Whistleblowing in Britain
(updated to January 2016)

What is your relationship to the organisation about whom the disclosure is made?

- Self employed
- Volunteer worker
- HM Armed Forces
- The Security Services
- House of Commons and House of Lords workers
- Certain merchant seaman
- Employee
- Worker
- Agency staff
- Home worker
- Some trainees

As the person making the disclosure do you reasonably believe it is in the public interest and that the disclosure is information which tends to show that one or more of the following has happened, or is likely to happen?

- A criminal offence
- Breach of legal obligation
- Miscarriage of justice
- Health and safety of any individual endangered
- Environment endangered
- Deliberate concealment of any of the above?

Not protected by PIDA

Protected by PIDA

No

Yes

Not a qualifying disclosure

Do you as the person making the disclosure commit an offence by making the disclosure?

Yes

No

Not a qualifying disclosure

To whom has the qualifying disclosure been made?

- Your employer
- A third party who you reasonably believe is responsible for the conduct that is the subject matter of the disclosure
- Minister of the Crown (and you are employed in a government appointment organisation)
- Prescribed person * and you as the person making the disclosure reasonably believe the information and any allegation it contains are substantially true and that the matter falls within the description of matters for which the person/body has been prescribed
- Legal Adviser in the course of taking legal advice
- Wider disclosures to anyone else provided you as the person making the qualified disclosure:
  - Reasonably believe that the information disclosed and any allegation made in it are substantially true
  - Does not act for personal gain

Either:
The conduct that is the subject matter of the disclosure is exceptionally serious and it is reasonable to make the disclosure in view of all the circumstances having regard, in particular, to the identity of the person to whom the disclosure is made.

Or:
One or more of the following conditions are met:

- You as the person making the disclosure reasonably believe you would be subjected to a detriment by your employer if the disclosure were to be made to your employer or to a prescribed person.
- In the absence of a prescribed person, you as the person making the disclosure reasonably believed that disclosure to your employer would result in the destruction or concealment of information about the wrongdoing.
- You as the person making the disclosure had previously disclosed substantially the same information to your employer or to a prescribed person.

In addition it must be reasonable in all the circumstances for you to make the disclosure.

* Prescribed persons include regulators such as the HM Revenue & Customs, the Health and Safety Executive, the Secretary of State for Business, Innovation and Skills, the Secretary of State for Transport and the Environment Agency and any Westminster MP (see the full list here)

* If the protected disclosure was not made in good faith an Employment Tribunal may reduce any compensation by up to 25%