

# Public Interest Whistleblowing

A report on the activities of Public Concern at Work 1993-1998

ELIZABETH II



## Public Interest Disclosure Act 1998

### 1998 CHAPTER 23

An Act to protect individuals who make certain disclosures of information in the public interest; to allow such individuals to bring action in respect of victimisation; and for connected purposes.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by the advice and consent of the Lords Spiritual and Commons, in this present Parliament assembled, and by the authority of the same as follows:—

Employment Rights Act 1996

# Some of the people Public Concern at Work has helped

## *“First class support”*



We helped **Judy Jones** blow the whistle on the manager of the old people's home she worked in. He had been sexually abusing vulnerable women in the home. The abuser was convicted and jailed for four years. Judy was praised as a hero by relatives, the police and the court.

**Kate Schroder** blew the whistle on a fraud on a TEC-funded training scheme and was immediately sacked. We helped ensure that her concerns were not swept under the carpet – they have since prompted an on-going Serious Fraud Office investigation. We also helped arrange for Kate to bring a claim for libel. She has since won an apology, £25,000 damages and costs.

**Gary Brown** blew the whistle on a corrupt senior manager in the bank where he worked. The manager was convicted at the Old Bailey and sent to prison for 8 years. Gary was given a £25,000 reward by his employer and returned to a senior position. Gary has since helped us to promote public interest whistleblowing.

We helped **Adrian Schofield** blow the whistle on his bosses who had been involved in thefts from a local factory, costing over £1 million over three years. The thieves were convicted and jailed for three years. Plans to close the loss-making factory were scrapped and the factory owner donated £6,500 to our work.



**From the left:**  
Judy Jones, Kate Schroder,  
Gary Brown and Adrian  
Schofield at a Public Concern  
at Work reception at the  
House of Commons

Public Concern at Work is an independent charity. It seeks to ensure that concerns about serious malpractice are properly raised and addressed in the workplace. It does this through the free advice and assistance it offers to individual clients who are concerned about instances of apparent danger or wrongdoing; through the services it provides to employers and organisations; and through its public policy and educational work.

## Foreword

The persuading of Parliament to pass the Public Interest Disclosure Act was the work of a number of people, some of whom set up this charity, namely Lord Borrie, Ross Cranston MP, Maurice Frankel and Guy Dehn.

The Act will help to establish generally, and in the working places of this country, a sense of responsibility to ensure that dangers to health and safety are removed and that wrongdoing is not permitted to flourish. It is an important addition to the framework of law in this country.

Encouraged by the passing of the Act, Public Concern at Work will continue in what it set out to do when the charity was established in October 1993. Supported by this new legislative framework, the charity has two particular tasks over the coming years.

First, it needs to make more widely known the availability of the help which it can give to individuals. The second concerns those who run the public and private institutions and firms in this country. It is to persuade them that effective internal whistleblowing channels, and systems of supportive response to those who do, in good faith, report dangers or wrongdoing, are necessary in the best interests of those institutions and firms as well as for the public good.

The Council is grateful to the Trustees and to the Director, staff and volunteers for the work which has been done since our launch. We record our thanks to all those who have provided the money and support without which Public Concern at Work could not function.

**Rt. Hon. Sir Ralph Gibson**  
*Chairman of the Council*

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# Public Interest Disclosure Act 1998

## 1998 CHAPTER 23

An Act to protect individuals who make certain disclosures of information in the public interest; to allow such individuals to bring action in respect of victimisation; and for connected purposes.  
[2nd July 1998]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:—

1. After Part IV of the Employment Rights Act 1996 (in this Act referred to as "the 1996 Act") there is inserted

Protected disclosures.  
1996c. 18.

### "Part IVA

#### PROTECTED DISCLOSURES

Meaning of  
"protected  
disclosure".

43A. In this Act a "protected disclosure" means a qualifying disclosure (as defined by section 43B) which is made by a worker in accordance with any of sections 43C to 43H.

Disclosures  
qualifying for  
protection.

43B.—(1) In this Part a "qualifying disclosure" means any disclosure of information which, in the reasonable belief of the worker making the disclosure, tends to show one or more of the following—

- that a criminal offence has been committed, is being committed or is likely to be committed,
- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject,
- that a miscarriage of justice has occurred, is occurring or is likely to occur.

This summer 1999 the Public Interest Disclosure Act comes into force. It has been described by American campaigners as the most far-reaching whistleblower protection law in the world. In the House of Lords, Lord Nolan praised it as ‘skillfully achieving the essential but delicate balance between the public interest and the interests of employers’. A summary of the Act is on page ii of the Case Studies section.

## Summary

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The background to the legislation and to our work lies in the major disasters and scandals of the last decade. Almost every official inquiry has shown that workers had been aware of the danger but had been too scared to sound the alarm or had raised the matter with the wrong person or in the wrong way. This communication breakdown has cost hundreds of lives, damaged thousands of livelihoods, lost tens of thousands of jobs and undermined public confidence in the organisations we all depend on.

By setting out a clear and simple framework for raising genuine concerns about malpractice, and by guaranteeing full protection to workers who raise such issues, the Act addresses this issue in a constructive and effective way. While the legislation readily acknowledges that concerns about malpractice are best raised and addressed in the workplace, it also recognises the role regulatory authorities and outside bodies – including the media – can and do play in deterring and detecting serious malpractice.

The Act signals a break from a culture where inertia, secrecy and silence have allowed crime, negligence and misconduct to go unchallenged, all too often with devastating consequences for the individuals and organisations involved. It means that ordinary decent people will be less likely to turn a blind eye to wrongdoing and more likely to do the right thing – like the four whistleblowers shown on the inside cover.

Drawing on our practical experience in advising over 1,300 whistleblowers and on our work with employers, Public Concern at Work was closely involved in settling the scope and detail of the legislation. At the request of Richard Shepherd MP and the Government, we were also responsible for consulting on the proposals and for securing the support of key interests such as the CBI, IoD, TUC and professional bodies.

In reviewing our work since we opened our doors in 1993, this Report highlights what the new legislation will mean for individual workers, for employers and for the public interest. It also shows how, in just five years, whistleblowing has shaken off its connotations of disloyalty and is now generally accepted as a key mechanism in promoting and delivering accountability.

*“Clarified my position  
and gave me direction”*



Financial Times – 1993 ▼

**Whistle-blowers win friendly ear**

**The need to encourage  
the whistle-blowers**

▲ Independent – 1994

**Whistleblowers  
hear a new tune**

Observer – 1995 ▲

**Nolan call to protect  
the whistle-blowers**

Telegraph – 1996 ▲

**Hark, it's the  
great British  
whistleblower**

▲ Sunday Times – 1997

Guardian – 1998 ▲

**MPs back legal guards  
for 'whistleblowers'**

## The story behind the charity and the 1998 Act

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When the idea of an independent resource centre on whistleblowing was first discussed in 1990, the issue was seen almost invariably in a hostile light. The term was most frequently used to describe public officials who had paid a heavy penalty for leaking information, usually to the media. Whistleblowers were presented, if not as villains, as loners and losers. For this reason there was some initial scepticism about the need for, or role of, a charitable organisation in this area.

