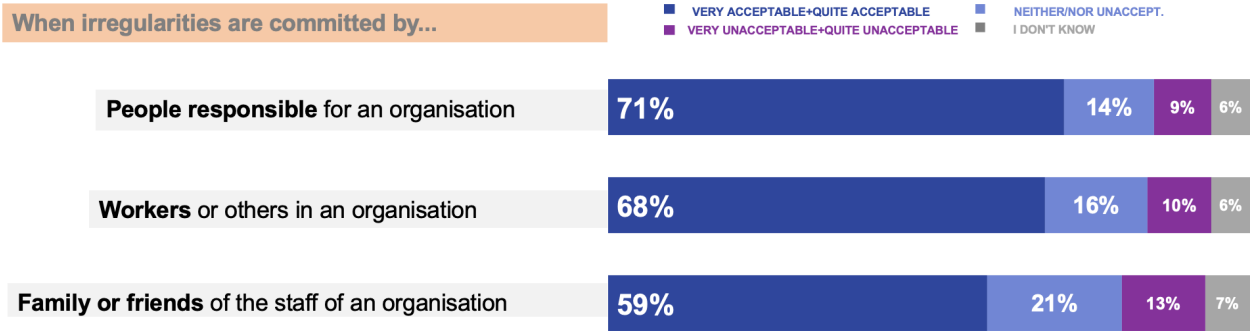
The Spanish public strongly supports the protection of whistleblowers, even where there is some ambivalence about whether the act of disclosure itself is currently acceptable in society.

An overwhelming majority of 71% overall believe these whistleblowers should be protected once they have come forward, even when secret or privileged information is involved. There is very strong support for the act of blowing the whistle.

A strong majority of those surveyed feel that serious irregularities should be reported. A majority of respondents said that it was either highly or fairly acceptable to report wrongdoing by managers (71%), fellow colleagues (68%) and friends or family (59%).

Those aged under 25 are least likely to find reporting on wrongdoing by management (61%), workers (59%) or friends and family (48%) to be acceptable, and they are the only age group where the latter is not a majority position.

### Transparency does not respond to hierarchies



Total Base: 2174

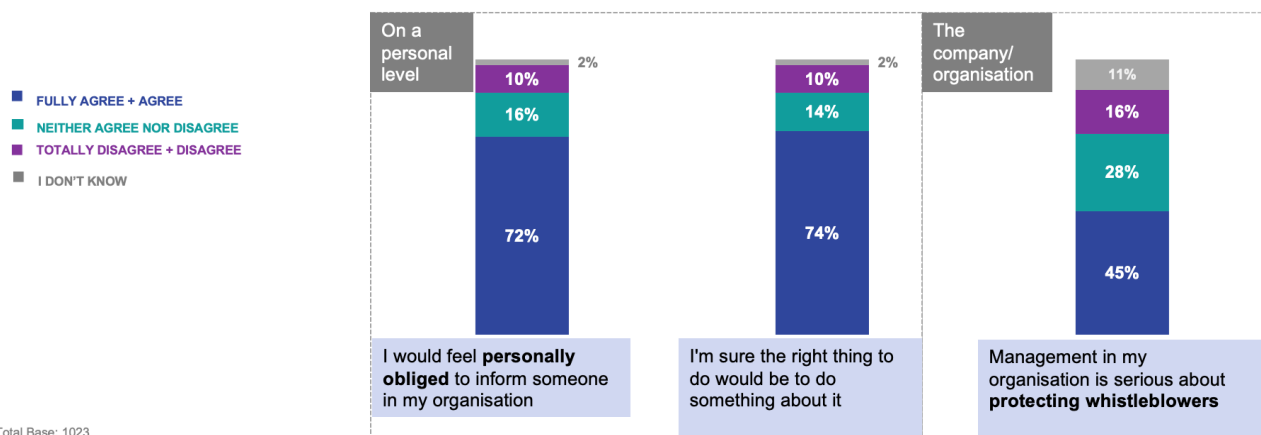
Q4: And how acceptable do you personally think it is for someone to reveal inside information about serious wrongdoing by each of these different types of people?

Figure 1. Most of the interviewees think that reporting or warning about irregularities is very or fairly acceptable in all cases, regardless of who committed them, although there is a slight reluctance depending on the personal link with the organisation

## A NEED FOR BETTER WORKPLACE PROTECTIONS

Respondents were asked if they were associated with an organisation and, if so, what role they held (including manager, employee, contractor, volunteer or other). Over half of respondents said they held none of these roles. This group accounted for fully 69% of respondents under 25.

### How do we react to possible wrongdoing?



Total Base: 1023

Q6: Thinking about your role in the organisation you mentioned – how much do you agree or disagree with the following statements?

Figure 2. On a personal level, Spaniards feel obliged to act against serious irregularities committed in our organisations or companies. However, less than half of the respondents believe that organisations take the protection of whistleblowers seriously.

Those in full time employment were more likely to feel this obligation than those working part-time (74% as opposed to 62%), but there was a clear majority in favour across the board.

