



A TECH WORKERS GUIDE TO WHISTLEBLOWING

 UK Edition

Table of Contents

What is the purpose of this Guide?	4
How can this guide help you?	6
Legally speaking: What to know about the UK's whistleblowing legislation	8
What is PIDA?	8
Are you covered by the law?	8
What types of reports are protected?	9
What does not usually count as 'wrongdoing'?	10
Who can you disclose your concerns to?	11
What should you know about making an internal disclosure?	11
What should you consider when thinking about disclosing to your employer?	12
What should you expect after making a disclosure to your employer?	13
What can you do if you're treated unfairly after whistleblowing?	13
Alternatives to disclosing to your employer	15
What counts as a 'wider disclosure'?	16
Regulators	17
Parliament	22
Media	25
SLAPPs	29
What should you know about SLAPPs and whistleblowing?	29
What can you do if you think you are being SLAPPED?	31
NDAs	32
What should you know about NDAs and whistleblowing?	32
What is the position of regulators on NDAs?	34
Do your concerns have an international dimension?	35
What should you know about international whistleblower reward programs?	35

Practically speaking: What to consider when thinking about blowing the whistle	37
Personal assessment	37
Building a support network and solidarity	37
Family and friends	38
Lawyers	38
Colleagues	44
Unions	44
Charities	45
Documenting evidence	46
What should you consider for documenting evidence safely?	47
Fifteen lessons learned	49
Resources	51
Glossary	51
Whistleblowing Options Overview	59
Partners and other resources	66
Partners	66
Charity organisations	67
Reports and guides	67
Books	67
Toolkit	68
Personal Assessment tool	68
Sample Budget template	72
Building A Team template	78

What is the purpose of this Guide?

Whistleblowing – the act of speaking up on suspicions of wrongdoing that affects others and holding powerful interests accountable – is difficult for many reasons. For tech workers, deciding to speak up on issues that are in the public interest against a powerful and well-resourced tech company can be particularly scary. Accessing information about how to raise a concern, report to a regulator, speak to a journalist, find a lawyer or even ensure personal and digital safety should not be an additional barrier to doing the right thing.

This Guide aims to help any worker make informed choices by providing a concrete and balanced overview of the whistleblowing landscape and highlighting organisations and resources available to support whistleblowers. While the information included in this Guide may apply to all workers, the focus is on legal and practical guidance for tech workers given their involvement in a sector in need of transparency and greater attention to the public interest. At a time of growing concerns around tech accountability and AI governance, ensuring that the tech workers who decide to take great risks in speaking up are better prepared and supported is all the more important. Whether you work at a tech company as a senior engineer, warehouse handler, content moderator, Human Resources lead, or in any other role across the Tech sector, this Guide should be both useful for and accessible to you.

‘No matter what reason you had for reading this guide, you should know there is a whole community of people out there, including other whistleblowers, lawyers, journalists, non-profit organizations, unions, advocates, and many others who for decades have been dealing with the sensitive process of bringing public interest information to light and holding powerful interests accountable.’

- Delphine Halgand-Mishra, Founding Executive Director, The Signals Network

This Guide includes legal and practical considerations specific to the British context compiled by The Signals Network Protect and the Whistleblowing International Network. Expert document review was provided by Paras Gorasia senior junior barrister specialising in Employment Privacy and Information Law at Doughty Street Chambers.

This Guide is inspired by the [Tech Worker Handbook](#), a collection of resources for tech workers who are looking to make more informed decisions about whether to speak up on issues that are in the public interest. The Tech Worker Handbook originated as an independent project owned and managed by Ifeoma Ozoma, Founder and Principal of Earthseed, with funding from Omidyar Network. Contributors to the Handbook included The Signals Network, Lioness, Matt Mitchell, Elite Strategy Global, Whistleblowing International Network, Jason Lorne Giles Branding, and Sienna Latham.

This Guide is not legal advice and should not be relied upon as such. It is not a how-to set of universal instructions nor a call to action to encourage you to blow the whistle. Whistleblowing is always an individual decision that should be made only after careful consideration of the options, and weighing up of any potential risks, against intended outcomes. This Guide is about the information you should know to protect yourself before speaking up.

As you read on, remember that there is no one right way to speak up. This Guide covers some key information to be aware of based on the experience of past and current whistleblowers and the people who supported them. It is aimed at helping you build your own overall strategy. Whatever your decision, know that you need not be alone. There are groups and people out there to support you and to offer you professional advice on your options.

Please reach out to [The Signals Network](#) if you have any comments or questions about this Guide.

How can this guide help you?

It all starts with a concern at work. You've personally witnessed wrongdoing, discovered some malpractice or simply have suspicion for possible past, present or imminent risks, which could cause harm to people in some way. It could be fraud, workplace discrimination, environmental damage, product defects, personal data exploitation, AI-related ethical issues . . . and you know you must do something. What can you do?

'Identify what your anchor is. You will most likely face retaliation and lots of difficulties navigating the legal system, but the thing that kept me going was knowing that the company was wrong and causing harm to people by hiding a certain defect in their product. That anchor is what I turned to when I was facing especially difficult circumstances.'

- Erika Cheung, Theranos whistleblower

Make a personal assessment.

We all have different levels of risk tolerance, unique personal circumstances, and our own individual professional goals regarding. Reporting wrongdoing at work is arguably part of everyday business, yet, for some blowing the whistle can end up being a long, arduous, and life-defining journey.

It is important that you consider what life may hold in the coming months and years if you speak up - and who you need to have on your side. Use the [Personal Assessment tool](#) to think through some initial considerations about the information you are reporting and why. Not all of the questions included in the tool will apply in every case and you should not feel you need to answer them all before speaking up. These questions are a way to assess where you are and what you are willing to go through in order to devise a personal plan to blowing the whistle.

Understand your options.

Your personal circumstances and the nature of the wrongdoing may determine what options are available to you. Yet, there are some common pathways for many whistleblowers and what is going to be important is to educate yourself as much as possible and benefit from the lessons learned from people who have blown the whistle before you.

It is essential that you act lawfully during your whistleblowing journey. Educate yourself about the law and how to make a protected disclosure under the [UK's whistleblowing legislation](#). Beware that there are some regional differences in the whistleblowing process in Northern Ireland, and Scotland, which are noted throughout this Guide.

You may need to consider how best to [document evidence](#) safely and possibly even how to

[work with a journalist](#). You may also find definitions of key terms in the [Glossary](#).

Talk to the right lawyer and allies.

The most important thing is that you seek advice on your options as early as possible, ideally from someone who knows what your rights are and has some experience in the field of whistleblowing. This means that you can figure things out before you blow the whistle and [build a support network](#) for your whistleblowing journey rather than waiting until things go wrong and you need urgent help.

In the UK, whistleblower protection sits within employment law and you may therefore be best speaking with an employment [lawyer](#) in the first instance. Some may specialise in whistleblowing and many will offer free consultations. This is an excellent option to help identify key considerations and next steps you may need to take to reach your desired goal.

You may find allies and support from trade [unions](#) and [charities](#) which take interest in the type of concern you are raising. They may even have experience working with whistleblowers on similar issues.

You should also consider finding someone who you can talk to about how you are feeling. Having support from [family and friends](#) before and after you report can make a big difference to your wellbeing. Speaking with your GP may mean you can access other talking therapies which may be useful.

'I would advise any potential whistleblower to seek out advice from established organisations such as The Signals Network and if possible, speak to other, public whistleblowers. While what you are about to do is scary, you are absolutely not alone. There is a whole new family out there that will help you get through blowing the whistle - good, loyal people there to back you up, protect you and defend you. Don't do this alone.'

- Mark MacGann, Uber whistleblower

If you need help with finding support or any advice on how to communicate a concern, feel free to contact Protect's Advice Line on 020 3117 2520 or online at www.protect-advice.org.uk/contact-protect-advice-line. You can also send an encrypted email to The Signals Network's Legal Director, Jennifer Gibson at jennifer@thesignalsnetwork.org [using ProtonMail].

Legally speaking: What to know about the UK's whistleblowing legislation

What is PIDA?

Whistleblowing in the UK is dealt with by a law called the Public Interest Disclosure Act 1998 – often referred to as 'PIDA,' which sits within employment law under the Employment Rights Act 1996. This legislation makes it unlawful to dismiss or victimise workers for speaking up.

The word 'whistleblowing' does not appear in the PIDA. Instead, the law protects workers across both public and private sectors who make '[protected disclosures](#).'

A protected disclosure has three main elements to it:

- You must provide information of a concern that you reasonably believe shows a category of wrongdoing set out in the law;
- You must reasonably believe that the concern is in the public interest;
- You must raise your concern in accordance with the law - either internally to your employer or externally to an outside body.

CAUTION: Only a judge – in the Employment Tribunal or appellate Court - can ultimately determine with certainty what is and is not a 'protected disclosure.' There is always a measure of legal uncertainty as to whether PIDA protections will apply. However, by understanding how the law functions – as well as what its shortcomings are - you can maximise your chances of being protected, as well as of having your concerns addressed.

Note:

- PIDA is a 'day one right.' This means protection applies as soon as a worker is hired. You do not need the same two years minimum service as required for other employment rights in the UK.
- There is no longer a 'good faith' requirement for protected disclosures under PIDA. This means that you may make a disclosure in bad faith and, provided the three main elements are met, still be protected. The issue of 'good faith' may, however, affect the amount of compensation for damages you can receive.

Are you covered by the law?

You are protected under PIDA if you are an employee or a 'worker' - for example if you're:

- an employee such as a factory worker, office worker, homeworker, crown employee or

- police officer;
- a member of a Limited Liability Partnership (LLP)
- an agency worker.

'Worker' has a special and wider meaning under PIDA, yet you may not be protected if you belong to one of the following groups: volunteers, trustees, non-executive directors or are a job applicant.

There is also a gap in the protection available for contractors and the self-employed. If you are a self-employed contractor, you may however be able to establish yourself as a worker (sometimes referred to as a 'limb (b) worker') where you had an express or implied contract for personal service.

Top tip: If you're not sure you're protected under PIDA, seek independent legal advice for example from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#).

What types of reports are protected?

In order to qualify for protection under PIDA, you may report any information that you reasonably believe relates to one of the following six categories of wrongdoing:

1. a criminal offence;
2. a risk to someone's health and safety;
3. a miscarriage of justice;
4. risk or actual damage to the environment;
5. a breach of a legal obligation;
6. deliberate attempt to cover-up any of the above.

Note:

- Wrongdoing does not necessarily mean illegality, yet unethical behaviour or poor practice may not be enough on their own. You should try to identify a specific category under PIDA, and to explain how your concern falls within it.
- A breach of a legal obligation is a broad category which may include different failures to comply with a legal obligation like a company not having the right insurance.
- Harm need not actually have yet materialised - it is enough that you reasonably believe it is 'likely' to occur.

- You don't need to be correct about what you've raised. You can be protected even if you are mistaken - you only need to be able to show that you have a reasonable belief that there has been some wrongdoing. If after an investigation your concerns were shown to be unfounded, this will not invalidate your protection under PIDA.

CAUTION: PIDA will not protect you if you break the law while making a disclosure. This includes breaching pre-existing legal duties not to disclose certain information, so-called 'secrecy offences' or 'statutory bars to disclosure.' For example, if you have signed the Official Secrets Act 1989 as part of your employment contract, you may be committing a criminal offence from disclosing certain types of sensitive national security information.

Top tip: There are over 100 unauthorised disclosure offences. Most of these apply only to disclosure of national security information or information held by public bodies. This means you need to think carefully about any legal duties you may be under and, where possible, seek legal advice before making a disclosure. You can also consult the [Law Commission Report on protection of official data](#) (Chapter 4) for more information about unauthorised disclosure offences.

Note: A statutory bar to disclosure is not the same as a contractual Non-Disclosure Agreement (NDA). Under PIDA, NDAs are void, so you cannot be prevented from making a protected disclosure in this way. See what you should know about [NDAs](#).

What does not usually count as 'wrongdoing'?

Personal grievances such as bullying, harassment, and being individually discriminated against in the workplace are not generally covered by whistleblowing law, unless your particular case has a 'public interest' element.

PIDA does not define public interest. As a general rule, if the wrongdoing affects more people other than just yourself, the public interest requirement will be more likely to be satisfied. If the wrongdoing is to do with just you and your rights, is less likely to be satisfied.

There are ambiguous cases: where you may have a personal interest in the issue, but there are also wider implications for other people. This could include, for example, whistleblowing on cultures of misogyny or racism. Many #MeToo whistleblowers bringing to light cultures of harassment speak up both for themselves and for their affected colleagues. Azeem Rafiq, who made headlines after he blew the whistle on institutional racism at Yorkshire Cricket Club, started his whistleblowing journey with a personal grievance after facing discrimination himself.

In such cases, you should bear this in mind and emphasise that you are not the only one affected by wrongdoing and that you're speaking up about a matter of public interest.

CAUTION: PIDA protects disclosure of specific factual information; it does not protect pure allegations. You do not need to provide any evidence, yet there should be enough detail in the disclosure that the person receiving it could begin to investigate. Consider the difference between saying 'My colleague broke environmental regulations' and 'I saw X colleague disposing of hazardous waste in the drain.' Context is relevant too: if a worker took their manager to a building site, pointed to improperly stored waste, and said, '...you're not complying with environmental safety requirements...' this would more likely be a protected disclosure of information as the allegation is backed up with context specific information.

See what you should know about [document evidence](#).

Who can you disclose your concerns to?

For your disclosure to be protected by law, you must make it to the right person and in the right way. Broadly speaking, you can either make an internal disclosure (i.e. to your employer) or an external disclosure (i.e. to someone outside your organisation).

Different legal tests apply depending on where your disclosure is made. There are also different risks and benefits with each approach, which you need to carefully weigh up before making a disclosure.

The following sections outline the different requirements and considerations, first for an internal disclosure and then for an external disclosure.

What should you know about making an internal disclosure?

You can make a disclosure to your employer or to a third party authorised by your employer to receive protected disclosures.

Legally speaking, these internal disclosures are the most likely to be protected. Reporting internally may also be the most effective route, as generally speaking, your employer is more proximate to the wrongdoing than an external regulator and therefore able to take swifter action to investigate your concerns and address any wrongdoing.

However, there are also risks when reporting internally. You may be ignored or worse retaliated against and your employer might have an incentive to cover up their wrongdoing.

Under PIDA, you are not required to first make your disclosure internally and you might want to

consider making an [external disclosure](#) if you think your employer might not handle your disclosure fairly and effectively.