At the same time, several major disasters such as the sinking of the Herald of Free Enterprise, the Clapham rail crash, and the collapse of BCCI had led to exhaustive public inquiries to learn lessons for the future. While these focussed on the adequacy of laws and regulatory controls, they each revealed that staff had been aware of the danger but had not felt able to raise the matter internally or to pursue it when their concern was not taken seriously. In our view, the prevailing approach to whistleblowing had itself fostered this atmosphere in which people felt it neither right nor acceptable to challenge malpractice or misconduct in their workplace.

The implications of this culture were far-reaching. Even where the victims of these disasters were compensated, the general view was that nobody was accountable for what had happened. This in turn damaged public confidence, not only in particular organisations but in whole sectors and in the law. In addition, the response to these disasters of introducing new laws and regulations – however necessary and desirable – meant that well-run organisations found themselves bearing the burden of changes necessitated by their irresponsible competitors. The case for change was clear.

In setting up Public Concern at Work, we wanted to demonstrate the link between whistleblowing and accountability and to signal the need to break with a culture which fostered complacency and cover-ups.

There was, however, no need to develop a wholly fresh approach, as we found much support and guidance in the case law on confidentiality and the public interest. Rather, our tasks were to broadcast these principles beyond the confines of the Royal Courts of Justice, to extend the law so that it protected people whom it found had acted in the public interest, and to provide practical help.

Events have conspired to give us a receptive audience. Lyme Bay, Matrix Churchill, Barings, Bristol Royal Infirmary and numerous incidents of abuse in care have reinforced our essential message that misconduct will not be deterred and that accountability cannot work in practice while people remained resolutely silent in the workplace. At the same time, individual cases such as those of Chris Chapman, Graham Pink, Andy Millar, Steven Bolsin and Paul van Buitenen have highlighted the plight of those who blow the whistle.

Back in 1993, the Audit Commission was quick to see the relevance of what we were saying and to endorse our work in the context of probity in local government. Even before our launch, the European Parliament had asked us to report on the role of whistleblowers in controlling financial malpractice in Europe. Within our first year, a number of leading employers also offered their support, some having learnt from bitter experience the costs of a culture where their employees had kept their concerns to themselves.

*“invaluable advice which  
was not adversarial”*

...continued

The media, while disappointed that the cases our legal helpline handled were confidential, proved invaluable in promoting our message and publicising our work (as this report shows). Several editorial endorsements ensured that the issue received the attention of opinion formers. Beyond this welcome support, the fact that the Times is now helping fund the legal costs of the British Biotech whistleblower is an important development in the attitude of the media toward those who make public interest disclosures.

The most significant endorsement of our work came in 1995 from the Nolan Committee, which accepted our view that unless staff thought it safe and acceptable to raise concerns about misconduct internally, the likely result was that they would stay silent or leak the information. It was this culture which had provided fertile grounds for the birth of 'sleaze', where the perception of possible misconduct appeared to justify as much – if not more – attention as proven malpractice.

It was against this background that we and the Campaign for Freedom of Information were asked in the Spring of 1995 by Dr Tony Wright MP to draft a whistleblower protection law to raise the issue in Parliament. Support across the political spectrum was so strong that some journalists were unable to cover the story because nobody would publicly oppose the initiative. The Bill built on the common law approach to public interest disclosures and provided that such whistleblowers should be protected by law against reprisals. The Bill's proposals were widely supported among consultees, including the Nolan Committee.

As a ten minute rule Bill, Tony Wright's measure could do nothing more than raise the flag. The following year, 1996, Don Touhig MP, who had come high in the private members' ballot, re-introduced the Bill, which had been revised in the light of the consultees' responses. The lack of opposition to his private member's Bill meant that it received a rare and unanimous endorsement at second reading. The then Government, however, was not persuaded of the need for legislation and Mr Touhig's Bill did not leave the Commons. By then, however, Tony Blair had pledged that, if elected, his Government would legislate on these terms.

These initiatives in Parliament – coupled with our reports on defence procurement, abuse in care, standards in public life, Matrix Churchill, the police and local government had helped secure a sea-change in attitudes towards whistleblowing. At least as important a force for change had been the hundreds of cases which people raised with our helpline – examples of which are given in the Case Studies section.

Shortly after the election, the Government offered to support Richard Shepherd MP's Public Interest Disclosure Bill. With Ian McCartney the minister responsible, the negotiations on the scope and detail of the Bill were driven from all sides by a strong and keen commitment. Our consultation among interested parties revealed overwhelming support for the measure and also for our proposal that public interest whistleblowers should be compensated in full for any losses they suffered as a result of victimisation.

While this legislation would not have been enacted without our involvement or the support of the Government, it should not be overlooked that this initiative was at every stage a private member's Bill and one which originated from backbench MPs themselves.

**Guy Dehn**  
Director

*“people would feel more secure in  
the knowledge of your existence”*



(Lord) Gordon Borrie launches the charity in October 1993, flanked from the left by Guy Dehn, Lord Oliver and Marlene Winfield.



The DTI Bill team (from the left Howard Ewing, Patrick Walsh & Ros McCarthy Ward) toast the new Act with Maurice Frankel, Director of the Campaign for Freedom of Information.

Richard Shepherd MP demonstrates how his Act balances the public interest and the interests of employers.



## Strategy plan 1993-2003

1. To promote the positive aspects of whistleblowing and to seek a shift away from the negative meaning of the word.
2. To promote individual responsibility by encouraging workers – and people generally – to speak up about things they think are wrong and thereby to improve the way in which organisations are – and are seen to be – accountable.
3. To give free legal and practical advice and help to people concerned about serious malpractice in the workplace.
4. To promote legislation to protect public interest whistleblowers.
5. To encourage employers to view whistleblowing as welcome and positive.
6. To persuade employers to set up safe and effective whistleblowing procedures and to promote them actively to their workforce.
7. To establish Public Concern at Work as the recognised source of independent expertise and authority in this area.
8. To encourage insurers to offer premium discounts to organisations which implement effective whistleblowing procedures.

## Report at December '98

1. The term whistleblower is now generally used in a positive light in public life and in the media.
2. Our work on whistleblowing has informed and been helped by the moves to emphasise people's responsibilities as well as their rights.
3. We have received some 6,000 enquiries and have assisted with over 1,300 cases of serious malpractice. Over 90% of clients recommend our service.
4. The Public Interest Disclosure Act 1998, which is closely based on our approach, is the most far reaching whistleblower law in the world.
5. The legislation was supported by the CBI, IoD, TUC and all key professional interests. An independent survey found that 80% of Finance Directors would positively want to recruit a whistleblower.
6. With our recommendations backed by the Nolan Committee, all public bodies are now expected to set up safe and effective whistleblowing procedures. Employers in all sectors are now addressing this issue in the light of the new legislation and their self-interest.
7. While we have been influential in these developments and were described in a 1997 White Paper on Governance as 'the leading organisation in this field', we remain little known among the public at large. Our clients repeatedly say they wish they had heard of us earlier.
8. We have had no success in interesting the insurance industry in offering premium discounts.

