



# Fire Officers' Association

## Basic Principles - Public Interest Disclosure Act 1998

The Public Interest Disclosure Act 1998 (commonly known as the Whistleblowing Act) gives legal protection to any worker against dismissal or some other penalty because they have disclosed information relating to:

- Crimes
- Breaches of a legal obligation
- Miscarriages of Justice
- Danger to health and safety
- Danger to the environment
- Concealing information relating to any of these

The worker must make such a disclosure in good faith to someone who he is entitled to make it. It must also have been reasonable for the worker to believe that the factual basis of what was disclosed was true.

The Act sets out to whom disclosures can be made. In normal cases this is likely to be the employer, or "other responsible person" or a legal advisor.

Section 5 of the Act makes the dismissal of an employee for making a protected disclosure automatically unfair. There is no requirement for an employee to have been employed for any particular period, therefore the normal qualifying period of one years employment before being able to claim unfair dismissal does not apply.

There is also no limit to the compensatory award which can be awarded to an employee "blowing the whistle"