Note:

- Your employer means someone within the organisation, with the authority to act on the disclosure you are making, rather than a colleague or a more junior manager.
- Approaching your line manager or supervisor may be the most intuitive choice, yet it may not be appropriate where they are implicated in the wrongdoing, or you have reason to believe they would not act on the concerns (e.g. they've failed to deal with a similar issue in the past). In such cases, it may be appropriate to identify someone more senior or make an external disclosure in the first instance.
- If you are employed by a government body, disclosures made to a government minister (or a member of the Scottish Executive or a Northern Ireland department) will be treated like an internal disclosure.

CAUTION: It is important to make sure you understand in what circumstances both internal and external disclosures are protected and that you seek legal advice from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#), before making a disclosure.

What should you consider when thinking about disclosing to your employer?

Here are some key things to consider:

- Most employers have a whistleblowing policy. Check whether your employer has a whistleblowing policy or other employee guidance. It may identify a person or persons you can approach with a concern and include guidance on how to raise your concern. Good employers have dedicated persons or teams which may have received training on handling concerns and preventing retaliation. Some employers designate external channels, such as commercial speak-up hotlines. It may be helpful if you later seek protection under the law if you can show you have followed your employer's policy.
- If you want to raise your concerns on a confidential basis and your employer has a dedicated process for whistleblower reporting, this may make it easier to keep your identity a secret from those you work with. However, no assurance of confidentiality is failproof.
- You can still report your concern to your employer if they do not have a dedicated policy or process. In that case, think about how certain managers may react, and whether there is a particular person in senior management you trust. You may also want to consider who is best placed to investigate and remedy wrongdoing.
- If others share your concerns, it may be safer and more effective to raise such concerns

collectively as a group. This can give weight to the concerns and strength in numbers to offset risk of victimisation. Find out more about how to [work with your colleagues](#).

Top tips:

- Draw on your knowledge of the organisation and think carefully about whom to report your concerns to and how.
- Watch your tone. Judicial decisions on whistleblowing in the UK have unfortunately established that whistleblowers can legitimately be dismissed if they raise concerns in a way that is considered unreasonable or too confrontational by the employer. Be as polite, objective, and professional as possible. Refrain, if possible, from criticising individual colleagues.
- Create a robust audit trail and secure evidence of you making the disclosure. Even if you raise the concerns in a meeting, make sure you also follow up in writing afterwards. Get in the habit of keeping contemporaneous notes. Find out more on [documenting evidence](#).
- Avoid misconduct in pursuit of making a disclosure. Do not do anything that could open you up to criticism, disciplinary action or wider legal liability. Don't make unauthorised recordings or enter systems you shouldn't to collect evidence.

What should you expect after making a disclosure to your employer?

Your employer should listen to your concerns and decide if any action is needed. Unfortunately, PIDA says nothing about how employers should deal with whistleblowing concerns or follow up on a disclosure. When you make your disclosure, you can ask your employer about timeframes and feedback, and revert to them later on if they agree to feedback or other action.

If you believe your disclosure is not taken seriously or the wrongdoing is still ongoing, you can consider escalating your concerns to someone else more senior manager, or to a prescribed person or external body. Find out below [alternatives to disclosing to your employer](#).

What can you do if you're treated unfairly after whistleblowing?

'Many whistleblowers tell us they could never have imagined the victimisation they would face for speaking out. This can come from co-workers, managers and the organisations, but it can be weathered if the whistleblower has considered, prepared, and sought early advice.'

- Gabriel Radonich, Senior Advisor, Protect

You should seek legal advice immediately if you believe you are being mistreated due to your whistleblowing.

Despite whistleblower victimisation and dismissal being unlawful under PIDA, whistleblowing can often lead to backlash. This could be bullying, imposed changes to your employment, an unfair disciplinary, or even post-employment detriment like receiving a negative reference during future recruitment.

While your employer may stand to lose a lot if they retaliate against you for blowing the whistle, the law and the reputational risks may not stop it from happening. However, you should have a right to a remedy if it does happen.

If you've been treated unfairly, dismissed or victimised by your employer because you've made a protected disclosure, you could bring a claim to an Employment Tribunal. This is usually for compensation for any financial losses.

If you are dismissed due to whistleblowing, you can also seek 'interim relief.' This is an order made by an Employment Tribunal judge that gives you your job back or, if your employer is unwilling to take you back, then preserves your wages until the future date of a full hearing of your case. There will be a preliminary hearing where a judge will look at your evidence (only in the form of documents) and award the relief if they are satisfied you are 'likely' to win the case.

At the Employment Tribunal, you will have to establish two things:

- 1.** That you made a protected disclosure
- 2.** That the protected disclosure is the reason you were treated detrimentally or dismissed

Your employer may give other reasons for their actions, and it is important that you are able to provide evidence that supports your arguments and contradicts theirs, e.g. performance reviews from before the whistleblowing show you were performing well and then become negative after whistleblowing. Make a note of how you are treated and any changes over time.

Note: Beware of the tight timeframes.

- You have 3 months minus one day to bring a claim in the Employment Tribunal, from the date of the last detrimental act.
- You have 7 days from the effective date of dismissal (including weekends) to apply for interim relief. A preliminary hearing is on papers only – meaning you must have available all your evidence in this time.

CAUTION: Engaging with the Employment Tribunal is a lengthy and uncertain process. It also has disadvantages as it forces you to act quickly, and your employer will get lots of information before they even have to reply to your full claim. If you are paying for legal advice, it will significantly add to your costs. Although failing at interim relief does not mean you will fail at the final hearing, it can weaken your hand in settlement negotiations.

Top tips:

- Consider whether you can negotiate a settlement. You can do this before launching Employment Tribunal proceedings, or at any time before the final hearing. This allows you and the employer to end the employment on mutually agreeable terms, including an award of compensation and an agreed reference. A tribunal process can be lengthy and unpredictable, and so settling out of court may be preferable. Even if you decide to settle, you will still be able to blow the whistle legally.
- If you've been offered or want to seek a settlement agreement, seek legal advice from a solicitor or The Signals Network's [legal team](#). You can also get further guidance from the [Advisory, Conciliatory and Arbitration Services](#) (ACAS) or the specialist charity [YESS Law](#).
- If you are mistreated or dismissed after raising concerns, immediately seek legal advice from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#). You may also seek support from your trade union representative.
- If you are facing retaliation outside of the workplace, such as in your local community, immediately report any threats to the police.
- If you are facing malicious threats of legal action, it may be appropriate to report this to the Solicitors Regulation Authority. Find out more about [Strategic Litigation Against Public Participation](#) (SLAPP).

Alternatives to disclosing to your employer

If for any reason you do not want to disclose your concerns to your employer, you have other options. This is usually referred to as making an 'external disclosure' and includes reporting to a regulator, journalist or a member of Parliament (or Member of the Scottish Parliament or a government minister in Northern Ireland). However, there are specific sets of rules depending on who you make the disclosure to (see below).

Remember you can always speak to a legal adviser. This is protected under PIDA and may also be covered by [legal professional privilege](#).

What counts as a ‘wider disclosure’?

Whistleblowing to anyone other than your employer, those channels authorised by your employer, or to a prescribed person is considered a ‘wider disclosure’. This includes the Police, regulators that have not been designated as prescribed persons, journalists, media or press organisations, charities, special interest organisations (such as Greenpeace and Liberty) and international or intergovernmental organisations (such as the UN). Whistleblowing to non-UK regulators like the Securities and Exchange Commission in the United States is also considered a wider disclosure – see the section on [international disclosures](#) below for more information.

For a wider disclosure to be protected, the information must be substantially true. Additionally, your disclosure must not be made for personal gain and you must meet one of four ‘gateway’ tests:

1. You fear victimisation; or
2. You fear a cover-up and there is no prescribed regulator; or
3. You have already made the disclosure to your employer or a prescribed person; or
4. The disclosure is of an ‘exceptionally serious failure.’

The making of a wider disclosure must also be ‘reasonable in all the circumstances.’ What is considered reasonable will depend on the facts, yet one key factor will be the identity of the person to whom the disclosure is made.

Note: You may be protected if you are reporting to a person you reasonably believe is responsible for the wrongdoing, even if they are not your employer or a prescribed person. This may be the case if you work somewhere like a shared workspace, where employers of multiple companies work in proximity to one another. It could also be relevant if you are an IT worker whose work involves going into the systems of various organisations other than your employer.

Top tip: Protection of wider disclosures is complex and uncertain - seek legal advice from a solicitor or contact Protect’s free and confidential [Advice Line](#) or The Signals Network’s [legal team](#), if you are considering making one.

The next sections of this Guide outline the rules and key considerations for making a protected disclosure to a regulator, members of Parliament, and the media. Note that disclosures to regulators and prescribed persons are subject to a simpler set of tests than disclosures to the media and others.

Regulators

‘Where an employer has ignored or failed to deal with a whistleblowing disclosure, regulators are the natural next step for whistleblowers to escalate their concerns. Most sectors in the UK have an oversight body, and they typically have the power and resources to take action on the concerns.’

- Andrew Pepper-Parsons, Director of Policy and Communications, Protect

Regulators come in all shapes and sizes, with varying remits, resources, and powers, but broadly defined they are bodies that supervise an industry, sector or profession.

What are the legal requirements for making a protected disclosure to a regulator?

When speaking up, it is in your best interest to ensure as much as possible that your whistleblowing meets the legal requirements for a protected disclosure under PIDA. Compared to a disclosure to your employer, a disclosure to regulators is subject to higher legal tests. The exact legal tests to apply will depend on whether the regulator is designated by the Government as a ‘prescribed person.’

‘Prescribed persons’ are relevant bodies that Parliament have deemed responsible for certain sectors and industries and that you can report whistleblowing concerns to. All the regulators in the [Whistleblowing Options Overview](#) are prescribed persons.

Note: All prescribed persons, their remits, and details on how to contact them are listed in the [UK Government guidance](#). Keep in mind that new regulators are added occasionally, and the online list may not always be up to date.

For a disclosure to a prescribed person to be protected, two additional tests must be satisfied:

1. You must reasonably believe that the subject matter of the disclosure falls within the remit of that regulator. The ‘reasonable belief’ requirement means that you may be incorrect in disclosing to a particular regulator but still be protected. The regulator’s assessment of the wrongdoing has no bearing on this. You need to show that you had some good reason to approach that regulator.

2. You must reasonably believe that the information disclosed, and any allegation contained in it, are substantially true. To satisfy this test, you should stick to what you know, and avoid hearsay or unfounded allegations.

When should you go to a regulator?

There are various reasons why you may feel you need to go to a regulator, like the following:

- Your job comes with a legal obligation to report certain kinds of wrongdoing to a regulator (e.g. you have a compliance or audit function, or child safeguarding function);
- You may have already raised the issue internally and are unsatisfied with the action taken by your employer;
- You fear that raising the issue to your employer will lead to victimisation or a cover-up.

Note: There is no legal requirement to raise your concerns with your employer first, before making an external disclosure. Some regulators have a policy that expects you to exhaust internal routes before going to them, but this is not required under PIDA. You can still be protected if you go to a regulator in the first instance.

In most cases, it may still be most practical to raise your concerns internally first. Some regulators may not investigate concerns where this has not been done, or ask you to provide a good reason for not having done so (e.g. where you fear victimisation will occur).

If and when you decide to involve a regulator will depend on the circumstances of your case and the risks that you are willing to face.

Top tip: Contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#), to get help thinking through which option might be best for your particular circumstances.

Which regulator should you go to?

Information about the remits of regulators in the prescribed persons' list can help you identify which regulator you should go to. Some regulators are responsible for a particular industry (like the Office of Communications or Ofcom for broadcasting), others have responsibility for a particular type of wrongdoing (like the Information Commissioner's Office for data protection matters), and some are responsible for those that work in a particular profession (like the Solicitors Regulation Authority that oversees solicitors in England and Wales).

Top tip: If, for any reason, you are uncertain where to report, you could start by reaching out to a regulator with a hypothetical inquiry. This provides an opportunity to ask about their remit or

even give an overview of your concerns anonymously and clear up any uncertainties before you commit to making a disclosure in your name or with any personal details. This may be helpful where you are unsure if your concern falls within the remit of that body, if you have concerns about confidentiality or if you are worried about your own liability and would like to seek assurances. If another body is more appropriate, they may be able to redirect you or pass on the information themselves.

What should you know about confidential v anonymous whistleblowing to regulators?

You should think carefully about any risks and potential consequences of your identity being known, or otherwise exposed. If there is a high risk of victimisation, you may wish to raise the concerns in a way that protects or shields your identity in some way.

Broadly speaking, there are three ways to raise your concerns to regulators:

- 1.** Openly - the regulator knows who you are and they can proceed to respond and investigate the concerns without the need to shield or protect your identity.
- 2.** Confidentially - you raise your concerns with an understanding or agreement that the regulator is aware of who you are and will protect your identity.
- 3.** Anonymously - you raise your concerns and the regulator has no idea who the whistleblower is.

These are some key considerations when thinking about choosing to report confidentially or anonymously:

- Confidentiality always has limits. Even if you are promised confidentiality, a regulator may still, on occasion, have to disclose your identity where they are required to do so by law, such as if a criminal offence has taken place or there are imminent safeguarding risks.
- Providing a regulator with your contact details will allow them to come back to you for further information and to provide feedback.
- Openly or confidentially raising concerns may also be safer for you, as it allows the regulator to put in place safeguards that better protect your identity as a whistleblower, if they have safeguards.
- Anonymous reporting makes it harder to prove that you were a whistleblower if you are victimised later on. Giving your identity to a regulator also ensures there is a record of you speaking up, which may bolster any future legal claim.
- There are instances when your employer may be able to easily guess you are the whistleblower, even if you report anonymously or the regulator does not disclose your identity. This may be the case where you have a history of raising concerns, or you disclose information that could only have come from you.

Top tip: Always check with individual regulators about what they will do to keep your identity safe. Do not make assumptions. Most regulators have a policy to respect whistleblowers' confidentiality but how seriously they take this duty and implement it in practice varies. Good regulators can come up with creative methods of investigation, such as placing the whistleblowing investigation within a wider audit or a routine check, which may hide the fact that a whistleblower has contacted them. Unfortunately, such measures are not common practice, so always clarify before you disclose.

What should you know about evidence when making a disclosure to a regulator?

Whilst you do not need to provide proof of your concerns to be protected under PIDA, regulators take different approaches to requiring evidence. Most should be interested in your tip off alone however some may ask you to provide some supporting information.