*“There is not enough publicity about you so people like me hear about you too late”*

## Looking ahead

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Public Concern at Work has reached the end of the first stage of its life. We have successfully made our case on the importance of promoting responsible whistleblowing, have established a free advice service and have helped to put on to the statute book legislation which both provides protection and affirms the policies for which we have argued.

The culture of accountability which we have promoted now needs to take root amongst both individuals and organisations across the UK. We look forward to a time when it is second nature for organisations to promote the openness necessary to reveal and correct malpractice, and for individuals to feel able and encouraged to bring such malpractice to the surface in the most responsible way, whenever it occurs. There is still much to do in driving home the message, across the private, public and voluntary sectors, that the establishment of this culture of openness and accountability is in everyone's interests. This we see as the pre-eminent challenge for the next few years.

### Our plan is:

- to be the leading authority on the Public Interest Disclosure Act and its operation;
- to provide free expert help to people who are concerned about malpractice but unsure whether to blow the whistle or to stay silent, or are unclear how to go about blowing the whistle;
- to offer practical guidance, assistance and support to organisations in the public, private and voluntary sectors; and
- to promote, through our public education work, individual responsibility and organisational accountability.

To succeed in these aims, we know that we need to raise our profile in order to ensure that more organisations and individuals than at present are aware of and are able to use the help we can offer. Above all, this means maintaining and extending our helpline service and our reputation as an independent and reliable source of knowledge and expertise in the field of public interest whistleblowing. We are also determined to ensure that our services are equally available to individuals and organisations in Scotland, Wales and Northern Ireland.

The new Act will lead to tribunal and court hearings, and we are often asked if we will play an active role in the litigation process. This has not been our approach to date and we do not intend to alter the way in which we operate in the light of new legislation. Of the 1,300 public concerns we have handled so far, we have assisted clients to litigate in less than a dozen.

*“Your advice has proven  
above all others to be  
correct and sound”*

...continued

Our policy has been, is and will be that prevention is better than cure. Where someone blows the whistle on serious malpractice in a considered and responsible way, the risk of victimisation is dramatically reduced, and with it the prospect of the matter getting anywhere near a court. This is the public interest message which is central to our purpose and which we will continue to promote through our helpline and indeed through all our work. The more we can encourage individuals to approach us at an early stage, before the employment relationship is damaged, the less chance there is of anybody having to litigate. Also, of course, if the whistleblower is not victimised, he has no claim to bring under the new law.

In most cases, we see our role as helping to put the new law into practice with the people it affects on the ground, both workers and employers, advising as to rights and obligations where possible before entrenched positions and antagonistic postures are adopted. The independence and practicality of our helpline service for individuals is central to this role.

Turning to our education and training work, we will expand this to develop practical and authoritative guidance on the new law for all those affected by it. We believe that our particular experience should encourage those who would welcome assistance in adopting the necessary procedures and practices for establishing the culture of openness, to approach us. We, for our part, must do everything we can to make ourselves better known to people likely to be affected and to encourage people to make us their first port of call when seeking advice or assistance.

This will involve not only the use of our own experience and expertise, but also the gathering of valuable information from organisations with whom we work, the benefits of which can then be passed on to others.

Such collaboration will help to ensure that our public interest message and our expertise are disseminated as widely as possible. Whilst we charge professional rates for professional services, we will continue to use our core funds to ensure that small and poor organisations can also have access to our business and training services. The income we will raise from products such as our Policy Pack will help us to meet those core costs and also the costs of the free helpline, which must remain at the heart of our activities. Much of the bedrock work has been done. What is now needed is to play the fullest possible part in getting our message, and the message of the new legislation, established throughout the UK amongst everybody for whom the responsible disclosure of public interest concerns is important. While our attention will inevitably focus on the workplace, it is vital that we also take this same message into schools, colleges and community groups as it is in society generally that many of the causes and consequences of this culture of turning a blind eye arise.

If we are to promote this message, raise our profile and meet the increased demand we expect for our services, we will need to find funds to achieve our aims. During our first phase we ran something of a hand-to-mouth operation, with an annual expenditure of between £115,000 and £200,000. Over the next four years, we will need to secure an annual income rising from £270,000 to £300,000 to meet these new demands. Whilst we will of course raise money from our training and education services, we are not a commercial organisation and the vital helpline is, and must remain, free for anyone wanting to use it.

As from January 2001, we have as yet no funds available or promised. We ask you, whether as an individual or an organisation, to support this important work.

**Michael Brindle QC**  
Chairman of the Trustees

This cartoon from the time of our launch depicts an attitude to whistleblowers which we will continue to challenge



Cartoon from the Financial Times by Ferguson reproduced by kind permission



# 5 years of the Advice Service

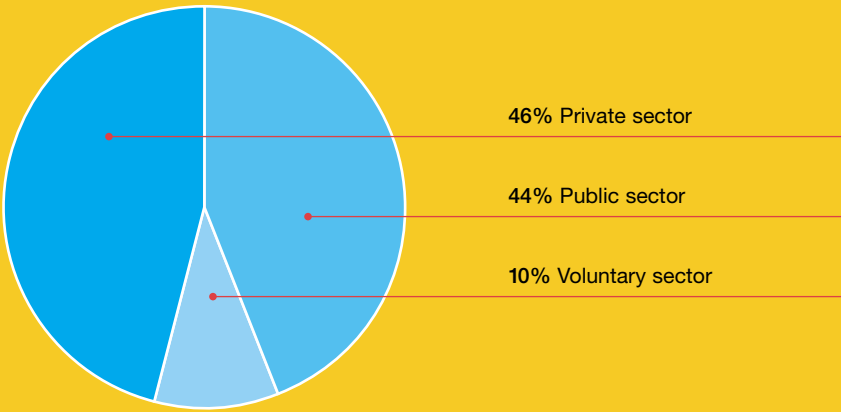
In the five years to December 31st 1998, we received well in excess of 6,000 enquiries, including over 2,700 requests for legal help. Of these, 1,315 clients had public concerns (that is some evidence of serious malpractice in their workplace involving a risk to the wider public). A more detailed analysis of the clients' workplace, experience and position can be found on our website – [www.pcaw.demon.co.uk](http://www.pcaw.demon.co.uk)

## Client feedback

Each year we conducted a survey of people who had contacted us for help with public concerns. We attempted on up to three occasions to contact every client who had left a home telephone number. Averaged over the five years we successfully reached 44% of these clients, all of whom responded to the survey. The results from those we reached were that:

