SPAIN

Should I Speak Up?

A simple guide for anyone thinking about reporting wrongdoing at work

This guide gives you information. It is not legal advice.

About this guide

You're reading this because something isn't right at work, and you're wondering what to do about it. This guide is here to help you understand your options, in plain language.

A few important things before you start:

- This guide gives you information and points you in the right direction. It cannot act as your lawyer, your therapist, or file a report on your behalf.
- It is not legal advice. If a decision feels legally risky, talk to a qualified professional first -this guide shows you where to find one. If you're unsure where to start, FIBGAR is a good first call.
- Every fact in this guide comes from Spanish law and VoiceGuard's research, checked by FIBGAR, our partner organisation in Spain. Where something isn't confirmed yet, we say so honestly instead of guessing.

1. Are you protected?

Yes. if you found out about the problem through your work. This covers far more people than just "employees":

You could be...	For example...
An employee	In a private company or the public sector
Self-employed	A freelancer, contractor, or consultant
In management or as shareholders	A manager, board member, or shareholder
Employee working under the supervision	If you work for contractors, subcontractors, or suppliers, or

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of third parties	under their direction
A volunteer or trainee	Paid or unpaid
A job applicant	Even if you found out during the interview process
A former employee	Even if you no longer work there

You are also protected if you help someone else file a report (for example, a coworker or union representative who supports you), or if you have a close relationship with the person filing the report and you might also be affected (for example, family members or close friends).

You do NOT need proof

You just need a genuine, honest belief that what you're reporting is true.

Knowingly reporting something false is not protected -but an honest mistake is fine.

2. What can you report?

You can report:

- **Breaches of EU rules:** public money misused, unsafe products, environmental harm, data-privacy breaches, financial fraud, unfair public contracts, and more
- **Serious crimes under Spanish law:** for example, crimes connected to corruption
- **Serious administrative violations under Spanish law:** even where they wouldn't count under EU rules alone

What you can't report through these channels

Purely personal grievances or interpersonal conflicts (for example, a dispute with a colleague that doesn't involve any rule-breaking) aren't covered. These need a different route, such as your organisation's HR process.

3. Where and how do you report?

You have three options. You do NOT have to start with the first one - go with whichever feels safest for your situation.

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Option	Best if...	Main risk
1. Internal -inside your organisation	you trust it to handle things safely and independently	may be conflicted or ineffective if the wrongdoing involves people at the top
2. External -to AIPI or a regional authority	internal reporting feels unsafe, or you'd simply rather not go through your organisation	process can be slower or feel less personal
3. Public -e.g. to media (last resort)	specific legal conditions are met (see warning below)	you lose legal protection if those conditions aren't met

Not sure which to choose? Work through these questions

1. Is there immediate danger to the public? → If yes, seek urgent advice -public disclosure may be protected. If no, continue.
2. Do you trust your organisation to handle this safely? → Yes: internal reporting may work. No: external reporting may be safer.
3. Is your internal channel compromised (e.g. the person you'd report to is involved)? → If yes, consider external reporting.
4. Have the legal deadlines already passed without action? → If yes, ask about escalating or going public.
5. Does this involve EU funds or crimes against the EU's financial interests? → If yes, OLAF or EPPO (see Section 8) may also be relevant.

⚠ Before you go public

Going to the media only keeps your legal protection in specific situations -for example, if reporting first didn't work, or there's danger to the public.

Talk to a qualified adviser BEFORE doing this. Acting outside these conditions could cost you your protection.

Spain's national authority

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Name	AIPI -Autoridad Independiente de Protección del Informante
Website	proteccioninformante.gob.es
Operational since	1 September 2025 -AIPI is a recently-established authority
Handles	National government matters, and private-sector issues affecting more than one region
Regional issues?	9 regions have their own authority -see Section 8 for the full list

How can you report?

Format	How it works
In writing	By post, or online (form or email)
By phone	Call or leave a voice message
In person	Ask for a face-to-face meeting -it must be arranged within 7 days

If you report verbally, it will always be recorded or written up in full. You'll be told about this beforehand, and you have the right to check, correct, and sign the write-up.

Before you report: a short checklist

I got this information through my work	☐
I honestly believe it's true	☐
I've checked it fits what I can report (Section 2)	☐
I understand my anonymity options (Section 4)	☐
I haven't accessed or copied anything unlawfully	☐
I have a simple written timeline of events	☐

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I know who I can turn to for support (Section 8)	☐

Protecting your evidence

Keep a record of events as they happen, the report itself (date, where you sent it, any reply), and notes of relevant conversations. Only use documents you already have lawful access to through your normal work.

> ⚠ **Important**
>
> Before copying, removing, recording or forwarding sensitive material, seek advice first. You're protected for information you access in the normal course of your work -but accessing systems you're not authorised to use could be a crime, even if your intentions are good.

Protecting yourself online

- Don't use your work email, phone, or computer to prepare your report, unless the official channel requires it.
- Use a personal device and your home or mobile internet -not work Wi-Fi.
- Documents can carry hidden information (author name, timestamps) -keep this in mind.
- Consider encrypted apps like Signal or ProtonMail instead of standard email or text.
- Store your copies somewhere separate from work systems.