Regulators often have the power to access relevant documents and gather evidence for their investigations themselves. Instead of sending this evidence yourself to the regulator, you can assist them in identifying where they can find it. This may be more effective for the investigation and may be safer for yourself and others. It is not your job to prove the wrongdoing or gather evidence. The whistleblower is not the investigator.

'Protecting whistleblowers ensures the free flow of information necessary for the responsible exercise of institutional accountability. When people believe they must prove they are right, they are less likely to speak up. If they turn into private investigators, they risk undermining their position, tipping off the wrong people, or worse, undermining later official investigations. Regulators are likely to welcome any evidence that gives rise to a reasonable suspicion of wrongdoing. It is always sensible for people to seek advice on whether or how to approach a regulator with the information they already have.'

- Ida Nowers, Law and Advocacy Manager, WIN

CAUTION: Be very careful about sending or downloading information from your employer's systems as the law may not protect you from doing so and it can be deemed misconduct.

- If you commit gross misconduct by downloading or sending confidential documents from your employer, you may still be legitimately dismissed.
- Rather than downloading files, consider taking photos or screenshots, or making a note of the location of a particular file.
- If you commit an offence while making a disclosure - like breaching the Data Protection Act or the Official Secrets Act - then you may not be protected under PIDA.

Making a protected disclosure does not provide a blanket defence (known as immunity) against legal liability for sharing confidential information. For example, your employer may file a claim against you for defamation or breaching of confidence after you disclose certain information like client details. Some offences include a public interest defence, but this applies in very limited circumstances and should only be relied upon after seeking legal advice. You should be very cautious about sharing any unauthorised data outside of your organisation.

In any case, it may be most effective if your initial disclosure is specific and succinct. This will allow the person receiving your disclosure to understand your concerns and make a decision about whether to investigate.

Note: If a regulator fails to investigate, then your disclosure may still be protected. You can also try to escalate, either by appealing to the body itself or by raising the issue with a Minister, Member of Parliament, or the media. The UK whistleblowing legislation is built around the idea that concerns can be escalated when a disclosure has not been adequately dealt with. When devising your whistleblowing strategy, you should keep in mind that escalating the concerns can help you reach your desired goal.

Top tips:

- Provide a clear and concise overview of any wrongdoing, bearing in mind the remit of the regulator. As regulators likely receive more reports than they can respond to, an economical 2-page summary of your concerns may be more effective than an enormous pile of documents.
- Avoid sharing any confidential information or any documents you don't have authorised access to, outside of your organisation.
- Remember an investigator can always request more information if they need it.
- Focus on the original wrongdoing, not your treatment as a whistleblower. Try to separate out the original wrongdoing from any detrimental treatment you have experienced. Most regulators do not have the remit to look at instances of victimisation, so giving a detailed account of how you were treated will not be helpful.

What should you know about receiving a reward when making a disclosure to a regulator?

Providing a reward for whistleblowing is not common practice among regulators in the UK. There are currently only two regulators that offer rewards to whistleblowers.

- The Competition and Markets Authority (CMA) introduced a reward scheme in 2017 as part of their 'Cracking Down on Cartels' campaign. An individual can be given up to a maximum of £250,000 (increased from £100,000 in June 2023) for reporting on unlawful cartel activity they have witnessed.
- HM Revenue and Customs (HMRC) offers rewards of up to £100,000 to individuals who provide information that is used to bring a conviction. In 2020/2021, HMRC paid out nearly £400,000 on rewards for individuals who reported tax fraud, including fraud related to the COVID-19 relief schemes.

These rewards are discretionary awards based on factors including the amount of tax recovered and the time saved in investigations.

Top tip: Seek independent legal advice from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#), to understand your options and any potential requirements to receive a financial reward that may be applicable in your case.

Note: Other countries like the USA and South Korea have advanced rewards systems in place that you might be able to access if your concerns have an [international dimension](#).

Parliament

'As a whistleblower, you may see yourself as an educator in front of government members and other decision-makers. While lawmakers can be some of your most powerful allies, working with them can be a confusing process with long delays and high stakes, so seeking support from professionals or organisations that have ongoing relationships with government offices is key if you are considering this route.'

- Frances Haugen, Facebook whistleblower

Members of Parliament (MPs) and Members of the Scottish Parliament (MSPs) are prescribed persons to whom you can make a protected disclosure. However, they are unique among prescribed persons since a disclosure to them may be protected under PIDA in relation to any

matter for which any other person is prescribed. This encompasses a vast range of matters and not just a dedicated subject area as is the case for other prescribed persons.

Top tip: When making a disclosure to an MP or MSP if you don't work for a government body, follow the same rules as the requirements for making a disclosure to a [prescribed person](#).

Note: Members of the Welsh Parliament (Senedd) or Northern Ireland Assembly are not prescribed persons, and disclosures to them are considered '[wider disclosures](#).'

What should you consider before disclosing to Members of Parliament?

The UK public elects Members of Parliament (MPs) to represent their constituents' interests and concerns in the House of Commons of Parliament in Westminster. Bringing information on wrongdoing to an MP as an individual or a Committee member can be an effective method to bring about accountability.

MPs can put pressure on companies and powerful individuals by raising matters via public statements in the House of Commons (known as questions, debates motions, etc) or by sparking official investigations. They can do this by directly referring matters to regulators or the Ombudsman. They also can make confidential inquiries with senior officials and government ministers. Furthermore, they can propose new laws to address wrongdoing which may be currently under regulated.

MPs are under no statutory responsibility to protect a source's identity. It is likely that you will need to reveal your identity to them, but you can request that they keep it confidential. You may also want to highlight any specific fears you might have for risk of retaliation.

It may help to have a supporting intermediary, such as a charity organisation or a lawyer, to help you put together a pitch to the MP, as this may increase the chances of them picking up the case.

Top tips:

- Be intentional when picking a Member of Parliament to work with and position yourself as a concerned individual who can serve as a source of information.
- Wherever possible, contact your local MP in the first instance as they are often well placed to act on behalf of their constituents. You can check [online](#) to find your local MP's contact details and choose whether to write or call their office. Most MPs also run 'surgeries' which are sessions to allow constituents to attend and discuss matters with their team in person.
- Remember to keep an audit trail of any conversations with MPs on the phone or in person.

What should you know about parliamentary privilege?

'Parliamentary privilege' allows MPs to not be sued or prosecuted for anything they say in the Chamber, Westminster Hall or a Committee of the House of Commons of Parliament. This enables them to speak up on behalf of constituents, express an opinion, or condemn corruption, malpractice or even criminal activity without fear of legal action you otherwise might face - so long as they do so in proceedings of the House. This protection extends to written proceedings: for example, written and oral questions, motions and "early day" motions, as well any tabled amendments.

According to the [MPs Guide to Procedure](#), anyone giving evidence to a Parliamentary Committee of the House should also have such protection. This is an important safeguard as it ensures that Committees are not obstructed in their inquiries by threats of legal action, or any other kind of threat against witnesses.

Top tip: Seek independent legal advice from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#), to make an informed decision on your rights and any risks when blowing the whistle to an MP.

Media

‘Talking to a reporter can dramatically increase the impact of your disclosures. It also comes with risks. The most important thing you can do before speaking to a reporter is planning. That planning should include due diligence on any reporter you want to engage. Do they have a good reputation? Have they worked with whistleblowers before? You should also make sure you understand your risks, and have a plan for mitigating those risks, to the best of your ability. Whistleblowing support organisations can help you with this. Finally, make sure you familiarise yourself with the language the journalist will use. Are you planning to speak on the record? Off the record? Or on background? Do you want to stay anonymous? Set the ground rules with the journalist at the outset before you start speaking.’

- Delphine Halgand-Mishra, Founding Executive Director, The Signals Network

The media is a powerful watchdog. Disclosing information to a journalist may maximise the impact of your disclosure. Yet, making a disclosure to the media carries risks and requires proper forethought.

Making a public disclosure to the media is a ‘wider disclosure’ under [PIDA](#). Whilst you may have some protection under PIDA – as well as [a right to ‘freedom of expression’ under human rights law](#) - this area of law is complex, and continually evolving.

Top tip: Seek independent legal advice early. Protect’s free and confidential [Advice Line](#) and The Signals Network’s [legal team](#) can help you make an informed decision about your options, including making a disclosure to a journalist.

What should you consider before disclosing to the media?

It is important to be well-prepared before speaking with a journalist. You need to agree on specific terms and conditions like being recorded before sharing information. You need to consider and clarify whether you will remain anonymous, or if the journalist or reporter will know who you are but will keep your identity confidential. A good journalist should acknowledge the potential limits of identity protection upfront and discuss the risks of you being identified.

Before you speak, ask:

- How far will you go to protect my identity?

- Will you legally defend any attempts to identify me?
- How will I be described as the source?
- If my identity is revealed through your story, will you cover the costs of any legal action taken against me?

You want to be forewarned about any potential legal difficulties. Some publishers may be able to assist you in getting legal advice, but this is not usual. If they don't, do it yourself.

Top tips:

- Speak with a lawyer, before you speak with a journalist, to help you make an informed choice and mitigate any risks. As lawyers tend to be more cautious when it comes to disclosing sensitive information, choose a lawyer with experience supporting whistleblowers who have gone public. It may be that given the particular circumstances of your case, talking to a journalist is not the most appropriate method of whistleblowing – consider all the options.
- Be cautious with naming names... Journalists may approach others (e.g., colleagues) and expose you. Even if not named, your involvement may be inferred or guessed. Be mindful of potential risks, such as causing upset, legal retaliation or introducing counter-narratives.
- ...yet consider the positive. There may be beneficial consequences involving others too. Additional sources may corroborate key details, build perspective and context to the story, and even camouflage your involvement. Contact could be made through LinkedIn, Twitter, etc.
- If threatened with legal action for defamation or breaching confidence, don't panic. You may have protection under the law, and support in accessing these rights may be available.

What other practical considerations should you keep in mind?

Add a blue quote box: 'Whistleblowers are essential. They are a failsafe against institutions policing themselves, exposing wrongdoing, injustice, cover-ups. Investigative journalists often share those objectives, which is what makes these alliances so productive.'

- Paul Lewis, Head of Investigations, The Guardian

Keep in mind that your personal motive likely differs from a journalist's motivations for writing about your disclosure. It may seem like you both want the story to have an impact, yet you are likely the one who has more at stake and need to be more cautious. Good journalists should be conscientious of this, but only you will really have your own best interests at heart. Journalists may also be under editorial pressure behind the scenes, which may force their hand.

Top tips:

- Make sure you are on the same page regarding the timeline of disclosure, which information can be used, investigation milestones, and publication, including any embargo.
- Clarify your preferred description, e.g. 'former employee' and acceptable questions when interviewing others.
- Be cautious. Nothing is 'off the record' unless explicitly confirmed.
- Avoid becoming defensive. A journalist may support your employer's perspective. Emphasise focus on the information, rather than you personally.

Consult the [Glossary](#) for definitions of key terms like 'embargo', 'on/off the record', and 'exclusive.'

Many journalists pride themselves on protecting the identity of their confidential sources, including whistleblowers, at all costs. They may have a lot of experience and a solid reputation for doing so. Unfortunately, there have been cases where whistleblowers have been exposed and suffered retaliation because of poor journalistic practices.

Top tips:

- Do due diligence. Look at the journalist's background and track-record before working with them.
- Consult [The Perugia Principles report](#) to learn more about the ethical good practices journalists may follow to diligently safeguard whistleblowers.
- Familiarise yourself with the [Guardian and Observer style guide](#), a widely used reference manual for journalists and media professionals in the UK. This guide can be useful in effectively communicating with UK journalists, as it provides a common language for writing and editing as well as for media practices such as sources, attribution, and ethics.

'Whistleblowers are the lifeblood of any good journalist and they should be prepared to protect their sources come what may. But that may not be the end of the story and once something is in the press, it can be very difficult to know how the story will be taken up by other outlets and whether it is feasible for the whistleblower to remain anonymous. Careful consideration of the media strategy and the timing of any external disclosure to the media before the disclosure is made is vital.'

- Cathy James, OBE Partner, James and West Law

Beware of your digital security when talking to a journalist. In some cases, this means going back to analogue methods where disclosure is high risk or sensitive. 'Analogue' means being offline completely, for example avoiding the internet or smartphones, and only using hand-written notes.

The Guardian, the Financial Times, and others offer SecureDrop, see here: [Directory \(secure-drop.org\)](#). But not all journalists use such sophisticated methods and you should put your safety first. A good story can wait to ensure your safety.

Top tips:

- Ensure secure communication. Educate yourself on encryption tools such as a VPN, Protonmail or Signal and use them whenever possible. You can find more about good practices on secure communication and documenting evidence in the [Tech Worker Handbook's Security Guide](#).
- Keep a diary. Contemporaneous notes can serve as valuable evidence later and, if you have a lawyer, consider having them hold copies of any documentation or other evidence for legal professional privilege protection.

SLAPPs

‘SLAPPs and predatory litigation tactics have been increasingly normalised in the UK as a means for the rich and powerful to shut down accountability. They have proven to be quietly effective for two reasons: firstly, because they work to isolate the target from civil society and intimidate them into silence; and secondly, because they can easily masquerade as run-of-the-mill civil disputes. By building solidarity and raising awareness of SLAPPs we can counteract both of these effects - the UK Anti-SLAPP Coalition was set up for this purpose, and with our model anti-SLAPP law we have an oven-ready solution to protect whistleblowers and other public watchdog’

- Charlie Holt, Co-Chair of UK Anti-SLAPP Coalition and member of the Coalition Against SLAPPs in Europe (CASE) Steering Committee

SLAPP stands for ‘Strategic Litigation against Public Participation.’ It refers to abusive legal action initiated typically by a powerful private party (e.g., a company or an individual) with the aim of silencing critical voices. Although commonly targeted at journalists, SLAPPs can also be faced by whistleblowers as a form of retaliation. Making a whistleblowing disclosure is likely to be ‘[public participation](#).’

‘Raising a concern that is in the public interest – internally to the employer, or externally to a regulator, an MP or the media– is a vital part of public participation. Whistleblowers are the eyes and ears of an organisation; they are in a unique position to witness and have a professional understanding of wrongdoing, risk or malpractice, and to raise this with their employer or with appropriate authorities’

– Protect’s [Response to SLAPPs Call for Evidence 2022](#)

What should you know about SLAPPs and whistleblowing?

Whilst PIDA offers some protection from retaliation for making a disclosure in an employment context, threats of legal action for doing so may be effective at making you think twice.

SLAPPs can take the form of pre-action letters alleging defamation, breach of data protection or of employer’s confidence. It is important to note that contractual provisions that restrict the disclosure of public interest information may be legally baseless as are considered void under

PIDA. Many other offences threatened may also contain ‘public interest defence’ safeguards.