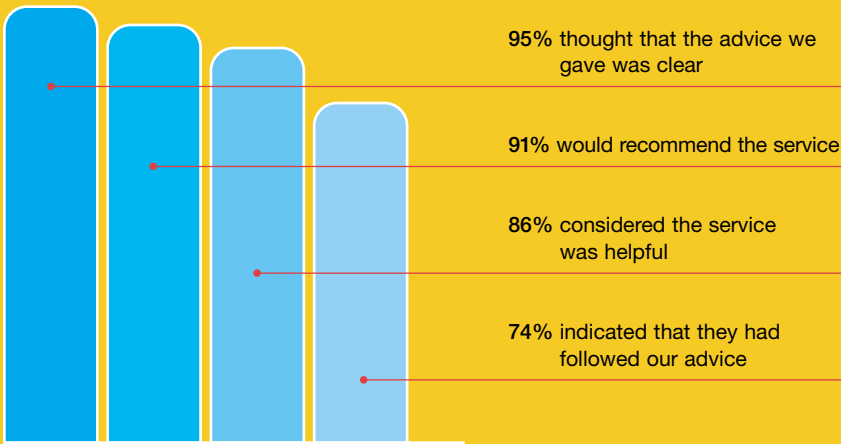
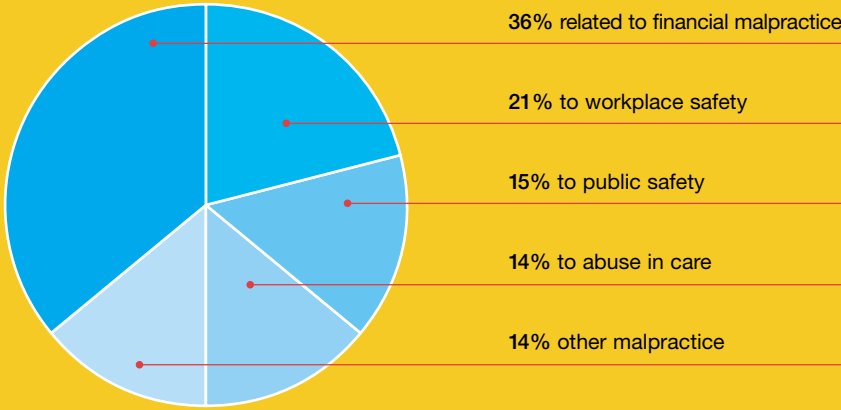
## Employment sectors

By sector, the breakdown of these 1,315 public concerns was:



## The nature of the public concern

Of these 1,315 public concerns:



Some of the comments from these clients are reproduced throughout this report.

# Whistleblowing – Case Studies

**1**

Raising it internally

**2**

Alerting a third party

**3**

Involving a regulator

**4**

A wider, public disclosure

**5**

An exceptionally serious concern

...with a summary of the *Public Interest Disclosure Act*

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1

Raising it  
internally

2

Alerting a  
third party

0171 404 6609

## The legal helpline

Since our launch in 1993, Public Concern at Work has helped over 1,300 people who have been concerned about serious malpractice at work. Our charitable remit means we cannot deal with private grievances or disputes, only with matters which affect the wider public interest. Examples of these are fraud, public dangers and abuse in care.

This free, confidential advice service is of most use for people at work who are not sure whether or how to blow the whistle. In these cases, our approach is that wherever possible people in charge of the organisation should have a chance to investigate the matter. This is usually the quickest and most effective way to remove any danger or malpractice and also the way which causes least risk to our client. Sometimes, however, it is necessary that the matter be raised outside.

Both our practical experience and our policy work caused us to be closely involved in discussions about the scope and detail of the new Public Interest Disclosure Act 1998. A summary of this important new legislation is in this booklet.

Drawing from our case files, we give examples of the different sorts of whistleblowing which the new legislation is designed to protect.

3

Involving a  
regulator

4

A wider, public  
disclosure

5

An exceptionally  
serious concern

## Public Interest Disclosure Act 1998

### Summary

The Act is due to be in force by 2nd July 1999. It encourages people to raise concerns about malpractice in the workplace and helps ensure that organisations respond by:

- addressing the message rather than the messenger; and
- resisting the temptation to cover up serious malpractice.

Through protecting whistleblowers from dismissal and victimisation in the following circumstances, the Act promotes the public interest.

### Malpractice

The Act applies to people at work raising genuine concerns about crime, civil offences (including negligence, breach of contract, breach of administrative law), miscarriage of justice, danger to health and safety or the environment and the cover up of any of these. It applies whether or not the information is confidential and extends to malpractice occurring overseas.

### Individuals covered

In addition to employees, it covers agency staff, contractors, homeworkers, trainees, and every professional in the NHS. The usual employment law restrictions on minimum length of service and age do not apply. The Act does not presently cover the genuinely self-employed, volunteers, the intelligence services, the army or police officers.

### Legal advice

The Act confirms that workers may safely seek legal advice on any concerns they have about malpractice.

### Internal disclosures

A disclosure in good faith to a manager or the employer will be protected if the whistleblower has a reasonable suspicion that the malpractice has occurred, is occurring or is likely to occur. Where a third party is legally responsible for the matter, this same test applies to disclosures made to it.

### Disclosures to Ministers

Where someone in the NHS or a public body blows the whistle in good faith direct to the sponsoring Department, the disclosure is protected in the same way as an internal one.

### Regulatory disclosures

The Act protects disclosures made in good faith to prescribed bodies such as the Health and Safety Executive, the Inland Revenue and the Financial Services Authority, where the whistleblower reasonably believes that the information and any allegation in it are substantially true.



### Wider disclosures

Wider disclosures (e.g. to the police, the media, MPs, and non-prescribed regulators) are protected if, in addition to the tests for regulatory disclosures, they are reasonable in all the circumstances and they meet one of three preconditions.

Provided they are not made for personal gain, these preconditions are that the whistleblower:

- reasonably believed he would be victimised if he raised the matter internally or with a prescribed regulator,
- reasonably believed a cover-up was likely and there was no prescribed regulator; or
- had already raised the matter internally or with a prescribed regulator.

In deciding the reasonableness of the disclosure the tribunal will consider the identity of the person to whom it was made, the seriousness of the concern, whether the risk or danger remains, and whether it breached a duty of confidence the employer owed a third party. Where the concern has been raised with the employer or a prescribed regulator, the reasonableness of its response will be particularly relevant. Finally, if the concern has first been raised with the employer, it is relevant whether any whistleblowing policy in the organisation was or should have been used.

### Exceptionally serious matters

Where the concern is exceptionally serious, a disclosure will be protected if it meets the test for regulatory disclosures and is not made for personal gain. The disclosure must also be reasonable, having particular regard to the identity of the person it was made to.

### Full protection

Where the whistleblower is victimised in breach of the Act he can bring a claim to an employment tribunal for compensation. Awards will be uncapped and based on the losses suffered. Additionally where an employee is sacked, he may apply for an interim order to keep his job.

