

## Making a protected disclosure/ 'whistleblowing'

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Under certain circumstances, employees have legal protection if they make disclosures in good faith about their employer. This is referred to as 'whistleblowing'. **However, an employee making a protected disclosure must reasonably believe that the disclosure is in the Public Interest and not related to a personal private concern.**

An employee has the right under the Public Disclosure Act 1998 not to be treated detrimentally up to and including termination of employment if they make a protected disclosure on quantifiable grounds.

### Qualifying disclosures

Qualifying disclosures are disclosures where it can be shown that the Organisation commits a 'relevant failure' by:

- committing a criminal offence;
- failing to comply with a legal obligation;
- a miscarriage of justice;
- endangering the health and safety of an individual(s);
- environmental damage; and/or
- concealing any information relevant to the above.

These acts can be in the past, present or future; for example, a disclosure qualifies if it is related to environmental damage that has happened, is happening or is likely to happen in the future.

Procedure for raising a protected disclosure.

The Organisation will take very seriously any concerns which an employee may raise under this legislation. It encourages employees to use the procedure if they are concerned about any wrongdoing at work under the qualifying disclosures.

An employee who wishes to make a protected disclosure should raise his/her concerns in the first instance to the Head of Centre who will treat the matter with complete confidence. If the employee is not satisfied with the explanation or reason given or if the matter concerns the Head of Centre the employee should raise the matter with the Chair of Trustees and/or the appropriate organisation or body, for example the Police, Environmental Agency, Information Commissioner's Office, Health and Safety Executive, or Social Services, etc.

An employee also has the right to go directly to the appropriate organisation or body.

The Public Interest Disclosure Act 1998 prevents you from suffering detriment or having your contract terminated for 'whistle blowing' and The Carroll Centre takes very seriously any concerns which raised under the legislation.

The Carroll Centre encourages you to use the procedure if you are concerned about any wrong doing at work.

However, if the procedure has not been invoked in good faith or for malicious reasons or in pursuit of a personal grudge, then it may make an employee liable to immediate termination of employment or such lesser disciplinary sanction as may be appropriate in the circumstances. Please note that this procedure cannot be used to raise an issue with an employee's contract of employment or dissatisfaction with terms and conditions of employment. These should be raised through The Carroll Centre's Grievance Procedure.