Whilst SLAPPs may also have little to no basis in law and are unlikely to succeed - and judges may have the authority to dismiss such cases, particularly where they lack sufficient merit - that does not stop these threats from being highly effective in discouraging speaking up.

Receiving legal letters can place significant strain on anyone understandably concerned about the financial implications of lengthy litigation against a powerful opponent. Their power is in the threat.

Top tips:

- There may be support available. Seek professional advice from a solicitor or contact Protect’s free and confidential [Advice Line](#) or The Signals Network’s [legal team](#), before you decide what to do.
- Keep in mind that your employer may be deterred from initiating legal action against you given the reputational risks involved should the case receive public and media attention but be prepared to most likely face other forms of [retaliation](#).

How can you identify a SLAPP?

To tell whether you are facing a SLAPP, there are three key questions to ask:

1. Is the legal action your facing brought by a private party rather than a state actor?
2. Does the action the lawsuit targets qualify as ‘public participation?’
3. Is the purpose of the legal action to silence, shut down or discourage the ‘public participation?’

To discern the purpose, consider the following:

- Does it target you individually?
- Are the legal arguments baseless?
- Are the remedies sought disproportionate?
- Are procedural manoeuvres used to drive up costs?
- Does it exploit economic disadvantage?
- Has legal action been used to silence others?
- Is it part of a wider campaign to harass or intimidate?

The [UK Anti-SLAPP Coalition](#) and [Index on Censorship](#) have online interactive tools to help identify SLAPPs and other related resources.

What can you do if you think you are being SLAPped?

If you receive a threatening letter from a lawyer that you consider to be a SLAPP, remain calm and seek legal advice. Try not to be easily intimidated. Remember that aggressive claims may be exaggerated.

Note: When the letter is labelled 'without prejudice' or 'strictly private and confidential,' you may be misled into believing that if you tell anyone, there may be adverse consequences. However, you are always able to seek legal advice no matter how correspondence is labelled.

If you face legal threats for making a public interest disclosure, you can consider lodging a complaint with the appropriate professional bodies, like the Solicitors Regulation Authority (SRA), Bar Standards Board or Law Society.

Lawyers and law firms are subject to professional standards and regulations. In 2022, the SRA of England and Wales issued a [warning notice](#) on Strategic Lawsuits against Public Participation suits. It stated concern that such vexatious lawsuits were being pursued on behalf of clients and confirmed commitment to act against such 'abusive conduct.' It reminded regulated solicitors and law firms they must comply with the [Codes of Conduct](#) and [Principles](#). These include obligations to:

- Act with integrity (Principle 5)
- Act in a way which upholds public trust and confidence in the profession (Principle 5)
- only make representations to the court or others which are properly arguable (Code, para 3.4) and
- Not abuse position by taking unfair advantage of clients or others. (Code, para 1.2)

'[Legal] proceedings must be pursued properly, and that means making sure that representing your client's interests does not override wider public interest obligations and duties to the courts.'

– [SRA Warning notice on SLAPPs](#) (November 2022)

The regulations may vary depending on the region in the UK. Seek independent legal advice from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#).

You can also find more information and research on SLAPPs from the [Business and Human Rights Resource Centre](#) as well as a tool to identify organisations and lawyers with experience defending individuals against SLAPPs from the [Coalition against SLAPPs in Europe](#) (CASE).

NDA

‘Expert advice on the terms of any settlement agreement, its impact in terms of confidentiality and the legal mechanisms available to prevent an NDA from stifling future disclosures can make all the difference to a whistleblower. Knowing that you have help in navigating what can be very complex legal waters can help reduce the very considerable stress of any serious whistleblowing case.’

– **Francesca West, Partner, James and West Law**

A ‘Non-Disclosure Agreement’ or ‘NDA’ is a catch-all term used to describe types of legal provisions usually found in a written contract which prevent sharing of information. NDAs can also be referred to legally as a ‘confidentiality clause’ or ‘non-disparagement clauses.’ Colloquially, they are known as ‘gagging’ orders.

An NDA is often used:

- When starting a new job
 - e.g., to protect business interests or “trade secrets”
 - usually found in employment contracts or standalone documents
- When ending your employment
 - e.g., to keep details of an employment dispute confidential
 - usually in a settlement agreement or conciliation agreement.

An NDA can also attempt to make the details of the agreement and the fact there is an NDA in place confidential.

What should you know about NDAs and whistleblowing?

‘Despite what your employer may want you to believe, NDAs cannot be used to “gag” you from seeking legal advice or reporting serious issues to the authorities. There are also ways to mitigate the risk of speaking out. Support groups like The Signals Network, or lawyers specialised in whistleblowing can help you map out a strategy that allows you to raise the alarm but stay protected.’

– **Jennifer Gibson, Legal Director, The Signals Network**

Legally, no gagging order can stop you from reporting a crime to the police or making a protected disclosure of public interest information under PIDA. However, all too often, NDAs are misused by employers who continue to attempt to prevent the disclosure of public interest information.

Top tip: Whilst your NDA may be void under PIDA if it prevents you from making a protected disclosure, you should check whether any information should not be disclosed due to data protection laws, or any other statutory bars to disclosure. Seek independent legal advice from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#), to get help on this issue in your particular case.

Note: NDAs can be used for legitimate reasons, to protect intellectual property which could be provided to competitors, for example. However, due to the lack of scrutiny as to how NDAs have been applied, [there has been significant uncertainty in the UK](#) - of lawyers, and regulators - as to the boundaries of legitimate NDAs.

[Guidance](#) from the Advice Conciliation and Arbitration Service (ACAS) states that NDAs should never be used:

- Before seeing if another solution can be used instead;
- When they're not needed;
- To stop someone from reporting discrimination, harassment or sexual harassment;
- To cover up inappropriate behaviour or misconduct, particularly if there's a risk of it happening again;
- To avoid addressing disputes or problems in the workplace;
- To mislead someone.

There is currently a huge public debate on the parameters of legal and ethical use of NDAs, particularly in the wake of #MeToo movement. There are strong calls for reform of the law in the UK, and around the world. The [Can't Buy My Silence](#) campaign is raising awareness and pushing for reform of the law in this area around the world. The website has helpful information on NDAs.

Top tip: Ask for reasonable time to reflect on confidentiality requests from your employer, and to get independent legal advice before signing an NDA. A 'good' NDA should suit you as much as it suits the other party.

What is the position of regulators on NDAs?

The Solicitors Regulation Authority which regulates law firms in England and Wales have issued a [warning notice on NDAs](#), stating its concern and warning against using NDAs to prevent reporting or making protected disclosure and reminding solicitors and firms of their professional obligations and relevant considerations when dealing with NDAs.

‘Your duty to act in the best interest of your client does not override your professional obligations to uphold the proper administration of justice, act in a way that maintains public trust and confidence, and to act with independence and integrity. If your client’s instructions are to act in a way that is inconsistent with our requirements, you will need to consider whether you can continue to act for them’.

– **SRA Warning notice on SLAPPs** (November 2022)

Regulators who rely on staff reporting misconduct have started to understand the impact and harm NDAs can have on silencing staff. The Financial Conduct Authority has taken a lead in this area by requiring all regulated entities, usually financial institutions, include set wording in employment contracts and other for the avoidance of doubt, nothing should preclude (the employee’s name) from making a ‘protected disclosure.’ There are similar rules relevant to the National Health Service, but many sectors are far behind this best practice.

‘Few regulators in the UK oversee what goes into settlement agreements. One example where they do is the financial sector. The Financial Conduct Authority’s rules say that firms must not use any measures to prevent workers whistleblowing - this includes making it clear in settlement agreements that nothing in the agreement prevents a worker whistleblowing, even if the matter has already been raised.’

- **Elizabeth Gardiner, CEO, Protect**

‘Whistleblowing cases present challenges for lawyers in balancing the interests of their client with the need to consider the public interest. Here at James and West Law we know how important the public interest concern is to our whistleblower clients as well as getting a fair outcome for their own position. It is important that any lawyer dealing with a whistleblowing concern discusses the difference between these two important aspects of a whistleblower’s case and develops strategies for both.’

- Cathy James OBE, Partner, James and West Law

Do your concerns have an international dimension? You may disclose them outside of the UK and potentially get a financial reward

In recent years, governments around the world have adopted whistleblower protection laws. Some of these laws have transnational reach. Often, you do not have to be a citizen of a country to bring information exposing certain wrongdoing.

For example, you might be located outside the United States of America and still bring claims under US whistleblower laws if you have information about relevant fraudulent activity. Those who do may also potentially qualify to receive a financial reward for disclosure. International whistleblowers play an important role in the enforcement of US securities laws and regulations. The [Securities and Exchange Commission \(SEC\) Office of the Whistleblower](#) reports a significant number of tips received from international whistleblowers, including individuals from the United Kingdom, Canada, China, Australia and India.

What should you know about international whistleblower reward programs?

In some countries, you could potentially receive a financial reward or payment from the relevant government for exposing certain wrongdoing through ‘whistleblower reward programs.’ This usually is a percentage of funds recovered by the government from the company. Countries where whistleblower reward programs exist include the US, Canada and South Korea.

For example, US whistleblower laws include several of these programs under the False Claims Act, the SEC, the Commodity Futures Trading Commission (CFTC), and others. Each program has its own regulations and statutes of limitations, ranging from several months to several years from when the incident occurred.

Note: There are reports that some countries are running ad hoc or unofficial reward programs for whistleblowers. For example, the German government allegedly paid the whistleblower behind the Panama Papers to purchase the leaked dataset, according to a recent lawsuit [filed](#) in the United States.

Top tips:

- Seek independent legal advice from a solicitor with experience representing clients internationally or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#), to better understand any options for disclosing your concerns and receiving a financial reward outside of the UK.
- Consult the [Whistleblowing International Network's website](#) for information about its members and associate organisations that may be able to advise about disclosures in different countries.

Practically speaking: What to consider when thinking about blowing the whistle

Personal assessment

'I never wanted to be a whistleblower. But lives were in danger and I knew I had to do something. Blowing the whistle can be a daunting task even if you know it is the right thing to do . . . The best way to feel more confident is having the right support - from friends and family but also people who have been through the process before that can help you navigate through the legal, ethical, and personal decisions and issues you will face.'

- Frances Haugen, Facebook whistleblower

It might sound daunting, but making a personal assessment can help you think about speaking out regarding wrongdoing at your employer and plan ahead for what could be difficult terrain to navigate. This [Personal Assessment tool](#) was devised to provide you with some practical questions to guide your thinking. Not all of them will apply in every case and you should not feel you need to answer them all before speaking out. These questions are a way to assess where you are and what you are willing to go through to speak out in order to develop your personal whistleblowing plan.

Working on your personal plan means that you are better prepared for any attack – legal or personal – that might be launched against you. You can also use the [Sample Budget template](#) to think about your financial situation overall. If you need help doing this, contact The Signals Network's [legal team](#).

Building a support network and solidarity

The two most common themes whistleblowers discuss when they recall their whistleblowing journey are:

1. It is difficult; and
2. They wish they had more people supporting them OR they were glad they did have people supporting them.

In this section, you will learn whom you can reach out to and how you can make the most out of these relationships in order to better protect yourself, whilst ensuring your disclosures have maximum impact. As you read through this section, you can use the [Building A Team template](#) to start mapping your own support network.

There are three guiding principles which may be helpful to consider when building your support network:

1. Always try to maintain control over the process: This is usually done simply by being honest about your goals up front and agreeing on how the relationship will work.
2. Ask potential supporters to go along on this journey with you: Take time to build trust and strengthen the relationship with each member of your network.
3. Check the history of your team: When approaching anyone, check their history of working with whistleblowers, especially on issues related to yours.

Family and friends

Friends and family can help you:

- De-stress and recuperate;
- Keep a perspective by focusing on the facts;
- Begin your whistleblowing journey with an honest and shared outlook on the path ahead, as well as any potential consequences.

Top tips:

- Be mindful of any potential risks to your family and friends. They may support you but may have professional or other interests that could be negatively impacted by your exposure and affect your disclosure.
- Talk to your lawyer about any risks to your family and friends.

Lawyers

'In my experience, it is often useful for any potential whistleblower to seek advice from a solicitor or barrister about the nature of the concerns that they are proposing to raise in order to ensure that protection under the public interest disclosure provisions of the Employment Rights Act 1996 are maximised. Time limits in whistleblower detriment claims are generally quite short, which means that prompt and accurate legal advice is essential in ensuring a whistleblower's interests are protected.'

- Paras Gorasia, Barrister, Doughty Street Chambers

A lawyer can help you:

- Get appropriate advice and guidance to remain protected in all steps throughout your whistleblowing journey;
- Explore the options, before taking any risks - since any communication between yourself and your lawyer should be legally privileged – strictly confidential – it is not something that your employer, or anyone else, would ordinarily have any knowledge of;
- Discuss what is likely (not certain) to happen if you disclose your concerns, so you can better understand the full consequences of speaking up;
- Develop a plan and choose which avenues and actions to pursue while protecting your rights;
- Identify other legal professionals to support you (e.g., a solicitor may represent you in a tribunal or lower court and help hire a barrister who could represent you in a higher level of court if needed).
- Supervise and monitor your disclosure through the safest channels with the aim of preventing [retaliation](#) from occurring;
- Understand the shifting terrain beneath you at every step of the whistleblowing process, such as the employer's reaction and many other factors that may not be familiar to you;
- Keep stress to a minimum by engaging with your employer or other parties on your behalf;
- Make an informed choice about talking to the [media](#);
- Where applicable, apply for a [financial reward](#) for whistleblowing.

Note: It is important to know that your lawyer works for you and you should tell him/her what your best-case scenario is and ask how they can help you achieve it.

How can you find a lawyer?

The following resources may help you find representation:

- If you are a member of a union, then you should speak to your union representative about possible legal support with your claim - you can find out more about how to contact your union on the [TUC website](#);
- You may have legal expenses cover in your home insurance plan or other insurance policies (some include this cover as standard or you can usually buy it as an optional add-on) and your insurer could handle your legal claim on your behalf - check your policy or call the insurer to check if this is the case.
- Many solicitors offer free consultations which can be very valuable. The [Law Society](#) has a helpful online tool for finding a solicitor to assist with your case. This is useful if you can afford legal representation, too;
- If you cannot afford legal representation, you can look on the [LawWorks website](#) to find your local free legal advice clinic offering legal advice.
- [Advocate](#) and [Free Representation Unit](#) are charities that can help you find free legal repre-

sentation;

- Some whistleblower support organisations like [Protect](#) and [The Signals Network](#) can provide free legal advice or refer you to trusted legal services;
- If you are thinking of bringing a claim to Employment Tribunal, then you may wish to contact [Support Through Court](#) for practical, rather than legal, support (note that you don't need a lawyer to make a tribunal claim although you might find it helpful to get advice);
- You can talk to an adviser for help with your employment problem or Employment Tribunal claim at [Citizens Advice](#);
- You can also contact the [Advisory, Conciliatory and Arbitration Services](#) (ACAS) for more guidance.