Quick reference: Do's and Don'ts

✓ DO	✗ DON'T
Act in good faith -an honest belief is enough, you don't need proof	Report something you know is false -this is treated very seriously
Keep a copy of your report and any reply	Destroy or hide evidence
Write down anything that feels like retaliation -dates, details, witnesses	Wait too long if retaliation starts -acting early helps
Know that an NDA can't legally stop you from reporting	Assume internal reporting is your only option -you can always go external
Ask for advice if you're unsure	Share your report with anyone not authorised to

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	know
Go external if you fear evidence will be destroyed	Report a purely personal dispute -that's a different process
Get legal advice early, especially if you fear retaliation	Assume the process will be public -confidentiality is the default

4. Can you stay anonymous?

Confidential	Your name is known but kept private. It won't be shared without your consent, except where the law requires it -and even then, you should be told first.
Anonymous	You don't give your name at all. In Spain, every channel -internal and external - must accept anonymous reports. If you're later identified, you're still protected.

If you think your identity was shared without your permission, contact FIBGAR or a qualified adviser straight away.

5. What if something bad happens to you?

It is illegal for your employer to punish you for reporting in good faith. This is called retaliation, and it includes things like:

Dismissal, suspension, demotion, or changed duties	☐
Being passed over for promotion, training, or opportunities	☐
A sudden bad performance review or reference	☐
A disciplinary measure, reprimand, or penalty	☐
Harassment, intimidation, or exclusion	☐

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Your contract not being renewed	☐
Damage to your reputation, online or otherwise	☐
A contract, licence, or permit being cancelled	☐
An unnecessary psychiatric or medical referral	☐
Sudden exclusion from meetings, emails, or projects	☐
Impossible workloads or being given no meaningful work	☐

This list isn't complete - retaliation can also be a pattern of small things rather than one big event.

The law is on your side

If you report and then something bad happens to you, the law assumes it's connected to your report -and treats it as invalid until proven otherwise.

Your employer has to prove it WASN'T retaliation -not the other way around.

Example: you report a problem internally. Two weeks later you're dismissed. Because the timing follows your report, the law presumes the dismissal is connected to it -your employer must prove otherwise, or the dismissal is treated as invalid.

The first 48 hours after retaliation

If you notice any of the signs above:

1. Write down exactly what happened -when, where, and who was involved.
2. Keep records safely and lawfully.
3. Avoid angry replies or social-media posts.
4. Contact FIBGAR, a qualified adviser, or your union quickly.
5. Check whether any legal deadlines apply to your situation.
6. Reach out for emotional support if you need it (see Section 7).

What NOT to do

Don't resign on impulse -it could affect your legal rights.

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Don't sign any settlement without independent legal advice.

Don't delete anything, even messages that feel embarrassing -they may be evidence.

Don't confront the person you suspect, in writing, before getting advice.

Don't post about it on social media.

Don't miss legal deadlines.

Spain fines people or organisations that retaliate heavily -up to €300,000 for individuals, and up to €1,000,000 for organisations.

6. What happens after you report?

Your report goes through three stages, whether you reported internally or to AIPI:

Stage	What happens
1. Admission	The authority checks your report meets the basic requirements. It can be turned down if it's implausible, doesn't fit what can be reported, or repeats an already-closed case.
2. Investigation	If accepted, the case is investigated. The person you reported will be told about the allegation -but not your identity.
3. Conclusion	The case is closed, referred to prosecutors, referred elsewhere, or leads to formal action -your protection continues throughout.

⚠ Good to know

Only the final decision can be legally challenged -not the steps along the way.

How long should it take?

Step	Internal channel	AIPI
Acknowledgment	7 calendar days	5 working days
Admissibility decision	—	10 working days

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Final response	3 months (up to 6 if complex)	3 months
In-person meeting, if requested	Within 7 days	Within 7 days

Heard nothing? Here's what to do:

1. Write to whoever you reported to and ask for an update. Keep a copy.
2. If it was an internal report and nothing's happening, consider reporting to AIPI instead.
3. If AIPI isn't responding either, ask FIBGAR or a qualified adviser whether you can complain, or whether going public might now be protected.

If things don't go back to normal

Legal remedies can restore your job or compensate you, but sometimes going back isn't realistic -trust may be broken, or the environment may stay difficult. If that happens to you, FIBGAR can help you think through practical next steps: managing employment gaps, planning finances, and finding your way to a new role.

7. Taking care of yourself

Reporting wrongdoing can be stressful, especially if you face a difficult reaction. Feeling anxious or overwhelmed is a completely normal response -it doesn't mean you did anything wrong or that you're not coping well.