*Q3: If I observed wrongdoing, I would feel personally obliged to report it to someone in my organisation*

Agree or strongly agree

Overall – 72%

Managers and professional workers – 75%  
Technicians, clerks and service workers – 72%  
Workers, elementary occupations, armed forces – 68%

Employed full time – 74%  
Employed part time – 62%  
Self-employed – 75%

Of those respondents associated with an organisation, 72% agree or strongly agree that they would feel a personal obligation to report wrongdoing.

When asked how this report should be made, nearly half of these respondents said the most effective way to stop wrongdoing is to report to someone in a position of authority, through official channels (48%).

When it comes to actually protecting the whistleblower, Spaniards were more pessimistic about the management in their organisation. Less than half of Spaniards surveyed think their organisation is serious about protecting people who report wrongdoing (45%).

A significant number of Spaniards were undecided about their bosses' willingness to protect whistleblowers. More than a third (39%) of those surveyed either didn't know, or else neither agreed with, nor disagreed with, the statement that management was serious about protecting whistleblowers.

Workers in non-management roles and lower incomes are more likely to feel that whistleblowers reporting wrongdoing are putting themselves in a vulnerable position.

Only 40% of those earning 18,000 euro a year compared to 53% of those earning more than 60,000 euro a year, believed management was serious about protecting people who report wrongdoing.

Only 41% of technicians, clerks and service workers and 46% of workers, elementary occupations and the armed forces agree that their organisation would make a serious attempt to protect a whistleblower. The figure is 51% among managers and workers.

Less than half of those earning 36,000 euro a year or less agree that the management of their organisation is serious about protecting people who report wrongdoing.

In light of this protection gap, a majority of Spaniards recognise that whistleblowers should be able to withhold their identity when they make a report.

60% think that whistleblowers should be able to make an anonymous report where they fear they will face reprisal.

Given a range of options for reporting an illegal act, a majority of those surveyed would personally choose to do so without revealing their identity (55%).

*Q4: Management in my organisation is serious about protecting people who report wrongdoing*

Agree or strongly agree:

Overall – 45%  
Managers and professional workers – 51%  
Technicians, clerks and service workers – 41%  
Workers, elementary occupations, armed forces – 46%

Annual income up to 18k – 40%  
18-36k – 43%  
36-60k – 52%  
60k+ – 53%

## CONCLUSION

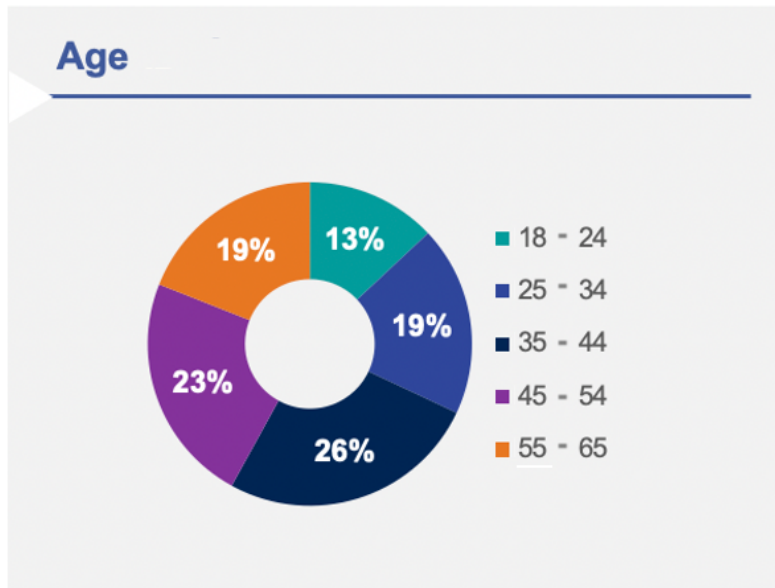
Spain's anticipated whistleblower protection legislation should address Spaniards' concerns and desires in this new area of law. As evidenced by Blueprint's national research, these include:

- Strong support for protecting whistleblowers, in law but also in practices inside organisations
- Providing the option of anonymity for those making disclosures
- Protections for whistleblowers to report outside the organisation or the state, including to the media if needed
- Particular protections for young people and those on lower incomes or in less stable work situations who feel particularly vulnerable about making a disclosure
- Clear and widespread communications about how to make disclosures, and how whistleblowers will be protected, to encourage those who are unsure or lack confidence in making a disclosure in Spain today.