Any of the above options should also be able to help you negotiate a settlement agreement, or alternatively, you can contact the specialist charity [YESS Law](#) that, for a means-tested fee, helps individuals negotiate settlements.

What should you know about paying your lawyer?

You may have to pay yourself for help from a lawyer, or it may be possible to get free help. This is commonly referred to as 'pro-bono' legal support. Your engagement letter should outline the fee structure.

There are various ways legal support can be paid for, so it's worth looking into whether any of these could apply to you.

Insurance policies: Check your household insurance, life insurance, and any other policies you have, including policies attached to credit cards and mobile phones, or contact your insurance company to find out if you're covered to pay for legal expertise.

Getting advice for free or a fixed fee: A solicitor may be able to help you for free (also known as 'pro bono' work). You can find a pro bono solicitor through a law clinic near you on the [Law-Works website](#). Some solicitors give 30 minutes of legal advice for free. Some offer a fixed fee – that way you'll know in advance what the advice will cost. You can call a solicitor's office and ask if they offer a free half hour or a fixed fee and what is and what is not covered in the fee.

No win, no fee agreements: If you can't afford to pay for a solicitor, you may be able to find a solicitor who will take your case on a 'no win no fee' basis. This is sometimes known as a 'conditional fee agreement' (CFA) or a contingency fee structure. If you win or settle your case, you will normally pay up to a third of your compensation to your solicitor. If you lose, you won't usually pay your solicitor's fee, but you'll still have to pay something like your solicitor's expenses, for example, for medical reports. If you're paying your solicitor in this way, make sure you check your agreement with them carefully before you sign it, so that you're clear about what you're paying.

Crowdfunding: You may crowdfund legal fees for your case. Online platforms like GoFundMe, JustGiving, and CrowdJustice can be used to make a public or private appeal for funding. Before launching your crowdfunding campaign, make sure it does not include any information that may prejudice your case.

Whistleblower support organisations: Some whistleblower support organisations and NGOs, like The Signals Network, Protect, and other WIN members and associates, can help with obtaining free legal advice and/or paying for legal costs you might incur.

Note: Currently, there is no extension of legal aid available for whistleblowing cases since they fall under employment law.

‘When working with a lawyer it is often extremely helpful if a whistleblower sets out concisely the nature of the disclosures made and the detriments suffered (along with dates/times), a short chronology can be incredibly helpful in giving a birds eye view as to what has occurred which will in most cases enable legal advice to be given more cost effectively and speedily.’

- Paras Gorasia, Barrister, Doughty Street Chambers

Top tips for asking a solicitor to work with you on a 'no win no fee' basis

- Do your research on the solicitor before approaching them. Look at their website – do they - or does their firm - regularly work on a 'no win no fee' basis? If they do not, you are unlikely to convince them to do so.
- Clearly explain the relief you hope to obtain. Are you seeking to be reinstated in your job after blowing the whistle, or are you seeking monetary damages? Are you planning to report to a UK based regulator, or are you hoping to raise your concerns internationally? A lawyer needs to know whether the type of legal action contemplated is likely to result in a monetary payment to you. If not, the solicitor is exceptionally unlikely to agree to work on a 'no win no fee' basis. Instead, you will need to pay an hourly legal rate, a flat fee, or seek pro bono representation.
- Prepare a written summary of your allegations and accompanying evidence. In clear writing, outline:
 - Your concern;
 - Any response received if have you already reported your concern;
 - Any evidence you have.
- The more structured the information you provide, the better - bullet points point lists can work well. Solicitors are busy and assess many cases. The more clearly and concisely you can present your case, the faster a solicitor may provide you with professional advice.
- Be responsive to the solicitor's questions (and honest). Even if you have provided a comprehensive written summary, the solicitor will likely have follow-up questions. Heed the call of the question and continue to present information clearly and, if asked, in writing. Do not try to 'embellish' facts, or omit information which may be helpful. The lawyer needs to apply the law to the facts as they exist, not as you wish they were. Facts are more important than opinions of facts.

What should you consider before working with a lawyer?

Here are some questions you could ask potential lawyers when deciding which one(s) to work with:

- What is your experience working with whistleblowers? Are whistleblowing cases your speciality, or is it just one of many things you do?
(This is especially important if you intend to make the information public instead of just correcting the company's wrongdoing internally because they will need to help navigate relationships with journalists, advocacy organisations, and other actors who want to get involved.)

- Do you have experience working on similar cases to mine?
(One of the best ways to decide if the specific firm or lawyer is right for you is to ask what their record and experience is like with similar cases. If the firm has dealt with such cases, it may be better to go with one of the lawyers which worked directly that case.)
- Do you have experience engaging with regulators or the authorities in such cases?
- (In order to maintain your anonymity, it is important for lawyers and regulators/law enforcement to coordinate throughout the investigation since an unintentional disclosure of a piece of evidence may identify you based on circumstance.)
- Are you familiar with my employer organisation and how it handles litigation and/or the lawyers it engages?
- Have you had previous litigation with my employer and/or organisations similar to my employer? If so, what was the outcome?
- How do you see my options in relation to my intentions and objectives? Can you provide a projected timeline?
- How do I best protect myself against retaliation from my employer?
- What are the risks if I speak to a journalist? Can I do this safely? How can I make my concern publicly available with the least legal exposure (if this is the intention)?
- What are your fees? Might there be any additional expenses (e.g., travelling to the tribunal), will you be asked to pay for their travel expenses?
- Have you conducted a conflict-of-interest check, to verify the firm's current and past docket?
- Could I be eligible for a reward through a whistleblower reward program? (Even if your original intention wasn't to be rewarded, it may be worth knowing whether any are available.)

When you meet with a lawyer, they will likely also ask you several questions. These not only help them get a sense of the case but also give a sense of who you are. Some may find this process somewhat intimidating, yet lawyers generally know whistleblowing can be difficult and could be asking these questions to help you.

Here are some of the questions a lawyer may ask, that you could prepare for:

- Have you done your research on whistleblowing to get a sense of what you're getting into? Have you considered the risks you might face?
- Have you discussed your plans with your loved ones? Do you have their support?
- Are you prepared to work on this case, including with lawyers and other stakeholders as long as it takes (as some cases can go on for several years)?

Colleagues

‘Figure out who you trust. There’s no one trick for developing trust. It’s relational. You begin to form relationships that go beyond the traditional hierarchy that structures almost all workplace environments. You begin to see each other as friends, not as competitors for status and standing. And, you begin to put your commitment to these relationships above your commitment to a given institution, or boss, or quarterly goal. Once you have an organised and trusting network in place, it can also facilitate safer whistleblowing – in which you can funnel information to people in this network who might not be under as much scrutiny.’

- Meredith Whittaker, President of Signal and Chief Advisor of the AI Now Institute

Your colleagues may be able to help you:

- Ascertain whether what you’re concerned about is a valid suspicion;
- Build a sense of solidarity, and potentially to apply more pressure internally through collective efforts;
- Find others within the workplace whom you trust and could speak with about the issue in order to resolve it internally, or to ask follow-up questions;
- Articulate your concerns in a manner which could be deemed least threatening to the employer.

CAUTION: Be cautious when approaching colleagues. Speaking to them about your concerns may mark you out as a ‘troublemaker’ to your employer or make it harder for a regulator to protect your identity at a later date. Choose carefully who to trust.

Unions

Trade union representatives (or ‘reps’) may be able to help you:

- Get professional advice, and in some cases, receive tangible support such as referring you to legal support, or funding legal costs;
- Collectively raise the concern as a Union, by citing collective concerns they hear from their members. This can help protect you by reducing the risk of you being targeted and victimised;

- Build solidarity with your colleagues to strengthen your case and take the burden off from you having to do all the groundwork and possibly exposing yourself;
- Bring information to the attention of Union leadership to inform overall strategy.

Top tips:

- Be clear about your concerns and aims.
- Talk through your case in detail with your trade union representative to ensure you both are on the same page regards how to proceed.
- Keep in mind that, as a visible union member, you might still face [retaliation](#) from your employer and hostility from co-workers who might be against the union.
- If you are raising workplace health and safety concerns, you may have separate employment protection under the law. It is unlawful to dismiss or subject to detriment a worker who takes certain actions in relation to health and safety. You can find further information about this on the [Health and Safety Executive \(HSE\) website](#).

CAUTION: Some unions may support you with your concerns in principle, yet may have their own priorities, both strategically, and for their members as a collective (e.g. protecting members from risks of workplace closures or redundancy). These may cause conflict which should be explored and managed from the outset, if possible.

Note: If you are not yet a member of a Union, you may wish to join one. Unions can offer their members free legal advice and representation in employment disputes. However, be aware that many operate a policy which requires you have been a registered member – and therefore paying ‘subs’ for a minimum amount of time – before you can access legal support. See more on [gov.uk](#).

Charities

The charity organisations that are dedicated to supporting and defending whistleblowers are some of the most experienced advocates you can find. They have both the institutional knowledge and the networks to ensure you protect yourself, legally and practically as much as possible, as well as ensuring your case elicits the most impact to address any wrongdoing, although nothing is ever guaranteed.

Once you have such an organisation working on your behalf, it can send a strong message to your employer that you have their support, which can help mitigate risk of retaliation. A charity organisation may be able to reveal any sensitive information on your behalf, which may help protect your identity.

CAUTION: Speaking about your concern to a charity organisation will be treated as a public disclosure to the media under PIDA, unless you speak to a solicitor in that organisation that will be protected under lawyer-client privilege.

Top tips:

- Be clear about your concerns and aims. Some charities may have their own mission and priorities that can be similar yet distinct from your personal goals (e.g., identifying cases that present opportunities for strategic litigation before regional or international courts) and might want to focus on broader issues than your specific concern.
- Do your due diligence. Look at the organisation's background and track record before working with them. An inexperienced organisation might mishandle your case or the information which could risk giving away your identity and exposing you to retaliation.

Consult this [list of reliable charity organisations](#) with a sound track-record of working with whistleblowers.

Documenting evidence

Having detailed and organised evidence can make your whistleblowing journey easier for you, and those who may be able to support you. It can also help make your concerns easier to investigate and address.

Yet, you should always keep in mind that a whistleblower is not an investigator. To qualify for whistleblowing protection under [PIDA](#), you are not required to evidence your concerns and you should still be protected even if your suspicions turn out to be unfounded.

CAUTION: Attempting to gather evidence may put you at risk. It may cause a breakdown in your relationship with your employer, make you liable for a breach of confidentiality or even lead to prosecution under the Official Secrets Act regardless of any merit of the information revealed or whether any damage to national interests was caused.

Top tip: Always keep and securely retain your own detailed notes. Make sure to take notes in the moment – known as ‘contemporaneous notes’ – rather than trying to recall from memory later.

Useful information to record for evidence includes:

- Dates of suspected or witnessed wrongdoing;
- Dates of any attempts you made to raise or address the issue (including any previous complaints or disclosures you have made);
- Dates of any detrimental treatment;
- Training records;
- Employer policies and procedures;
- Internal policies;
- Your employment contract and any other related documentation.

What should you consider for documenting evidence safely?

Here are the top cautions and considerations when documenting evidence:

1. Employers generally monitor work emails and devices. Set up a personal Protonmail account with a fake name for the sole purpose of your whistleblowing and use your home phone as opposed to the phone in your office or organisation.
2. Employers may also be able tell when you take a screenshot on a work device, so taking a photo of your work device on your personal phone or camera is better than attempting to record anything directly on the work device. Use a small tablet with Wi-Fi turned off instead of a phone; this way there will be no location information stored as metadata in the photos. Make sure to remove any metadata from the pictures if possible, and don't capture any identifying information. Identifying information could include your hand, your reflection on the computer screen, images of your office or at home workstation, or any other item in the background which could expose your identity.
3. Using a shared account to log in to gather info may seemingly help protect you; yet, be aware of any risk of passing the blame onto others. ‘Backflushing’ a document, meaning sending it to others in the organisation, such as attached to a regular and relevant report,

is another way to reduce targeted suspicion on you by increasing the number of people who would have credible access to the information.

4. Consider any benefits of redacting sensitive data. You can do this by converting any Word and other text files to PDFs, and then exporting each page as a JPEG image and using your device's image editor to draw black boxes over sensitive words or information. If you try to redact information directly in the original PDF, this will be done in layers, which risks leaving the data you wish to cover remaining underneath the black boxes. Using JPEG avoids this, as it does not have layers. Once complete, you can share the pictures as a set.
5. Making covert recordings of conversations and calls or even filming someone without their consent may seem tempting, yet you may risk breaching the law and your employer's policies. This could risk undermining your legal protection and could open you up to disciplinary action. This is a legally complex area, and you should seek legal advice before making any recording, if possible.
6. Be careful with documentation. If you take a computer or open files without permission, it could be a cybercrime or civil violation. If you take the files themselves, if they are printed, it could be a theft of intellectual property. Be aware that all laptops leave a log of external devices (USB drives, fobs, etc.) that are plugged into them. Printers keep records of document names and who printed them, and when. 'Endpoint' security tools may measure the size and time data is moved off or onto work devices.
7. Be conscious of the risk of having your access to the office, as well as your devices and accounts if your employer suspects you may be about to expose them.

Making a Subject Access Request (SAR) is potentially a method by which you may gather any data and evidence if it contains any of your personal information. You have a right to access a copy of all the personal data held by an organisation. See the website of the [Information Commissioner's Office](#) for more information.

If your employer is a public body, then you can make a Freedom of Information (FOI) request to see certain types of information.

The [Campaign for Freedom of Information](#) provides helpful information on making FOI requests. Bear in mind that making a DSAR or FOI request requires you to name yourself. It also flags to the organisation that you are looking for information. It may therefore have an impact on your ability to protect your identity later on.

Top tip: Seek independent legal advice from a solicitor or contact Protect's free and confidential [Advice Line](#) or The Signals Network's [legal team](#), to better understand how you may make a SAR or FOI request.