### Gagging clauses

Gagging clauses in employment contracts and severance agreements are void insofar as they conflict with the Act's protection.

## 1. Raising it internally

Mark worked for a large construction company. He had become more and more suspicious over the behaviour of his line manager, Mr A. Due to structural changes, an increasing amount of work was contracted out, particularly to X Co. Mark noticed that the quality of work carried out by X Co. was markedly substandard and mentioned this to Mr A. His response was surprising: he owned X Co. and most of its employees were family members. Although the need to subcontract work had been approved in general by the construction company, it knew nothing of this arrangement.

Mark then discovered that technical equipment was being sold by Mr A to X Co. at a significant undervalue, and that Mr A had begun altering computer records for the equipment. Small technical items were also going missing with increased frequency and Mr A would order these to be replaced immediately. The relationship between Mark and Mr A became strained. Mark felt trapped. Mr A was a popular and respected senior manager who had worked in the industry for many years.

We advised Mark to prepare a detailed statement of his concerns in chronological order. At his request, we wrote to the Managing Director of Mark's company and to the Group Personnel Director of the parent company, enclosing a copy of Mark's statement. We asked that the company keep in mind Mark's personal position in coming forward with the information and to treat his identity as confidential.

Mark was asked to stay at home for a week whilst his concern was investigated. One week later, we received a letter from the parent company thanking us for our assistance. The result of their investigations was that Mr A resigned from the company and Mark was able to continue in his position.

### *Result*

Four months later, Mark wrote to us: "I have been treated very well by the company. The matter has been handled very firmly but very discreetly. I would like to thank you for your help and support through this matter. I cannot imagine having blown the whistle without your support."

### PIDA principle:

Where a worker reasonably suspects malpractice (including a breach of contract), he will be protected from victimisation where he raises the matter with his employer in good faith.

## 2. Alerting a third party

Adrian worked at a local site of a major waste disposal firm. He was concerned that his colleagues were defrauding a local paper mill. Adrian suspected that some employees of the mill were being paid to steal top grade paper, which was then concealed amongst waste paper in skips that were collected daily by a waste paper company. When the company delivered the waste to Adrian's firm, the paper was also sold on for cash, at a fraction of the market cost.

Adrian was reluctant to identify himself initially and was concerned that the perpetrators were influential in his firm and had good contacts with the local police. He described the atmosphere at the site as intimidatory, and the managers as bullying and abusive. He feared that if he spoke out, not only would he lose his job, but his life would be made intolerable. From the information that Adrian gave us, we were satisfied that the matter should be looked into. With Adrian's agreement we contacted the victim of the apparent fraud, the local paper mill. Although the company initially suspected we were a security company seeking new business, they soon realised that their procedures left them open to such a fraud.

Within a couple of weeks the company caught two of its staff engaged in the scam red-handed. However, they were unable to identify the size of fraud or how long it had gone on. Having obtained assurances on his behalf, we put the company's investigators in touch with Adrian. He was able to show them how the fraud had been concealed in the paperwork.

With this information the company realised that the fraud had cost it some £3 million. The police were called in and arrests were made.

### Result

The boss of the waste paper company was convicted and sentenced to three years, and others involved were jailed for several months. Adrian's foreman was sacked, the chargehand resigned and the manager of the site took early retirement. The local paper mill recovered almost £1 million from its insurers toward the loss and so averted plans to close down with the loss of over one hundred jobs. The atmosphere at Adrian's firm has improved substantially.

### PIDA principle:

Where a worker reasonably suspects malpractice (including a crime), he will be protected from victimisation where he raises the matter in good faith with a person who is legally responsible for the matter.

### 3. Involving a regulator

Ian worked as a safety inspector at an amusement park. He was responsible for maintaining one of the park's most popular rides. Every morning he would carry out a safety inspection on the ride and, if it passed, he would sign the ride off as safe in the log. During one inspection, he noticed that pins on the axles which kept the carriages stable had become loose. Ian thought this presented a serious risk and notified his managers. After what Ian felt was a cursory examination, the operations manager cleared the ride as safe. Ian was unhappy with this and the next day, as no corrective action had been taken, he again failed the ride. Again the operations manager overruled Ian and he was assigned to other rides.

Ian contacted us the same day. He was anxious that the weekend was coming up and that the park would be extremely busy. He was also worried that if he pursued the issue any further he would be dismissed. We advised Ian that we could contact the HSE on his behalf and relay the information that he had given us without giving his name. However, it was more than likely that they would want to speak to him, if they felt that the situation was potentially serious. We said we would explain Ian's anxieties about his position and ask the HSE to bear this in mind. While he was unsure whether he would agree to speak to the HSE, he asked us to make the initial contact.

The HSE agreed that the situation sounded potentially serious. However, they told us that they would need to speak to Ian. We explained Ian's fears that if the HSE suddenly turned up to inspect this particular ride, his employers would easily put two and two together and he would be out of a job. The HSE assured us that if they were to carry out an inspection, it could be done in such a way as not to make Ian's role apparent. We went back to Ian and, after talking things through, he agreed that he would speak to the HSE.

#### **Result**

Shortly afterwards the HSE made a 'routine' visit to the park during which they inspected the ride, along with several other rides. As a result of the inspection, the ride was suspended and the repairs were carried out.

#### **PIDA principle:**

Where a worker reasonably suspects malpractice (including endangering the health or safety of any individual), a disclosure to a prescribed regulator (such as the Health & Safety Executive) will be protected if it is made in good faith and he reasonably believes the information and any allegation in it are substantially true.

#### 4. A wider, public disclosure

Kate was recruited by a major training company to secure new contracts for courses funded by Training and Enterprise Councils (TECs). The courses, paid for by public funds, led to vocational qualifications to help the unemployed get back into the job market.

On a routine site visit, Kate discovered that certificates had been issued at one centre for fictitious trainees and for students who had not completed the courses. She alerted her management who commenced an investigation, which revealed large numbers of falsely claimed certificates. The company dismissed the manager of that centre. Despite this action, Kate was surprised when she herself was then moved to other duties. Some weeks later, she was telephoned at home by the local TEC and asked whether anything was wrong at that centre. Kate said that there were problems but that they were being sorted out. The following day she received a letter by courier summarily dismissing her for breaching confidentiality in mentioning to the TEC that there had been problems.

Kate contacted us to discuss the options. Fearing a cover-up she decided to give a journalist copies of company documents confirming the scale and nature of the fraud and the reason for her dismissal. However when the story appeared the proven fraud was referred to simply as Kate's allegations.

Worse, the story falsely said that Kate had been dismissed because the TEC had lost trust in her. After we threatened the paper with legal action, the story was corrected – but days later. Media interest continued as more trainees came forward to corroborate the scam and as politicians demanded an investigation. The company then issued a press release, implying that Kate had been involved in the fraud.

