

Whistleblowing: *Your Right to Speak Up*

What counts as a protected disclosure, who to report to, how the law protects you — and what to do if your employer retaliates.

 Last reviewed: August 2026

 GOV.UK · ACAS · PIDA 1998

 England, Wales & Scotland

ukworkrights.co.uk

What is whistleblowing?

- Whistleblowing is when a worker reports **wrongdoing they've discovered through their work**
- Protected under the **Public Interest Disclosure Act 1998 (PIDA)**
- The disclosure must be about something the worker **reasonably believes to be in the public interest**
- Applies to **workers, employees and contractors** — not just permanent staff
- You do **not** have to be certain wrongdoing has occurred — a **reasonable belief** is enough
- Personal grievances (pay disputes, being treated unfairly personally) are **not whistleblowing** unless they reveal wider wrongdoing

⚙️ KEY PRINCIPLE

The disclosure must relate to wrongdoing that affects others — not just you personally. That's what makes it a matter of public interest.

What counts as a protected disclosure?

- A **criminal offence** — fraud, theft, bribery
- A **health or safety risk** to any person
- Damage to the **environment**
- A **miscarriage of justice**
- A company **breaking the law** — including regulatory breaches
- Deliberate **concealment** of any of the above

▲ NOT AUTOMATICALLY PROTECTED

- Personal grievances about your own treatment
- General complaints about workplace culture
- Disagreements with management decisions

✓ TIP

If your complaint also reveals wider wrongdoing (e.g. your employer is breaking health and safety law for everyone) — it may qualify as protected even if it starts as a personal concern.

Who should you report to?

- 1 Your employer (internal disclosure)**
Usually the safest first step. Use any whistleblowing policy your employer has. This is the most straightforward route and always protected.
- 2 A prescribed regulator**
For specific types of wrongdoing you can go directly to the relevant regulator — HSE, FCA, CQC, HMRC, Environment Agency. Protected if you have a reasonable belief the information is substantially true.
- 3 A legal adviser**
Disclosures to a legal adviser for the purpose of getting legal advice are always protected — regardless of the content.
- 4 Wider disclosure (media, MPs, police)**
Wider disclosure is only protected in limited circumstances — you must reasonably believe you'd face retaliation if you went internally, or the wrongdoing is exceptionally serious. Take legal advice first.

Dismissal

Automatically unfair if the reason is a protected disclosure — no qualifying period needed

Detriment

Demotion, disciplinary action, being passed over for promotion, being ostracised

Pay cuts

Any reduction in pay or benefits linked to the disclosure is unlawful detriment

No cap

Compensation in whistleblowing Employment Tribunal claims is uncapped

Workers too

Protection extends to workers and contractors — not just employees

Day One

No qualifying service period — protection starts immediately

What to do if you face retaliation

- 1 Document everything immediately**
Note dates, times, what was said and by whom. Keep copies of emails or messages. A contemporaneous record is powerful evidence.
- 2 Raise a grievance**
Put your concerns about retaliation in writing to HR. This creates a formal record and triggers your employer's obligations to investigate.
- 3 Contact Protect (formerly Public Concern at Work)**
The UK's whistleblowing charity provides free legal advice for whistleblowers: 020 3117 2520 | protect-advice.org.uk
- 4 Contact ACAS and consider a Tribunal claim**
Detriment and unfair dismissal claims must go to ACAS early conciliation first. Time limit: 6 months less one day for acts on or after 1 October 2026 (3 months less one day for earlier acts).

Frequently asked questions

Q Can I whistleblow anonymously?

You can make an anonymous disclosure, but it limits the protection available and makes it harder for regulators to investigate. If you're identified, the protection applies regardless of whether you intended anonymity.

Q What if I'm wrong about the wrongdoing?

You are protected if you *reasonably believed* wrongdoing was occurring at the time of disclosure — even if you were mistaken. The test is whether your belief was reasonable, not whether you were ultimately right.

Q Does my employer have to have a whistleblowing policy?

There is no legal requirement, but larger organisations and those in regulated sectors (financial services, healthcare, education) are expected to have one. The absence of a policy does not remove your legal protection.

Q Can I be sued for whistleblowing?

Only if your disclosure is malicious and deliberately false. Good-faith disclosures are protected even if you turn out to be wrong. If your employer threatens legal action in response to a protected disclosure, that threat itself is likely unlawful detriment.

Delivery notes & attendance record

Before you start

Frame this as a safety control, not an HR process. A team that will not report near-misses has no early warning system.

Questions to ask the team

1. Would you feel able to stop a job you thought was unsafe?
2. Who would you report a serious concern to if your supervisor was the problem?
3. Has anyone here reported something and felt it went nowhere?
4. Do we treat near-misses as useful information or as trouble?

The law behind this talk

Public Interest Disclosure Act 1998 (inserting Part IVA into the Employment Rights Act 1996, s.43A–43L); Employment Rights Act 1996 s.44 (detriment for raising safety concerns)

Employers must give workers comprehensible information, instruction and training on the risks they face — Health and Safety at Work etc. Act 1974 s.2(2)(c) and Management of Health and Safety at Work Regulations 1999 reg. 10. Keep the record below as evidence that you did.

Attendance record

Topic

Whistleblowing: Your Right to Speak Up

Date

Site / location

Delivered by

Actions agreed

Next talk due

Attendees

Name

Signature

Use the Print handout button to print this record. General guidance only, not legal advice. This toolbox talk is generic material and is not a substitute for a suitable and sufficient risk assessment by a competent person. Employers remain responsible for their duties under the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999.

FREE RIGHTS GUIDANCE

Check your *whistleblowing rights*

Get plain-English guidance on your rights and your employer's legal duties.

ACAS

0300 123 1100

acas.org.uk

PROTECT — WHISTLEBLOWING ADVICE

020 3117 2520

protect-advice.org.uk

CITIZENS ADVICE

0800 144 8848

citizensadvice.org.uk

UK WORK RIGHTS — FREE GUIDE

**Whistleblowing in England,
Wales and Scotland 2026**

ukworkrights.co.uk/guide-whistleblowing-gb.html

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hello@ukworkrights.co.uk

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