Fifteen lessons learned

The following lessons learned are based on the stories and experiences of whistleblowers and those dedicated to supporting and defending them over many years. While these may be relevant to many different circumstances, each whistleblower's journey is unique, and may involve mitigating different risks and lead to different insights.

1. Seek legal advice early on, before you make a disclosure or take any risks.
2. Find legal support or assistance from someone who is experienced in representing whistleblowers and has worked on similar cases to yours.
3. Consider contacting an organisation that specialises in working with whistleblowers, to help guide you through the process, and provide solidarity and support.
4. Make a plan and be clear about what you want to accomplish (your goals) and how. This plan will likely need to be adjusted throughout your journey, but it will provide a roadmap to guide you and ensure you are engaging in protected whistleblowing.
5. Stick to the information you know to be sound and reliable and don't stray from the facts. Your credibility is your greatest asset and key to building solidarity and ensuring the incident is taken seriously by others.
6. Consider whether it is necessary to blow the whistle while still in employment or you may be safer by finding a new job before raising concerns.
7. Carefully weigh the options of talking to a journalist. This is a personal decision that you should discuss in advance with any legal advisor as well as others in your network.
8. Make a clear timeline of key facts and developments, from the start of your employment -including the witnesses or suspected wrongdoing and any detrimental treatment - up to the present date. Try to maintain an accurate record of events as they happen. This will be important to share a consistent narrative with your lawyer, the authorities or even the press.
9. Carefully weigh up the risks and benefits of reporting anonymously, confidentially or openly. Consider based on your individual preferences and your desired impact of speaking up.
10. Remember that your work email and anything done through your work phone or computer can be monitored and controlled by your employer at any time. Do not call, text, or otherwise keep evidence on your work devices. For example, do not forward work emails to your personal email accounts – instead, take pictures of the emails on your personal phone.
11. Use secure communication tools, like Signal Messenger and ProtonMail, to communicate with your lawyer and others helping you. Educate yourself on best digital practices for whistleblowing and seek professional advice if needed.

- 12.** Proceed cautiously and seek advice if you are thinking of gathering supporting evidence yourself. Do not obtain evidence improperly. It may be enough to share instructions on how others can locate information.
- 13.** Remember that it is sadly common to experience retaliation, including retaliatory internal investigations and threats of legal action. If you report anonymously, but your identity is guessed, it may be more difficult to be protected against retaliation.
- 14.** Identify potential sources of solidarity, including among trusted colleagues and through Trade Union membership. Collectively raising concerns can take the target off your back and give you a fighting chance of survival. However, speaking to others could also mark you out as a potential whistleblower, so be careful who you trust.
- 15.** Prioritise your self-care and stress-reducing activities. Do not focus only on your whistleblowing journey. It can take years to see concrete outcomes as a result of your speaking up. If the worst happens, and you are forced out of your chosen career field or face long-lasting personal impacts for you and your loved ones, it is important to have a post-whistleblowing life plan and support network in place. Counselling can be valuable here.

Resources

Glossary

Advice: Get legal advice ASAP. Getting advice doesn't mean you have to move forward – it just keeps your options open and allows you to take steps to protect yourself.

Affidavit: An affidavit is a written statement of facts that has been sworn by oath or affirmed to be true, in the presence of a Commissioner for Oaths (a solicitor or a notary public). It is often used in court proceedings as additional evidence in conjunction with witness statements. For someone with evidence to present, swearing an affidavit may be more practical than appearing as a witness in court. You might write an affidavit to support your allegations in an employment or whistleblower lawsuit. Don't sign an affidavit without consulting your lawyer first; you sign it under penalty of perjury.

Anonymous reporting: A process whereby you can submit a whistleblowing report to your employer or a prescribed person without revealing your identity. There are risks to proceeding this way. Your identity may be easy to guess or uncover, you may undermine your legal protection, and it may be harder for the concerns to be investigated.

Breach of confidence: Unauthorized disclosure of confidential information that was shared in circumstances where it was expected to be kept confidential.

Broadsheet v Tabloid: Broadsheets (like The Times, the Guardian, and the Financial Times) offer serious and in-depth news, while tabloids (like the Sun, Daily Mail, and Daily Mirror) provide entertaining and bite-sized news. The tone and style of reporting also differ, with broadsheets using a serious, unbiased tone and tabloids often using a more sensationalist approach.

Care: Taking care of yourself can entail different things, but building a strong support network of family and friends as well as professional advisors is central. This should always be your priority.

Computer: Don't use your work computer for anything linked to your whistleblowing decision.

Conditional fee agreement (CFA): Also known as a 'no win no fee' agreement, this is a contract between you and your lawyer whereby your solicitor gets paid only if your claim is successful. If your claim is unsuccessful, the solicitor typically receives no payment for their work. This is in contrast to a lawyer you pay by the hour for their work. You should discuss a CFA and any other payment arrangements upfront with your lawyer and include the agreed details in your engagement agreement.

Conscience: The voice inside all of us that tells us which action to take using the information

and knowledge we have based on our personal moral code and analysis of the implications for ourselves and others.

Cost: Think of the cost of whistleblowing. Costs can include the loss of your job; industry blackballing; retaliation; legal fees; destroyed relationships; and serious emotional distress, including feelings of anxiety and isolation.

Crime: Under PIDA, a disclosure is not protected if a crime or offence is committed while making it. Do not commit a crime to expose a crime.

Defamation: The act of making false statements, whether spoken (slander) or written (libel), that harm the reputation of an individual or entity. Under the Defamation Act 2013, an allegedly defamed person can sue you as the source, author or distributor of what they purport to be libellous or defamatory statements. This would likely be a civil lawsuit, for financial damages for any loss, or to stop you from making any future statements, via an 'injunction'. Civil defamation claims may be used as a tactic to discredit or silence whistleblowers. A criminal prosecution is extremely unlikely. Statements must be false and likely to cause 'serious harm' to reputation and you can defend a claim on the basis it was your honest opinion, or that it was a matter of public interest. However, even where you believe information on wrongdoing you are reporting is true, there may be a risk the allegedly defamed person will try to prove it isn't true in court and attempt restore their reputation by suing you. The law in this area is complex, so seek legal advice.

Dismissed: Prepare your plan if you are dismissed on short notice. Remember that it is unlawful for your employer to dismiss you for blowing the whistle. Consider also how being labelled a 'whistleblower' might affect your future job prospects and be honest about your past with any potential future employers.

Documents: You will want to collect evidence of the wrongdoing, including documents. But you don't want your employer to know you are collecting documents and other evidence, and you don't want to gather information illegally.

Embargo: Publication can be delayed with an embargo. Agree exact time and date before sharing any information with a journalist or media outlet. Be clear it cannot be released before then.

Engagement letter: When you hire a lawyer, solicitor, barrister or other legal adviser put the terms of their work for you in writing. This includes how you will pay them. Do you expect them to represent you in a lawsuit or take your case to an employment tribunal? Help you negotiate a settlement agreement with your employer or get a financial valuation of your claim? Facilitate conversations with journalists? Will the lawyer need to associate with other legal professionals to represent your interests? You can always try to negotiate the engagement agreement. If possible, ask a friend who is a lawyer to help you negotiate your engagement agreement with the lawyer you hire.

Evidence: If you have evidence of the crime in the form of documents or recordings, this can help you prove your claim. It can also increase your credibility with journalists. But be cautious – do not illegally gather evidence.

Exclusive: It is possible to offer your information or an interview to a single media outlet exclusively, rather than to several. This may offer greater control over the narrative, ensure the story receives adequate attention in the news cycle or provide comfort when sharing sensitive cases.

Expectations: Manage your expectations. You won't get your old job back. It takes years for wrongdoings to be corrected. Courts move slowly. Media investigations can take weeks, even months, to be published.

Family: Talk to your family. Your decisions will impact them. You need their support.

Fees: You will likely incur legal fees so you should think about how much these will be, how you will pay, and if you are eligible for legal aid.

Fixed fee structure for paying a lawyer: Some lawyers offer a fixed fee payment option, instead of fees being based on an hourly rate. This provides certainty in advance about the costs you might incur, but it might not be the best option for lengthy proceedings. You should also make sure you ask your lawyer what is and is not covered in the fee.

Hourly fee structure for paying a lawyer: This entails paying only for the time your lawyer spends on your case on an hourly basis. The fee may vary depending on your lawyer's level of experience and possibly the difficulty of your case.

Injunction: An injunction is a legal remedy that can be sought and granted by a court to prevent or compel another party from doing a specific behaviour or action. This could include to stop making negative remarks if such remarks are causing harm. An interim injunction is a temporary order which can be sought from the court in the early stages of a dispute, to stop any further action being taken pending the final resolution of the legal dispute. Your employer could get an injunction against you preventing you from doing something for a period of time. Talk to your lawyer about whether your whistleblowing could result in an injunction against you.

Job: Get a new, safe job. If you can, look for a new job while you are still employed – but not if this puts your safety at risk.

Journal: Keep a contemporaneous journal with detailed records of incidents, meetings, and conversations. For each entry, write down the time and date you wrote it, and the time and date of the events described. This can serve as evidence in potential legal proceedings and help you tell your story. It should also provide a description of why you are deciding to reveal the information and why it is in the public interest, which can be an important determination in whistleblowing cases.

Law Societies: There are three main professional associations that represent solicitors in the UK: The Law Society for England and Wales, The Law Society of Northern Ireland, and The Law Society of Scotland. They cannot give you legal advice, but they can help you find the right solicitor to assist you – check the Find a Solicitor function on their websites.

Lawyer: Your lawyer works for you. You tell them what you want to do. They tell you the risks and how to mitigate them.

Legal professional privilege: This is a right you have when you communicate with a lawyer. When you ask your lawyer for advice, or your lawyer gives you advice, your lawyer can't disclose what you discussed to anyone without your permission. There are only narrow exceptions to the application of LLP and generally, it cannot be overridden by competing private or public interests in disclosure.

Library: If possible, connect to the internet in a library or other public Wi-Fi network like at a coffee shop to retain your digital security. Don't use your home or work internet when you're working on your whistleblowing. If not possible, use a VPN or Virtual Private Network (see below).

Long: Whistleblowing is a long journey. You must manage your expectations and commit to a long-term plan if you decide to come forward. It can often be worse to start the journey and not finish it than it is to take the case to its conclusion.

Media: The media can help maximize the impact of your whistleblowing but be thoughtful when talking to the media. If possible, speak with a lawyer before doing so. Before you talk to a journalist, come to a specific agreement about the terms on which you are speaking to them, whether you will remain anonymous, and how you will be described in the article. Understand how far the journalist and their employer will go to keep your identity confidential.

Mediation: Mediation is a flexible and confidential process that can be used to resolve whistleblower complaints. It usually involves an independent mediator facilitating a meeting between you and your employer, with the aim of reaching a settlement agreement acceptable to both parties. Mediation can take place at any time, even after you start your claim in the Employment Tribunal. Once the Employment Tribunal claim has been issued, the Judge may offer you and your employer judicial mediation free of charge. It is usually a good idea to accept judicial mediation (or ask for it if you haven't been offered it), as it will save you both time and money. Seek legal advice if you've been offered or want to seek a settlement agreement.

Non-disparagement: Loosely, a non-disparagement clause is a legal provision seeking to prohibit someone (e.g., an employee) from making any derogatory remarks or negative comments that could harm the reputation or interests of the other/s (e.g., an employer) for example publicly on social media.

On background: Talking to a journalist 'on background' means they can use your information but cannot attribute it to you. Speaking 'on deep background' means they cannot publish your

information, only use it for general understanding. Agree on terminology and usage to avoid confusion.

On or off the record: Journalists assume what you say to them is 'on the record' which means what you say can be used and attributed to you. 'Off the record' however can mean different things - some use this to mean the information cannot be used, yet others that it can, but cannot be attributed to you as the source. Get clarity, sentence by sentence, whether your conversation is on the record or not. Clarify understanding and seek acknowledgement of your expectations, preferably in writing.

Outcomes: What do you want to achieve by blowing the whistle? How long will it take? Who are your allies? Your enemies? What are you risking? Remember that it can take years to see concrete outcomes and correct wrongdoings. Manage your expectations and take care of yourself. This is the priority.

Parliamentary privilege: This allows Members of Parliament (MPs) not to be sued or prosecuted for anything they say in the Chamber, Westminster Hall or a committee of the House. In using such privilege, an MP can help you make a protected disclosure while alerting wider public interest failings.

Phone: Make sure you do your whistleblowing activity on your personal device, not your work phone, to protect your anonymity. You can also use your personal phone to take pictures of documents instead of printing or sending emails from a work account that could tip off your employer.

Post-whistleblowing life: Think of what you would like your life to be after speaking out. Start working towards that goal.

Pre-action letter: A pre-action letter is a formal notice of legal action. It is a written communication sent by one party to another initiating legal proceedings – i.e., a legal claim resolved through the courts, known as 'litigation.' If you receive a pre-action letter, do not panic. Threatening legal action can be a successful tactic to scare and silence critical voices, even where there is no realistic merit to the claim. Even if there are grounds, there may still be an opportunity to negotiate or resolve the dispute through alternative means such as mediation. Seek legal advice as soon as possible.

Private party: A private party like a corporation or high-profile businessperson rather than a state actor may file an abusive lawsuit or SLAPP with the purpose of silencing critical speech on issues of public interest. Note, however, that government figures like public officials may act in a private capacity when filing lawsuits.

Protected disclosure: Under PIDA, this is a disclosure of information, indicating wrongdoing, made in the public interest and to the appropriate person.

Protection: This is not a roadmap to bring the whistleblowing path to zero risk, but it is important that you are engaging in protected whistleblowing.

ProtonMail: An encrypted, free email service. Use it.

Public participation: This is a broad term that can encompass any effort to engage in an issue of societal or political significance such as whistleblowing but also covering journalism, advocacy, whistleblowing, peaceful protest or boycotts, and activism.

Recording: In the UK, the law regulating the recording of other people and conversations is complex. It is generally legal to record private conversations without consent, as long as the person doing the recording is a participant in the conversation. There are exceptions, however, and laws may differ between England, Scotland, Wales, and Northern Ireland. Journalists may record without consent if they can demonstrate it was necessary and in the public interest to do so, so you should get clarity on this before speaking with them. You could also make not being recorded a condition of you speaking with them. If you intend to make any recordings without the consent of all parties involved in a conversation for the purpose of gathering evidence, always seek legal guidance first.