##### **Result**

The TEC sued the company to recover the public money paid on the false certificates. A Fraud Squad investigation led to a number of arrests and the investigation was later taken over by the Serious Fraud Office. We arranged for expert libel solicitors to help and Kate brought proceedings against her former employer for the damage done to her reputation. Kate has now received a fulsome apology from her former employers, an undertaking they will not repeat the slur, damages of £25,000 and legal costs.

#### **PIDA principle:**

Where a worker reasonably suspects a cover-up of malpractice (such as a crime) is likely, a wider public disclosure will be protected if she reasonably believes the information and any allegation in it are substantially true and the disclosure is reasonable and made in good faith.



## 5. An exceptionally serious concern

Judy was the deputy matron at a private nursing home for the elderly, run by Mr & Mrs T. Some of the residents were blind and some suffered from senile dementia. While Judy had been worried about the behaviour of Mr T for a couple of years, things came to a head when a care assistant told her she had entered one of the resident's rooms and found him behaving strangely next to one of the female residents. When Judy returned with the care assistant, Mr T had left the room and they discovered what seemed to be semen on the lady's cardigan and hair. She immediately tended to the resident and washed her and her cardigan – thinking first of the resident and not of the value of the evidence.

A few weeks later Judy read about Action on Elder Abuse who referred her to us. As her concerns were about the manager of the home, Judy didn't feel confident that she could safely raise the matter with him or its owner, who was his wife.

Equally, if she went to the Health Authority inspectors or to the police, there was a risk that as she had removed the evidence, it would simply be a matter of her word against Mr T's. As Mr T had a long career in the caring sector – during which he had received a Gold Award from the Archbishop of York for medical proficiency – Judy's word alone might well not have been enough.

We advised Judy to keep a vigilant eye on Mr T and to try to ensure that he was not left alone with the female residents. If some other incident occurred we advised her to contact us immediately and, if there was any supporting evidence, that she should take care to keep it. We contacted the Social Services Inspectorate at the Department of Health to check that our advice was sensible and were told that if Judy came back with more evidence we should put her in touch with the specialist police who dealt with abuse cases.

Several months later, Judy rang. The previous night she had entered a room where three ladies were sitting. Two were blind and one was suffering from senile dementia. Mr T appeared to have his groin in the face of the lady with senile dementia, and Judy thought he might be forcing oral sex on the resident. She left the room and got a colleague. Once Mr T had gone, they entered the room, opened a clean cotton swab, swabbed the lady's mouth and sealed the specimen. Once Judy was home, she contacted us.

### PIDA principle:

Where a worker reasonably suspects malpractice of an exceptionally serious nature, a wider disclosure will be protected if she reasonably believes the information and any allegation in it are substantially true, provided the disclosure is reasonable and made in good faith.

...continued

We went back to the Social Services Inspectorate but they were unable to offer us any practical advice. We then contacted the local police who said it was a matter for a special division at HQ. There we were told the special division only dealt with child and not elder abuse, which was a matter for the local CID. We explained that all we wanted at this stage was a forensic test of the swab – if the specimen was positive, then the police would need to be called in. The HQ explained that due to financial constraints the police could not spend any money on forensic tests until there was a formal complaint. We pointed out that this put Judy in a catch 22, as the matter would have to be put to Mr T even if the forensic evidence cleared him.

We then contacted the Home Office Forensic Laboratory and explained the situation and agreed to pay the costs of the tests. They collected the swab from Judy's home and within 24 hours, the sample had been analysed and had been found to contain semen. We immediately forwarded the evidence to the local CID who then interviewed Judy before arresting Mr T the next day. He initially denied the incident but, when confronted with the forensic evidence, he changed his stance. Other incidents were put to him, including one where his victim died the day after his assault.

### Result

Mr T pleaded guilty to three charges of indecent assault between 1987 and 1996 and was sentenced to four years in prison. The judge told him "Your behaviour was disgusting. It is almost beyond belief someone running a nursing home could abuse patients in such a grotesque manner. It is completely out of my experience of the law."

The home was taken over by new owners shortly after Mr T's arrest. Judy's job was secure and the residents are being well cared for. As to Judy's actions, one relative said, "All of us owe a great deal of thanks and debt of gratitude to Judy, without whom this scandal would never have been exposed." Another commented "If it hadn't been for her, it could still be going on and no-one would ever have known. Judy really deserves a medal."

## About Public Concern at Work

Public Concern at Work is the leading authority on public interest whistleblowing. We are an independent charity and we rely on voluntary support and income from our training and education work.

Our charitable objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. In practical terms, we focus on the responsibility of workers to raise concerns about malpractice and the responsibility of those in charge to investigate and remedy such issues.

### We do this by:

- Providing free confidential help to people who are worried about malpractice but are unsure whether to stay silent or blow the whistle;
- Helping employers set up whistleblowing procedures which give staff the confidence to raise concerns about malpractice;
- Training staff and managers on how such procedures can best work;
- Educating the public on issues of whistleblowing and accountability; and
- Making informed contributions to debates on public and corporate governance.

## Our Approach to the Advice Work

We realise that raising concerns about wrongdoing in the workplace can be a lonely business. Typically, callers to our helpline feel isolated, unsure of whom to talk to, and fearful that speaking up will only create more problems by rocking the boat. The reality, of course, is that keeping silent can create much bigger problems.

With this in mind, the advice we give is predominantly practical, but always with an eye to the client's legal position and the difficulties he or she may face if the issue is not handled correctly. In our experience, the manner in which the issue is broached with the employer will play a pivotal role in determining whether the employer considers the information diligently and acts on it, or chooses to ignore the message or shoot the messenger. Unfortunately, all too often, we have seen genuine concerns about serious malpractice degenerate into private grievances by the time the client contacts us.

For the assistance we can offer to be most effective, it is important that clients come to us at the earliest opportunity – preferably before the concern has been raised. In this way, we are best able to:

- help the whistleblower to keep a perspective on the situation,
- provide reassurance and support to the whistleblower, and
- make sure that the concern is raised responsibly and in the manner least likely to expose the whistleblower to retaliation, be it by the employer or by colleagues.

Our approach in giving advice to employees with public concerns is that recourse to litigation is a sign of failure. This approach is unlikely to change with the advent of the Public Interest Disclosure Act 1998.

We have always held that, wherever possible, concerns should be raised internally. After all, the employer is best placed to investigate and put right any instances of malpractice. Whether this is practicable – and a realistic option for the individual client – will depend largely on the culture that exists within a particular organisation, and the organisation's record in listening to employee concerns and dealing with malpractice.

Where the client has a reasonable belief that malpractice is taking place but fears the concerns will be disregarded, we will consider with him or her the option to raise the issue with a relevant regulator, without identifying the employer unless the urgency of the situation makes that essential. Should the regulator agree that the matter appears serious, the client can then raise the matter internally, making a persuasive case that the issue should be considered properly, while demonstrating the care they have taken to minimise any damage or inconvenience to their employer.