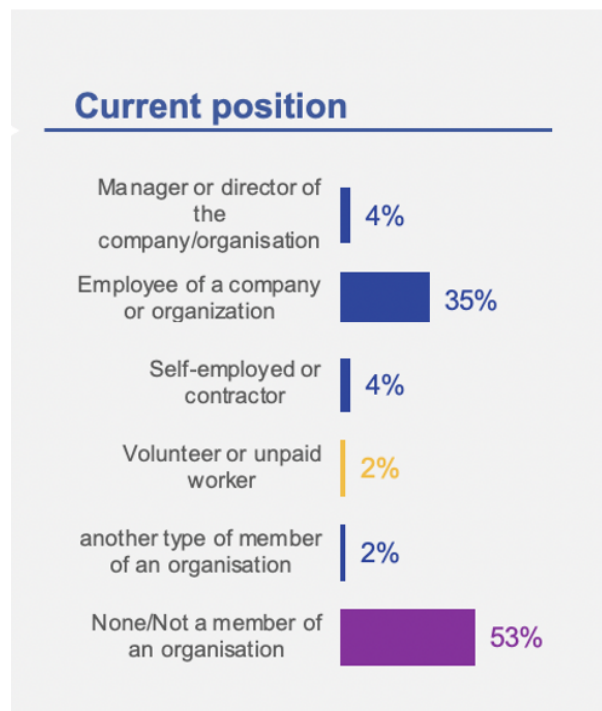
## ABOUT THE SURVEY DATA USED FOR THIS REPORT

The results of the national survey of 2174 Spaniards conducted by interviews to a representative population nationwide from October 13-20, 2020, conducted by Ipsos. Participants identified as 50% male and 50% female.

Age breakdown was as follows:



Current work position was represented as follows:





## APPENDIX: SURVEY RESULTS BY QUESTION

**Q1**

How acceptable do you personally think it is for someone to reveal inside information about serious wrongdoing by each of these different types of people?

		SPAIN			
To reveal inside information about...		Disagree or Strongly disagree	Neither	Agree or Strongly agree	Don't know
A	Disclosure of privileged information about serious irregularities committed by persons responsible for an organisation	71%	14%	9%	6%
B	Disclosure of privileged information about serious wrongdoing by workers or others in an organisation	68%	16%	10%	6%
C	Disclosing privileged information about serious irregularities committed by personal family members or friends working for the organization	59%	21%	13%	7%

**Q2**

Are you currently a member of an organisation? Choose the answer that best describes your present role, if any. (Select one answer)

		SPAIN
1	Manager or director of an organisation	4%
2	Employee of an organisation	35%
3	Self-employed or contractor	4%
4	Volunteer or unpaid worker	2%
5	Other type of organisation member (including student or other community group member)	2%
99	None \ not a member of any organisation	53%

## APPENDIX: SURVEY RESULTS BY QUESTION

**Q3** Thinking about your role in the organisation you mentioned – how much do you agree or disagree with the following statements? (Select one answer per row)

		SPAIN			
		Disagree or Strongly disagree	Neither	Agree or Strongly agree	Don't know
A	If I observed wrongdoing, I would feel <b>personally obliged</b> to report it to someone in my organisation	10%	16%	72%	2%
B	If I have observed serious wrongdoing by someone in my organization, I am sure that it would be appropriate to do something about it.	10%	14%	74%	2%
C	Management in my organisation is serious about <b>protecting people</b> who report wrongdoing	16%	28%	45%	11%

**Q4** In different societies, there are different views on the most effective way to get action to stop serious wrongdoing. Which one of these do you think is the most effective way in Spanish society? (Select one answer)

		SPAIN
1	By reporting the serious wrongdoing to <b>people in authority</b> , via <b>official channels</b>	48%
2	By reporting the serious wrongdoing to <b>journalists or news organisations</b>	12%
3	By reporting the serious wrongdoing directly to the general public, via <b>the internet, Twitter, Facebook or on online blogs</b>	10%
4	Some other way	3%
5	None of the above – in Spanish society, there is <b>no effective way</b> to get action to stop serious wrongdoing	16%
99	Can't say	11%

## APPENDIX: SURVEY RESULTS BY QUESTION

**Q5** Some people think that whistleblowers should be able to reveal illegal facts anonymously because they may suffer reprisals at work or in their community. Other people believe that disclosing these facts should be identified so that they can be held accountable. With this in mind, which of the following statements best expresses your opinion?

1	People who warn about corruption or serious wrongdoing should be able to do so anonymously if they think they will face reprisals	60%
2	Whistleblowers should be required to provide their identities to the recipient of the information.	15%
3	Whistleblowers should be required to provide their identities to the recipient, and to others as decided by the recipient.	9%
4	Warning people should have to provide their identities to everyone	3%
90	Don't know	10%
99	Can't say	3%

**Q6** Inside information' is information that someone has because of their role in an organisation – for example, as an employee of a government department or a business, or as a member of an education, religious or community organisation. Often inside information is secret or confidential, for good reason. However, often it is also about important things going on within the organisation. Which one of the following comes closest to your view? (Select one answer)

		SPAIN
1	In Spain, <b>too much</b> information is kept secret in organisations	57%
2	In Spain, <b>about the right amount</b> of information is kept secret in organisations	21%
3	In Spain, <b>not enough</b> information is kept secret in organisations	12%
4	Can't say	10%

**Q7** Which of the following best describes what you think should happen in Spanish society? (Select one answer)

		SPAIN
1	People should be <b>supported</b> for revealing serious wrongdoing, even if it means revealing inside information	71%
2	People who reveal inside information should be <b>punished</b> , even if they are revealing serious wrongdoing	16%
3	Neither \ can't say	13%