Signs worth paying attention to

Trouble sleeping or constant exhaustion	☐
Low mood, anxiety, irritability, or feeling numb	☐
Thoughts you can't switch off	☐
Trouble concentrating or remembering things	☐
Dreading work or avoiding reminders of it	☐

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Headaches, fatigue, or physical tension	☐
Pulling away from friends and family	☐
Losing confidence or feeling hopeless	☐

If several of these last more than a few weeks, or affect your daily life, it's worth speaking to a qualified professional.

A few things that can help

- Stay connected to people you trust
- Talk to someone who understands what you're going through -FIBGAR can help
- Try to keep your normal routine -sleep, meals, movement
- Give yourself permission to switch off from the situation sometimes
- Remember: this situation doesn't define your worth
- Reach out for support early, rather than waiting until things feel unbearable

Money worries

Job loss or a long process can strain your finances. If this is a concern, ask early about legal aid, union support, and whether an emergency measure (like blocking a dismissal) is possible in your case.

Your family and people close to you

This can affect the people close to you too -financially and emotionally. Talking openly with people you trust, at a pace that feels right, usually helps. If someone close to you also works at the same organisation, they may be protected too -FIBGAR or a qualified adviser can explain how. In smaller professional circles, news can travel fast -staying connected with people outside your immediate field can help too.

In immediate danger or crisis?

Contact Spain's emergency services on 112 right away. Don't wait.

8. Where to get help

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If you're not sure where to start, contact FIBGAR first.

Who	What they do	Contact
FIBGAR	VoiceGuard's partner in Spain -free advice, referrals to legal and psychological support, and help navigating the process, from start to finish	www.fibgar.es
AIPI	Spain's national whistleblower authority	proteccioninformante.gob.es
Local Bar Association	Free legal aid (turno de oficio)	https://www.abogacia.es/en/faq/faq-busqueda-abogados/ (find your local Bar Association)
OLAF	EU body for fraud against EU funds	anti-fraud.ec.europa.eu
EPPO	EU body for crimes against EU financial interests	eppo.europa.eu

Regional authorities

If your issue is local or regional rather than national, one of these nine regional authorities may be the right place to report instead:

- **Andalucía:** https://antifraudeandalucia.es/
- **Asturias:** https://transparencia.asturias.es/canal-de-lucha-contra-la-corrupcion
- **Castilla y León:** https://www.aiccyl.es/
- **Castilla-La Mancha:** https://consejotransparenciaclm.es/
- **Catalunya:** https://www.antifrau.cat/
- **Illes Balears:** https://www.oaib.es/
- **Comunidad de Madrid:** https://www.comunidad.madrid/transparencia/unidad-organizativa-responsable/consejo-transparencia-y-proteccion-datos
- **Navarra:** https://oana.es/es/la-oficina-anticorrupcion
- **Valencia:** antifraucv.es

9. Common questions

Do I need proof before I report?

No. You just need a genuine, reasonable belief that what you're saying is true.

Do I have to report inside my company first?

No. You can go straight to AIPI or your regional authority if that feels safer.

Can I report anonymously?

Yes. Every channel in Spain - internal and external -must accept anonymous reports. If you're later identified, you're still protected.

How fast will I hear back?

Internal: 7 calendar days to acknowledge, 3 months for an outcome. AIPI: 5 working days to acknowledge, 10 working days to decide if it will investigate, 3 months for an outcome.

Can I talk to journalists?

Only in specific situations. Talk to FIBGAR or a qualified adviser first -see Section 3.

Can I take copies of documents as evidence?

Only if you can do so safely and legally, using information you already have lawful access to. Ask a qualified adviser before copying anything sensitive.

Will my employer find out I reported?

AIPI is legally required to protect your identity, though the person you report may sometimes guess from context. To reduce this risk: stick to the facts, avoid unnecessary identifying details, and consider using an anonymous channel.

Can VoiceGuard represent me legally or act as my therapist?

No. We give information and point you toward the right people -we can't act as your lawyer or therapist.

I reported and heard nothing -what now?

See Section 6 -ask for an update in writing, then consider escalating to AIPI.

10. Words explained

Word	What it means
Reporting person	You -someone reporting a problem you learned about through work
Facilitator	Someone who helps you report -their help is also protected

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Retaliation	Being punished, in any way, for reporting
Anonymous	Reporting without giving your name
Confidential	Reporting where your name is known but kept private
AIPI	Autoridad Independiente de Protección del Informante -Spain's national whistleblower authority
Competent authority	The official body responsible for handling your report (AIPI, or your regional authority)
Burden of proof	Who has to prove what -in retaliation cases, it's your employer who has to prove they did nothing wrong
Turno de oficio	Spain's free/low-cost legal aid scheme, run through local Bar Associations

Where this information comes from

- Spain, Law 2/2023 of 20 February 2023 (BOE-A-2023-4513)
- Spain, Royal Decree 1101/2024 -AIPI Statute (BOE-A-2024-22039)
- Orden PJC/908/2025 -AIPI start of operations (BOE-A-2025-17136)
- AIPI Recomendación n.º 1/2026 on internal reporting systems
- AIPI official website: proteccioninformante.gob.es
- EU Whistleblower Protection Directive (EU) 2019/1937

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