On the rare occasion where the concern is extremely serious and we have strong reason to believe that it is neither in the public interest, nor in the client's best interest, that the matter is first raised internally, we will advise or assist in making an external disclosure. Examples of this might include the sexual or physical abuse of someone in care where the perpetrator of the malpractice is the most senior person in the organisation, or where corruption has been covered up.

In the rare instance that a client is victimised as a result of following our advice, we will continue to take such steps as are necessary to protect his or her interests.

**Chidi King**  
Senior Legal Officer

*“I have felt supported and well-advised in what has otherwise been an extremely lonely and stressful experience”*

Risk Management

without

Whistleblowing

...is like



a **ing** without  
**build**

# foundations

Our work with organisations isn't making headlines. That's because we help ensure that potential risks and dangers within organisations are dealt with by those in charge at the earliest opportunity...

Since our launch, we have worked with many organisations in the public, private and voluntary sectors. We help them create open and accountable cultures where genuine concerns can be raised responsibly.

#### Client list

Amber Valley District Council	Lambeth Borough Council
Association of Colleges	Lambeth, Southwark & Lewisham HA
ACCA	Langside College, Glasgow
Audit Commission	Law Society C&I Group
Automobile Association	Leicestershire County Council
S J Berwin	Leonard Cheshire Foundation
British Telecom plc	Lewisham Borough Council
British Bankers Association	Liverpool Business School
Cardiff City Council	Lloyds of London
CTR Group plc	London Audit Group
CIPFA	Mayday NHS Trust
Clifford Chance	NCVQ
Community Service Volunteers	National Housing Federation
Co-operative Insurance Society	National Lottery Charities Board
Co-operative Wholesale Society	NHSP
Countrywide Communications	Occupational Pensions Regulatory Authority
Cranfield School of Management	Poole Borough Council
DETR	Reliance Security
Dibb Lupton Alsop	Royal Borough of Kensington & Chelsea
DTI – Lawyers in Regulation	RIPA International
Employers in Voluntary Housing	Salisbury District Hospital
Enfield Borough Council	Sense
Financial Services Authority	Sitel Europe plc
Forte plc	Southwark Council
D J Freeman	South Norfolk District Council
Gateshead NHS Trust	South West Devon Health Authority
Hackney Council	Standard Chartered Bank plc
Hambleton District Council	Touche Ross
Hampshire TEC	Tower Hamlets NHS Trust
Horizon NHS Trust	Thurrock Council
Housing Corporation	Trades Union Congress
Humberside TEC	Unison
Institute of Internal Auditors Scotland	University of Hertfordshire
Institute of Management	University of Westminster
KPMG	Wakefield District Council
Kings Healthcare Trust	Warwick University
Kingston University	Wiltshire County Council

Our range of professional products and services draws on our five years' experience running a helpline and advising organisations in this field.

#### Whistleblowing Policy Pack

We have produced a compliance toolkit to help organisations set up effective whistleblowing policies and comply with the Public Interest Disclosure Act. Its clear guidance and practical tools will save days of research and preparation in addressing this important issue.

#### Training in handling concerns

We provide expert training for managers, regulators, union representatives and advisers on handling concerns. Our interactive training courses draw on the hundreds of cases we deal with each year, and are aimed at providing people with the necessary skills for dealing with concerns effectively and ensuring that whistleblowing policies are not misused.

#### Expert advice

- Our legal and communication staff have developed unrivalled experience in developing, implementing and reviewing whistleblowing policies and procedures.
- We can advise on how to promote and communicate your policy, or audit how your policy works in practice.
- We are increasingly asked to speak at seminars and conferences, providing expertise on the Act and the role of whistleblowing in good governance.
- We can also help mediate seemingly intractable disputes.

For further information, please visit our website – [www.pcaw.demon.co.uk](http://www.pcaw.demon.co.uk) – or contact Andrea Eaves on 0171 404 6609

*“Your number should be  
advertised in every workplace”*

...thereby avoiding making headlines for all the wrong reasons.

**169 dead in North Sea disaster**

Gas leak blamed for  
explosions that split  
Piper Alpha in two

**Ferry firm admits  
doors were open**

**EC hid multi-million pound  
frauds, claims whistleblower**

Unprecedented operation as authorities  
**BCCI shut down  
worldwide amid  
fraud disclosures**

**Canoe death  
firm ‘had  
been warned  
over safety’**

**The rise and fall of Barings**

**...the  
tragedy of  
Zeebrugge**

Maxwell may have transferred  
£400 million without authority

**Fraud office  
inquiry into  
pension fund**

Internal enquiry into Clapham crash makes preliminary judgement  
**BR admits work on signal was defective**

## Major Foundation Support

## Foundation Support

£10,000 +

to £10,000

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Securicor  
Seeboard  
Andrew Smith QC  
Smith Kline Beecham\*  
Tom Symes  
Sweet & Maxwell  
Tesco  
Theodore Goddard  
Tomkins

\*Bodies who funded  
our work in 1998

*“You and your friends really deserve a gold medal for the work you do.”*

## What about the money?

As an independent charity which receives no funds from Government, we wish to record our sincere thanks to all those who have supported us over the past six years.

We list opposite the bodies and individuals without whose generosity we would not have been able to operate.

The bodies listed with an asterisk are those who funded our work during the calendar year, 1998.

Below we summarise our income and expenditure for 1997 and 1998 and also include projections (accurate at 1st March 1999) for 1999-2001. Audited accounts are available on request for the years 1993-1998.

In the years we have had a surplus, this has been transferred to our reserves which currently stand at £147,000.

As will be clear from the table below, around two thirds of our income comes from donations from foundations and from supporting organisations and individuals. It is our intention over the coming years to increase the proportion of the income we receive from our trading work.

Nonetheless our continuing need for grants and donations is clear.

Income	1997	1998	1999	2000	2001
Foundations	100k	155k	126k	105k	—
Supporters	37k	43k	13k	6k	—
Trading work	15k	23k	38k	—	—
Research	26k	28k	—	—	—
Bank interest	10k	11k	11k	—	—
Balance b/f	26k	24k	24k	—	—
<b>Total</b>	<b>214k</b>	<b>284k</b>	<b>212k</b>	<b>111k</b>	<b>nil</b>
Expenditure	1997	1998	1999	2000	2001
Staff	100k	128k	162k	176k	189k
General	44k	52k	60k	62k	65k
Education	11k	15k	25k	25k	25k
Research	25k	25k	25k	25k	25k
<b>Total</b>	<b>180k</b>	<b>220k</b>	<b>272k</b>	<b>288k</b>	<b>304k</b>
<b>Carried forward</b>	<b>24k</b>	<b>24k</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>Balance</b>	<b>10k</b>	<b>40k</b>	<b>(60k)</b>	<b>(177k)</b>	<b>(304k)</b>

# Who's who?

## The Patrons

Lord Borrie QC and Lord Oliver were Chairman of the Trustees and of the Council respectively from 1993 to 1996. On their retirement they became Patrons. Sir John Banham, who was closely involved in the work which led to our establishment, is the third patron.