Regulator: It means a person or body with functions under legislation relating to the regulation of a regulated profession. Regulators carry out a range of functions in relation to the professions they regulate, including making sure individuals have the necessary qualifications and/or experience to practise the profession and taking any necessary enforcement action. If you disclose information to a regulator, they will likely be the ones using your information to start and carry out an investigation of the company/organisation involved as well as potentially sanction the company/organisation. Your (or your lawyer's) relationship with the regulator is important to ensure a proper and effective investigation.

Research: Researching the experiences of different partners (lawyer, NGO, union, etc.) and their track record of working on similar cases is crucial and will help you find the partner who is the best fit.

Resign: To obtain future employment, it is better to resign from a company than to be fired. However, income is an important consideration, and it is important to consult with your 'emotional team,' including your lawyers and those who may be affected by you no longer having a job, before making decisions that will affect both your career and personal life.

Restraining order: If your safety is being threatened by someone, you may go to court to seek a restraining order to prevent the person from contacting you. Talk to a lawyer.

Retaliation: Punishment of an employee by an employer for engaging in legally protected activity such as making a complaint of harassment or participating in workplace investigations. Retaliation can include any negative job action, such as demotion, discipline, firing, salary reduction, or job or shift reassignment.

Reward: There are some instances where you could potentially receive a monetary reward from the government for exposing certain wrongdoing, usually a percentage of funds recovered by the government from the company. These are typically known as ‘whistleblower reward programs.’ However, such programs are not common practice in the UK.

Settlement: A settlement is a legal agreement reached between people to avoid further litigation. It often happens before going to court or during the trial. A payment of money could be offered, usually with specific terms or conditions in exchange for dropping the lawsuit. These terms could include non-disclosure agreement clauses. If your employer approaches you with a settlement offer, seek legal advice before you sign any settlement agreement.

Signal: Signal is a secure messaging app with a disappearing messages function. It can help protect your communication with journalists and others. Use it or another encrypted app instead of using your phone’s default messaging app like iMessage to strengthen your digital security.

SLAPP: SLAPP stands for ‘Strategic Litigation against Public Participation.’ It refers to abusive legal action initiated typically by a powerful private party with the aim of silencing critical voices. Although commonly targeted at journalists, SLAPPs can also be faced by whistleblowers. Making a whistleblowing disclosure is likely to be ‘public participation.’

Solidarity: It is crucial not to begin your whistleblowing journey alone. No matter what your issue of concern is, there are lawyers, NGOs, and others who can help. It is also important not to forget your emotional support network of family and friends, as speaking out will likely be one of the hardest things you’ve done.

Source protection: Media outlets may take extensive measures to protect their sources, taking legal action, paying fines, or even facing imprisonment rather than revealing identities. Some do not, or cannot, due to resource limitations. Always check and find agreement on identity protection.

Subpoena: For all practical purposes, a subpoena is simply another term for a witness summons (or witness citation, in Scotland). This is a document issued by a court requiring you to appear in court to testify or to provide certain, specified documents. You can be penalized for failing to comply with a subpoena. Immediately contact a lawyer if you receive a subpoena; they can help you deal with the summons in the appropriate way.

Team: It is crucial not to begin your whistleblowing journey alone. No matter what your issue of concern is, there are lawyers, NGOs, and others who can help. It is also important not to forget your emotional support network of family and friends, as speaking out will likely be one of the hardest things you’ve done.

Theft of company property: If you take documents or information from your employer, the employer may accuse you of stealing their trade secrets. If you take company information for the purpose of reporting a violation of the law and provide that information to the government

or a lawyer, you will generally be protected. You cannot, however, break into company property – including accessing company computers and files without appropriate authorization – and expect to receive legal protection. If you believe you need to take information from the company to expose wrongdoing, you should first consult a lawyer whenever possible. Depending on the industry you work in, there may be additional risks to consider and precautions to take.

Time: Think about the time you will need to dedicate to your whistleblowing journey over the next few months and even years. This could include working with lawyers, talking with regulators, or even more public appearances with press and advocacy organizations if that is your preferred route.

Timeline of wrongdoing: Create and maintain a timeline of events as they happen.

Timeline of whistleblowing: Consider the whole process of whistleblowing and how it will affect your life in the short, medium, and long term.

Unions: Trade Unions via your Trade Union representative can help you navigate your whistleblowing journey. Unions can be key for building solidarity with co-workers, supporting your legal journey by paying for or connecting you with lawyers, and helping with larger advocacy campaigns as well.

Visa: If you are working in the United Kingdom with a visa, this is another risk to consider. There's a good chance that your whistleblowing will have negative repercussions, including dismissal, so be particularly careful if you depend on your employer for your visa. Withdrawal of sponsorship could arguably be a detriment under PIDA, but this would not have a bearing on whether the visa could be reinstated.

VPN: A VPN or Virtual Private Network secures your internet connection, hiding your web traffic and IP address and encrypting your online activity to enhance your digital security. Sending any traffic through an encrypted tunnel enhancing the protection of your confidential data, online security, and privacy.

Whistleblower: You are a whistleblower if you are a worker, and you report certain types of wrongdoing. This might be something you've seen at work or an incident that happened in the past, is happening right now, or you believe will happen in the near future. The wrongdoing you disclose must be in the public interest, meaning it must affect others; for example, you might report that someone's health and safety is in danger. As a whistleblower you are protected by law – you should not be treated unfairly or lose your job because you 'blow the whistle.'

‘The term whistleblower must be broadly defined so as to cover any individual or legal entity that reveals or reports, in good faith, a crime or lesser offence, a breach of the law or a threat or harm to the public interest of which they have become aware either directly or indirectly.’

– **Council of Europe**

Witness: Anyone who has first-hand information about an event that could lead to consequences for the company. While you may witness something at work, in a courtroom a witness takes on a very official role. If called as a courtroom witness it is not usually possible to keep your identity anonymous. Different pathways require you to be a witness, so it is important to discuss your options with a lawyer.

Worker: A worker (also called a ‘limb (b) worker’) is a status that sits somewhere in between an employee and a self-employed contractor. They have some employment rights (including PIDA protection), but not as many as a full employee. Determining whether someone is self-employed, or a limb (b) worker can be complex; a court will look at any written or oral agreement between the parties, as well as factors like exclusivity, flexibility, how the person is paid, and how deeply they are integrated into the business. You should get legal advice if you are unsure about your status.

Wrongdoing: Illegal, dishonest, and/or unethical behaviour.

Whistleblowing Options Overview

This chart is meant to give a brief overview of the most common pathways available to tech workers considering blowing the whistle to a regulator and provide basic answers to common questions for each pathway in the absence of a singular regulator responsible for the tech industry. Each circumstance is unique, and you should speak to a lawyer about your case.

Financial Conduct Authority (FCA)	
What is their remit as a prescribed person?	<p>Broadly speaking, the FCA are responsible for overseeing the financial services industry. You can check if a firm is regulated by the FCA on their website here.</p> <p>Some financial services are regulated by other bodies as the Prudential Regulation Authority - check the full Prescribed Persons List if you are unsure.</p>
Confidentiality	<p>The FCA say they will take steps to protect confidentiality.</p> <p>The FCA do accept anonymous reports.</p>
Can you get a financial reward?	No
Do they provide feedback?	<p>You can request quarterly updates on progress, but these will often be limited in detail since much of the information handled by the FCA is subject to strict confidentiality rules.</p>

<p>Contact</p>	<p>Telephone: +44 (0)20 7066 9200 between 9am to 12pm and 2pm and 5pm</p> <p>Email: whistle@fca.org.uk</p> <p>Online: https://fca.clue-webforms.co.uk/webform/fca/en</p> <p>The FCA are willing to organise in-person meetings if appropriate.</p> <p>Consider also the remit of the Prudential Regulation Authority, which has oversight of matters relating to the carrying on of deposit-taking business, insurance business, or investment business.</p>
-----------------------	---

<p>Commissioners for HM Revenue and Customs (HMRC)</p>	
<p>What is their remit as a prescribed person?</p>	<p>Taxes and customs</p>
<p>Confidentiality</p>	<p>HMRC say details will be kept confidential.</p> <p>They do accept anonymous reports.</p>
<p>Can you get a financial reward?</p>	<p>HMRC do offer rewards for information relating to tax fraud. These awards are made at their discretion, based on the results of the information (e.g. amount recovered, time saved etc.).</p>
<p>Do they provide feedback?</p>	<p>No information available</p>

<p>Contact</p>	<p>Telephone: 0800 788 887</p> <p>Online: www.gov.uk/government/organisations/hm-revenue-customs/contact/reporting-tax-evasion</p>
-----------------------	---

<p>The Office of Communications (Ofcom)</p>	
<p>What is their remit as a prescribed person?</p>	<p>The UK communications industries, including broadcasting, telecoms, postal services and some online communications.</p> <p>Note: The Online Safety Bill, which is not yet law, is expected to expand the scope of Ofcom’s regulatory remit to include social media providers and search engines, so check the most recent guidance.</p>
<p>Confidentiality</p>	<p>Ofcom say they will restrict knowledge of your identity within Ofcom to a minimum necessary to assess and investigate the matter.</p> <p>They accept anonymous reports.</p>
<p>Can you get a financial reward?</p>	<p>No</p>
<p>Do they provide feedback?</p>	<p>Ofcom will normally tell you what they have decided to do with your information.</p>

Contact	<p>Telephone:</p> <p>0300 123 3333 020 7981 3040</p> <p>Online: https://www.ofcom.org.uk/about-of-com/policies-and-guidelines/whistleblowing-disclosure</p> <p>Post: PO Box 1285 Warrington WA1 9GL</p>
----------------	---

Information Commissioners Office (ICO)

What is their remit as a prescribed person?	Compliance with the requirement of legislation relating to data protection and to freedom of information.
Confidentiality	<p>The ICO will treat information with confidentiality, but may need to share some information as part of an investigation. Communicate very clearly to them if there is information you would not like to be shared.</p> <p>The ICO do accept anonymous reports.</p>
Can you get a financial reward?	No
Do they provide feedback?	Yes, but may be limited.

Contact	<p>Tel: 0303 123 1113</p> <p>Email: icocasework@ico.org.uk</p> <p>Website: https://ico.org.uk/make-a-complaint/report-as-a-whistleblower/</p>
----------------	--

National Audit Office (NAO)	
What is their remit as a prescribed person?	<p>Responsible for the proper conduct of public business, value for money, fraud, and corruption in relation to the provision of public services.</p> <p>Note: they cannot investigate individual local authorities. Concerns should be taken to refer the correspondent to the local authority's external auditor, who is the prescribed person for local authorities.</p>
Confidentiality	The NAO policy is to respect the confidentiality wishes of whistleblowers.
Can you get a financial reward?	No
Do they provide feedback?	Yes, but may be limited.

<p>Contact</p>	<p>Telephone: 020 7798 7999</p> <p>Online: https://www.nao.org.uk/about-us/contact-us/send-an-enquiry/</p> <p>Post:</p> <p>The Comptroller and Auditor General National Audit Office 157-197 Buckingham Palace Road London SW1W 9SP</p>
-----------------------	---

<h2 style="text-align: center;">Competition and Markets Authority</h2>	
<p>What is their remit as a prescribed person?</p>	<p>Matters relating to competition in UK markets, as well as consumer protection.</p>
<p>Confidentiality</p>	<p>CMA say they will treat your information and contact details sensitively and in confidence.</p> <p>They do accept anonymous reports.</p>
<p>Can you get a financial reward?</p>	<p>The CMA offers financial rewards of up to £250,000 (in exceptional circumstances) for information about cartel activity.</p>
<p>Do they provide feedback?</p>	<p>No information</p>

<p>Contact</p>	<p>Telephone: 020 3738 6556</p> <p>Email: whistleblower@cma.gov.uk</p> <p>If you are unsure whether the practices you are concerned about amount to anti-competitive or unfair trading practices, you can still contact the CMA for more information via general.enquiries@cma.gov.uk.</p>
-----------------------	--

Note: All prescribed persons, their remits, and details on how to contact them are listed in the [UK Government guidance](#). Keep in mind that new regulators are added occasionally, and the online list may not always be up to date.

Partners and other resources

Partners

Protect: Protect is the UK’s whistleblowing charity, and we aim to protect the public interest by helping workers to speak up to stop. For 30 years Protect has provided free confidential legal advice to whistleblowers across all sectors. To date the Advice Line has advised over 50,000 cases. We also advise employers on how to implement effective whistleblowing arrangements. These experiences inform our efforts to campaign for legal and policy reform to better protect whistleblowing.

The Signals Network: Founded in 2017, [The Signals Network](#) is recognized as a leader in protecting whistleblowers who have shared revelations of wrongdoing with the press. We also are known for working closely with investigative journalists. In 2021, we began to build out our Tech Accountability Project, working with charity organizations that empower people who witness wrongdoing and advocate for change in policies and whistleblower protections. Through these efforts we aim to help shape a fairer, freer, and more democratic world.

WIN: The Whistleblowing International Network (WIN) is a global membership organisation and leading centre of civil society expertise and innovation in whistleblowing law and practice. We connect NGOs and practitioners supporting and defending whistleblowers around the world, and work to help them strengthen their legal, technical and strategic skills to promote and protect public interest whistleblowing.

Charity organisations

- [Greenpeace](#) is a movement of people who are passionate about defending the natural world from destruction.
- [Liberty](#) challenges injustice, defends freedom and campaigns to make sure everyone in the UK is treated fairly.
- [Transparency International UK](#) is the UK's leading independent anti-corruption organisation.
- [YESS Law](#) is an employment law charity, offering affordable and practical employment law support.
- [Business and Human Rights Resource Centre](#) is dedicated to advancing human rights in business and eradicating abuse.
- [WIN's members and associates](#) include national and international civil society organisations that provide access to free legal advice and support to whistleblowers.

Reports and guides

- [Tech Worker Handbook](#)
- [Security.org, A 2023 Guide to Personal Digital Security & Online Safety](#)
- UNESCO, [Protecting Journalism Sources in the Digital Age](#)

Books

- *Whistleblowing for Change: Exposing Systems of Power and Injustice* by Tatiana Bazzichelli (ed)
- *Extraordinary Circumstances: The Journey of a Corporate Whistleblower* by Cynthia Cooper
- *Whistleblower: My Journey to Silicon Valley and Fight for Justice at Uber* by Susan Fowler
- *The Ocean's Whistleblower: The Life and Work of Daniel Paul* by David Gremillet (translated from the French by Georgia Froman)
- *Targeted* by Brittany Kaiser
- *Crisis of Conscience: Whistleblowing in an Age of Fraud* by Tom Mueller
- *Undercover: How I Went from Company Man to FBI Spy* by John Schilling
- *Whistleblowers: Honesty in America from Washington to Trump* by Allison Stanger
- *Mindf*ck* by Christopher Wylie
- *Exposure* by Michael Woodford

Toolkit

Personal Assessment tool

Consider the following practical questions to develop a personal assessment of your situation and start devising a personal whistleblowing plan.

