

Saunders Law

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Private Criminal Defence

Public Interest Disclosures (Public Information Disclosure Act 1998)

Most workers are protected against dismissal or victimisation for reporting unlawful or dangerous practice at work to relevant officials. Workers who are dismissed for making a relevant disclosure or who suffer any detriment can apply to an Employment Tribunal for compensation. There is no qualifying period of employment needed for such claims.

Broadly, this protects employees who make disclosures in the following circumstances:-

Types of Disclosure

- Criminal offences
- Failures of an employer to comply with a legal obligation
- Miscarriages of justice
- Health and Safety
- Damage to the environment
- An employer is hiding information relating to the above

Disclosure to be made to a relevant person

- An employer
- A person with legal responsibility for persons other than the employer
- A legal advisor
- An individual appointed under any enactment of a Minister of the Crown

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- A “prescribed person” (e.g. Regulatory bodies/Inland Revenue/Health and Safety Authorities)

Disclosure must be made in “good faith”

The employee must genuinely believe that the disclosure is true and not make it for any personal gain.

Detriment suffered

The Employee must show that’s/he has suffered a detriment (e.g.: dismissal) as a result of making the disclosure.

We are happy to advise and act in cases of this sensitivity