## The Trustees

**Michael Brindle QC** is the Chairman. His legal practice focuses on commercial, financial and professional matters. The others are **Farzana Aslam** (a barrister); **Maurice Frankel** (Director of the Campaign for Freedom of Information); **Rosalie Langley Judd** (Manager, Intelligence & Records at the Financial Services Authority); **Michael Moore CBE** (who amongst other directorships chairs London International Group, two other PLCs, and Which? Limited and is Vice Chairman of Clerical Medical); **James Tickell** (Assistant Chief Executive of the National Housing Federation) and **Marlene Winfield** (Senior Policy Officer at the National Consumer Council).

## The Council

**Sir Ralph Gibson** is the Chairman of the Council, which has an advisory role. He was a Lord Justice of Appeal and a past Chairman of the Law Commission. We are delighted that Graham Melmoth, Chief Executive of Co-operative Wholesale Society, has joined the Council. The other members are Steve Burkeman, Gerald Bowden, Tony Close CBE, Dr Yvonne Cripps, Jo Cutmore, Baroness Dean, Zerbanoo Gifford, Lord Gladwin CBE, Edwin Glasgow QC, Peter Goldsmith QC, John Healey MP, Ole Henriksen, Roger Jefferies, David Owen, Chris Price, Anthony Sampson, Dr Elaine Sternberg, Dr Marie Stewart and David Wellings. John Bowers QC is Honorary Legal Adviser. We say a fond farewell to Ross Cranston QC MP, one of our founders and a past Chairman of Trustees, who resigned from the Council on his appointment as Solicitor-General.

## The Staff

**Guy Dehn**, the Director, is a practising barrister. **Chidi King**, who joined as the senior lawyer in May 1998, is a barrister. She is assisted by **Karen D'Rozario**, a solicitor, and **Georgina Brown**, a law student. **Andrea Eaves** returned in November 1998 to run our business and education work. She is assisted by **Giles Desforges**. Turning to our volunteers, **Jean Brown** runs the office and **Caroline Khazai-Nejad** keeps our books.

## Thanks

Since our launch a great many people have helped with our work in a paid or unpaid capacity and have since moved on. They include Paul Andersen, Theo Blackwell, Helen Butler, Chris Camp, Philip Ells, Nick Halsted, Catherine Hobby, Philippa Jackson, Julianna Kimmerling, Pete Minet, Alistair Mitchell, Jack Mitchell, Evelyn Oakley, Nick Rose, Elaine Seth Smith, Susan Turquet and Josh Winfield. We thank them all and wish them every success.



The three Chairmen:  
Michael Brindle QC (1997 –),  
Lord Borrie QC (1992 - 96),  
and Ross Cranston QC MP  
(1996 - 97)



Guy Dehn, Director, (1992 –)

*“We need organisations like you –  
you are a necessary part of any democracy.”*



# Timeline

In 1990 Social Audit published *Minding Your Own Business* a report on whistleblowing and self-regulation. After a pilot study looked into the need for an impartial body addressing this issue, a decision was taken in 1991 to set up an independent resource centre. Backed by generous start-up funds from the Joseph Rowntree Charitable Trust, Public Concern at Work was formed in 1992 and applied for charitable status.

## 1993

Public Concern at Work launched

Strategy plan agreed. European Parliament Budgetary Committee asks us to give expert evidence on EC fraud prevention. Our legal advice service is approved by Bar Council. Charity Commission approves our objects. Public Concern at Work formally launches in October. Helpline takes first calls. Audit Commission adopts our checklist on whistleblowing cultures. We publish a paper on *Whistleblowing in the NHS* and a report on *Police Misconduct*.

## 1994

Finding our Feet

88% of helpline clients recommend the service. Thirty leading organisations back our work. Training work with employers starts. Editorial in the Independent praises our work. EC commissions us to research the law and practice on whistleblowing across Europe. Australian Senate calls for a body based on Public Concern at Work. We publish reports on *Fraud and Corruption in Local Government* and on our *Advice work*.

## 1995

Nolan Committee heralds a wind of change

The Nolan Committee strongly backs our approach to whistleblowing. We and the Campaign for Freedom of Information are asked to prepare draft legislation for Dr Tony Wright MP. Our consultation of interested parties reveals strong support for legal protection. 95% of helpline clients recommend the service. Education and training work expands. Editorial in the Financial Times promotes our approach. Support from employers and funders grows. Parliamentary Ombudsman upholds our complaint that the Treasury had been wrong to withhold its Annual Fraud Report. We publish reports on *Defence Procurement* and *The Law & Practice on Whistleblowing in Europe* and two submissions to the Nolan Committee.

## 1996

Strong support in Parliament

The draft legislation is revised for Don Touhig MP. Although given a Second Reading by 118 votes to nil, his Bill fails to progress through lack of Government support. Tony Blair pledges that, if elected, his Government will legislate on this basis to protect whistleblowers. The Nolan Committee recommends that all public bodies adopt whistleblowing policies based on our approach. 93% of helpline clients recommend the service. Training and education work grows. 11 key corporate supporters back our work. We help with a *Cutting Edge documentary* on whistleblowers for Channel 4. We publish *Four Windows on Whistleblowing* (a collection of essays), a *Review of Reporting Policies in Local Government* and *The Secret Whistleblower in the Arms to Iraq Affair*.

## 1997

New Government backs the Bill

Prior to the election, the Conservative Government accepted the need for public bodies to have whistleblowing policies and called us "the leading organisation in this field." After the election, Richard Shepherd MP introduces his Public Interest Disclosure Bill. Strong support from the Labour Government. We work closely with Mr Shepherd, Ministers and DTI officials to formulate the scope and detail of the draft Bill. When it is published, Mr Shepherd and the Government ask us to consult interested parties on its detailed proposals. The Nolan Committee urges public bodies to promote whistleblowing. We help on a Radio 4 documentary about whistleblowing for *In Business*. 90% of helpline clients recommend the service. Donations from foundations and supporters secure our immediate future. Training work expands. We publish reports on *Abuse in Care* and on *Health & Safety reporting schemes*.

## 1998

Whistleblower protection law passed

Business, unions, professions and other interests overwhelmingly support the proposed legislation and back our proposal that whistleblowers be fully compensated for their losses. Richard Shepherd's Bill is enacted in July. 90% of clients recommend our service. Training and educational work continues to grow. We prepare a compliance toolkit on the new Act for employers. We annotate the Act for the *Current Law Statutes*. We complete reports on *Health & Safety Cultures* (for the Health & Safety Executive) and on *Fraud on training schemes* (for the European Commission).

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email: [whistle@pcaw.demon.co.uk](mailto:whistle@pcaw.demon.co.uk) web: <http://www.pcaw.demon.co.uk>  
Company limited by guarantee number 2849833 and registered in England and Wales  
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