My objectives

- What do I hope to achieve by speaking up? What are my intentions? What impact do I want to have? How realistic is it that I will make this impact? What are the paths/leverages to achieving my goals?
- What level of risk (professional, financial, legal, personal, etc.) am I willing to take to achieve my goals? Am I ready for a long process?
- Will I be okay if the information I revealed didn't have the impact or achieve the objectives I wanted it to?
- What would I like my life to look like after speaking up? What would I like to see happen to be at peace with my decision so that I can move on?
- Am I staying anonymous or going public? Why is speaking up externally the best option over reporting internally?

Emotional support

- Do I have an emotional support system? Who do I turn to for emotional support? (Partner, family, friends, religious mentor, professional mentor, therapist, etc.)
- Are there other people at the company who would help me in this effort without getting me in trouble?
- Do I have a plan for countering retaliation or negative things the company may say about me?
- Am I prepared for the potential trauma caused by whistleblowing?
- Do I have a system of evaluating whom I can trust with sensitive information?

Legal support

- Do I know where to find legal support for my concerns? Can I find a lawyer who specialises in advising and representing whistleblowers?
- Do I have a way to pay for a lawyer? (See more guidance on [Paying your lawyer](#))
- Do I have a friend, family member or ally who is a lawyer? To advise me? To find the right lawyer? To help read my lawyer engagement letter, etc?
- Have I prepared a concise summary of my case, and a timeline of key events to have ready for initial consultations with prospective lawyers?

Employment

- Will I try to find another job before revealing the information?
- What is my exit plan for my current role? Should I resign? What happens if I get fired? What will happen to my immigration status (if applicable)?
- What other kinds of jobs would I like to have?
- Would I be okay not working in this industry again?
- Would I be okay not working in a similar role again?

Retaliation at work

- How has my employer treated people in the past when they raised concerns?
- If there is an investigation, will it be obvious the tip-off came from me?
- Am I the only person aware of the wrongdoing?
- Is informal concern-raising a better option?
- Are there any steps I can take to minimise risk?
- If I am planning to leave my current role, could I wait until I have left to raise my concerns?

Finances

- What costs will I need to cover (rent, mortgage, childcare, student loans, additional health care costs, etc.) if I lose my job? What is my plan for paying for those? (See the [Sample Budget template](#) below to help assess what costs you'll have coming up)
- How much savings do I have?

Staying anonymous...

- Will an anonymous internal disclosure effect change? Could it potentially give the wrongdoers an opportunity to cover up the problem?
- Does the anonymous channel, such as a hotline, operate with credible, effective technology to prevent exposure?
- Will remaining anonymous sustain my access to ongoing evidence and developments that the institution is trying to conceal?
- Can I prove my allegations with information/documents that do not require my public explanation?
- Can this information/documentation be traced back to me because only a small group of people have access to them or because my copies are uniquely marked? (Beware of trace-backs through printers' identifications or email trails.)
- How likely is it that I will be the focus of suspicion because of my previous efforts to raise concerns?
- Can I act nonchalantly when these documents are disclosed so as not to attract suspicion?

- Do I feel comfortable and justified in being evasive or not telling the complete truth if confronted by my boss about the disclosure?
- Am I prepared for the possibility that somehow my anonymity could be broken?

...or going public

- Are my family and I financially and mentally prepared for a protracted public fight with my employers and exposure to attacks to prove my allegations? And to try to retain a job?
- Am I mentally ready to have my co-workers and perhaps some friends turn against me because my public disclosures threaten the institution's health and their jobs?
- Will going public cut off support from witnesses who would otherwise corroborate my allegations in any official proceedings?
- Will going public cut off the flow of evidence necessary to prove any allegations or more effectively make a difference, and, if so, are the benefits from public solidarity more significant?
- Am I ready for personal attacks against my character and to have any past indiscretions made public?
- Do I have enough evidence to prove any allegations without having to go back to my workplace?
- Even if I can prove my initial allegations, would it be more valuable if I didn't go public and kept my access to new information ongoing?
- Am I financially and mentally ready to risk my career?
- Am I ready to have the professional reputation of someone who challenged their employer?

Digital security

- Do I have secure methods of communicating? Personal phone/computer? Signal Messenger app? ProtonMail?
- Do I have workplace apps installed on my personal device(s) that could potentially expose me if I wanted to stay anonymous?

Sample Budget template

You can download an editable version of this template [here](#).

Professional Costs

Do some research on the professional costs you may face. This can include looking up lawyer's fees online or asking lawyers for fee quotes and negotiating with them, asking lawyers about their daily expenses (separate from fees), thinking through what new online security tools you may need, and other expenses you may have to cover during any future job search.

Once you have done your research, you can enter the information into the budget template.

Units: For each budget line, enter the number of units you will need to pay for. If you have more than one lawyer, it may be useful to create a new budget line for each lawyer since they will likely have separate fees. The costs for lawyers vary dramatically based on the circumstances.

Months: For each budget line, enter the number of months for the 12-month period beginning when you expect to incur your first expense. If you are paying a lawyer for six months, put '6.' If you have a one-off purchase like a phone, just put a '1.'

Unit cost: For each budget line, enter the unit cost per month.

If a phone costs £450, enter '450.'

If a lawyer charges by the hour, you can calculate the cost per month by multiplying the number of hours per month you will need their services by their cost per hour.

Total: Once you have entered this information for a line, the total column should automatically calculate the total cost per budget line.

The cost per category will be automatically calculated in the 'Professional Costs Subtotal' cell in yellow.

Personal Costs

Think through what your personal costs will be for you and your dependents. What expenses was your employer covering (if any) that you will now be responsible for? This can include private health insurance, gym membership, company car and mileage phone bills, etc.

Repeat the steps for 'Units,' 'Months,' and 'Unit cost' above, but for personal costs.

The cost per category will be automatically calculated in the 'Personal Costs Subtotal' cell in yellow.

Total Costs

The subtotals from Professional Costs and Personal Costs will be totalled automatically in the orange cell of the 'Total Costs' line.

Savings

This is where you can enter the amount of savings you have or the amount of savings you would be willing to spend during your whistleblowing journey.

Since this is one lump sum, all you need to do is enter a '1' in the 'Units' and 'Months' columns and then enter the total savings you are willing to commit in the 'Unit savings' column.

You can do this as one sum, or if your family has multiple accounts, you may use new lines for each account.

The total savings will be automatically calculated and appear in the blue cell in the "Savings Subtotal" budget line.

Potential Income

This section is to estimate what new income you might begin to earn in the coming months. It is difficult to estimate when you may find a new job, or when another source of income may appear, but if you have a goal or a fair idea of when you may earn an income you can use this section.

Units: You can use one line for each job, and you may add additional lines for additional sources of income like a second job, earnings from investments, etc.

For each source of income, enter a '1.'

Months: You can enter the number of months you expect to earn each source of income. For example, if you expect to find a job in six months, you can enter a '6' for how many months in a 12-month period you expect to work.

Unit Income: You can enter the amount you expect to take home each month here.

The total savings will be automatically calculated and appear in the blue cell in the "Potential Income Subtotal" budget line.

Total Revenue

The subtotals from Savings and Potential income will be totalled automatically in the green cell of the 'Total Revenue' line.

Total Funds after Whistleblowing

The subtotals from Total costs and Total revenue will be totalled automatically in the pink cell of the 'Total Funds after Whistleblowing' line.

This line is what you are planning/expect to be left with after the first 12-month period of speaking out. The number may be above or below £0 based on costs and revenue. While no number is 100 percent certain, and your circumstances will likely change as the year progresses, updating this budget template will be a helpful indication of how you expect your financial situation to progress after speaking out. If the overall figure in 'Total Funds after Whistleblowing' is too much of a risk for you to take, then you might want to think carefully about whether to speak out in the first place and other pathways to consider.

Year 2 and Year 3

By repeating the steps above for the Year 2 and Year 3 charts, you can plan out your expenses and revenue further into the future. The totals for all three years will be automatically calculated in the 'Overall Total' column on the far right.

The pink cells in the 'Overall Total' column and the 'Total Funds after Whistleblowing' line show the expected 36-month outcome of your journey.

	Year 1			
COSTS	Units	Months	Unit Cost	Total
Professional Costs				
Lawyer 1 fees (EXAMPLE)				£ -
	<i>One lawyer</i>	<i>For X months</i>	<i>Costs per month</i>	<i>Total for that lawyer</i>
	Year 1			
COSTS	Units	Months	Unit Cost	Total
Professional Costs				
Lawyer 1 fees (First lawyer working pro bono)				£ -
Lawyer 2 fees (Second lawyer very expensive)				£ -
Lawyer 3 fees (If applicable)				£ -
Lawyer 4 fees (If applicable)				£ -
Transport to meetings				£ -
New phone (for working with lawyer)				£ -
New computer/VPN/password manager				£ -
X				£ -
X				£ -
X				£ -
Professional Costs Subtotal				£ -
Personal Costs	Units	Months	Unit Cost	Total
Rent				£ -
Food				£ -
Child care				£ -
Health insurance (if applicable)				£ -
Petrol				£ -
Mental health professional				£ -
X				£ -
X				£ -
X				£ -
X				£ -
Personal Costs Subtotal				£ -
Total Costs				£ -
Savings	Units	Months	Unit savings	Total
Savings				£ -
Savings Subtotal				£ -
Potential Income	Units	Months	Unit income	Total
Job 1				£ -
Job 2				£ -
Potential Income Subtotal				£ -
Total Revenue				£ -
Total Funds after Whistleblowing				£ -

	Year 2			
COSTS	Units	Months	Unit Cost	Total
Professional Costs				
Lawyer 1 fees (First lawyer working pro bono)				£ -
Lawyer 2 fees (If applicable)				£ -
Lawyer 3 fees (If applicable)				£ -
Lawyer 4 fees (If applicable)				£ -
Transport to meetings				£ -
Password software				£ -
X				£ -
X				£ -
X				£ -
X				£ -
Professional Costs Subtotal				£ -
Personal Costs	Units	Months	Unit Cost	Total
Rent				£ -
Food				£ -
Child care				£ -
Health insurance (if applicable)				£ -
Petrol				£ -
Mental health professional				£ -
X				£ -
X				£ -
X				£ -
X				£ -
Personal Costs Subtotal				£ -
Total Costs				£ -
Savings	Units	Months	Unit savings	Total
Savings				£ -
Savings Subtotal				£ -
Potential Income	Units	Months	Unit income	Total
Job 1				£ -
Job 2				£ -
Potential Income Subtotal				£ -
Total Potential Income				£ -
Total Funds after Whistleblowing				£ -

	Year 3				Overall Total
COSTS	Units	Months	Unit Cost	Total	COSTS
Professional Costs					Professional Costs
Lawyer 1 fees (First lawyer working pro bono)				£ -	£ -
Lawyer 2 fees (If applicable)				£ -	£ -
Lawyer 3 fees (If applicable)				£ -	£ -
Lawyer 4 fees (If applicable)				£ -	£ -
Transport to meetings				£ -	£ -
Password software				£ -	£ -
X				£ -	£ -
X				£ -	£ -
X				£ -	£ -
X				£ -	£ -
Professional Costs Subtotal				£ -	£ -
Personal Costs	Units	Months	Unit Cost	Total	Personal Costs
Rent				£ -	£ -
Food				£ -	£ -
Child care				£ -	£ -
Health insurance (if applicable)				£ -	£ -
Petrol				£ -	£ -
Mental health professional				£ -	£ -
X				£ -	£ -
X				£ -	£ -
X				£ -	£ -
X				£ -	£ -
Personal Costs Subtotal				£ -	£ -
Total Costs				£ -	£ -
Savings	Units	Months	Unit savings	Total	Savings
Savings				£ -	£ -
Savings Subtotal				£ -	£ -
Potential Income	Units	Months	Unit income	Total	Potential Income
Job 1				£ -	£ -
Job 2				£ -	£ -
Potential Income Subtotal				£ -	£ -
Total Potential Income				£ -	£ -
Total Funds after Whistleblowing				£ -	£ -

Building A Team template

This tool is meant to provide a basic template for building a support team. Each circumstance is unique and you should speak to a lawyer about your case.

Family and Friends

Person 1

- » Supports with: _____
- » Limitations: _____
- » Contact: _____

Person 2

- » Supports with: _____
- » Limitations: _____
- » Contact: _____

Lawyers

Lawyer 1

- » Supports with: _____
- » Cost: _____
- » Contact: _____

Lawyer 2

- » Supports with: _____
- » Cost: _____
- » Contact: _____

Lawyer 3

- » Supports with: _____
- » Cost: _____
- » Contact: _____

Press

Journalist 1

- » Media outlet: _____
- » Contact: _____
- » What they know about me: _____
- » What they can publish about me: _____
- » Publication date: _____

Journalist 2

- » Media outlet: _____
- » Contact: _____
- » What they know about me: _____

- » What they can publish about me: _____
- » Publication date: _____

Co-workers

Co-worker 1

- » Do they share my concerns (y/n): _____
- » What concerns do they have: _____
- » Would they be willing to speak out (y/n): _____
- » Limit: _____

Co-worker 2

- » Do they share my concerns (y/n): _____
- » What concerns do they have: _____
- » Would they be willing to speak out (y/n): _____
- » Limit: _____

Unions

Trade Union rep 1

- » Supports with (legal fees, speaking on my behalf, ...): _____
- » Limit (different agenda): _____
- » Contact: _____

Trade Union rep 2

- » Supports with (legal fees, speaking on my behalf, ...): _____
- » Limit (different agenda): _____
- » Contact: _____

Parliament

Member of Parliament 1

- » Supports with: _____
- » Limit: _____
- » Contact: _____

Member of Parliament 2

- » Supports with: _____
- » Limit: _____
- » Contact: _____

Charity organisation

Charity organisation rep 1

- » Supports with: _____
- » Limit: _____
- » Contact: _____

Charity organisation rep 2

- » Supports with: _____
- » Limit: _____
- » Contact: _____

Regulators

Regulator 1

- » Supports with: _____
- » Limit: _____
- » Contact: _____

Regulator 2

- » Supports with: _____
- » Limit: _____
- » Contact: _____

Past whistleblowers

Past whistleblower 1

- » Supports with: _____
- » Limit: _____
- » Contact: _____

Past whistleblower 2

- » Supports with: _____
- » Limit: _____
- » Contact: _____