

Brighton & Hove City Council's Whistleblowing Policy:

A Policy for Raising Concerns in the Public Interest.

CONTENTS

1	Introduction	2
2	Who is responsible for this policy?	3
3	What is whistleblowing?	3
4	Raising a whistleblowing concern.....	4
5	Confidentiality.....	6
6	Investigation and outcome	6
7	If you are not satisfied	7
8	Points of contact.....	8
9	The Responsible Officer	10
10	Personal data retention, recording & monitoring	10
11	Complaints.....	10
12	Appendices 1 - 4	12 - 19

1 Introduction

- 1.1 Brighton & Hove City Council is committed to conducting its business with honesty and integrity. We expect all staff to maintain high standards across all areas of the Council, and to act at all times in accordance with the Council's [Code of conduct for Employees and Behaviour](#) framework, and the other requirements which regulate staff and are listed on the intranet, or Wave. However, in common with all organisations, the Council must manage the risk of things going wrong from time to time, including unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur. This Policy is key to ensuring that any concerns about wrongdoing are addressed promptly and properly and in a way which generates confidence. It may be used in situations not catered for by those of the Council's policies which provide a mechanism for dealing with grievances logged by staff, including complaints which are more appropriately dealt with under [the Council's Grievance Procedure](#) and/or [Anti-bullying, Harassment and Victimisation Policy](#), such as complaints about conduct against one or more individual colleagues.
- 1.2 The purpose of this policy is:
- (a) To encourage staff to report suspected wrongdoing as soon as possible, with full confidence that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
 - (b) To provide staff with guidance about how to raise those concerns.
 - (c) To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken, provided they do so in good faith.
- 1.3 'Whistleblowing' is the term used when someone who works for an organization raises a concern (whether internally or externally, with someone in authority) about wrongdoing, risk, malpractice or illegality which harms or creates a risk of harm of others. It is normally used to describe action taken by someone who works for the organization and seeks to raise issues they have identified which affect people other than themselves, this as opposed to actions targeting them individually, which may be raised using the other processes referred to above. The sorts of wrongdoing in scope could include an employer breaking the law or engaging in financial wrongdoing or criminal activity, including where the public is put at risk. More information is provided below.
- 1.4 This Policy incorporates the provisions of [the Public Interest Disclosure Act 1998](#) (as amended by the Enterprise & Regulatory Reform Act 2013). These protect members of staff against detrimental treatment or dismissal for raising a concern which they believe to be genuine, disclosing information which would normally be confidential because they reasonably believe it is in the public interest to do so, and they are making a "qualifying disclosure". Further information about this

is available at the end of this Policy, while independent advice on a case-by-case basis may be sought from the Advice Line [Protect](#).

2 Who is responsible for this policy?

- 2.1 The Council's Audit Standards & General Purposes Committee has overall responsibility for reviewing this policy and for approving any updates to it.
- 2.2 The Director Governance & Law is the senior responsible officer for this policy and has day-to-day operational responsibility for it. They shall deal with any questions about this policy and welcome feedback regarding it. They ensure that the Council's approach to whistleblowing and this Policy are highlighted during staff induction and that regular and appropriate training is provided to all staff, including to those managers who may deal with concerns or investigations under this policy.
- 2.3 This policy has been approved by the Council's Audit Standards & General Purposes Committee. It shall be reviewed annually by officers, who will bring any proposals for substantive changes to the Council's Audit, Standards & General Purposes Committee.
- 2.4 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected wrongdoing which affects staff or others to a degree not covered by the Council's other policies. Staff may comment on this policy and suggest ways in which it might be improved via email to the dedicated whistleblowing email address at WhistleBlowing@brighton-hove.gov.uk.

3 What is whistleblowing?

- 3.1 **Whistleblowing** is the disclosure of information which relates to suspected wrongdoing or danger at work. This may include:
 - (a) criminal activity;
 - (b) failure to comply with any legal or professional obligation or regulatory requirements;
 - (c) miscarriages of justice;
 - (d) danger to health and safety;
 - (e) damage to the environment;
 - (f) bribery under our [Anti-corruption and Bribery Policy](#);
 - (g) financial fraud or mismanagement;
 - (h) breach of the Council's internal policies and procedures including (but not only) conduct contrary to the [Code of Conduct for Employees](#), the

[Anti bullying, harassment and victimisation policy](#) or other requirements;

- (i) other conduct likely to damage the Council's reputation or financial wellbeing;
- (j) the unauthorised disclosure of confidential information, whether contrary to the Council's data protection requirements or otherwise;
- (k) negligence;
- (l) the deliberate concealment of any of the above matters.

3.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a **whistleblowing concern**) you should report it under this policy.

3.3 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should consider [the Council's Grievance Procedure](#) and/or the [Anti-harassment and Bullying Policy](#).

3.4 If a complaint relates to your own personal circumstances but you also have wider concerns regarding one of the areas set out at paragraph 3.1 above (for example, a breach of our internal policies), and/or you are uncertain whether something is within the scope of this policy, then you may discuss with your line manager (or the senior responsible officer) which route is the most appropriate.

3.5 While all concerns will be reviewed in a detailed way, any which are not considered to raise a whistleblowing concern and/or which are best considered according to another process will be directed appropriately, through signposting.

4 Raising a whistleblowing concern

4.1 Who may report a whistleblowing concern?

(a) **Council Staff** may raise a concern under this policy. This includes:

- employees of the Council (except for school employees – see below)
- casual, agency workers and apprentices working for the Council
- contractors and employees of contractors working for the Council
- self-employed consultants working for the Council

Where a person is employed in a Brighton & Hove maintained school, they should normally raise their concern directly with that school using that school's Whistleblowing Policy. Where they feel unable to do so then they may use this process, provided they give reasons for doing so.

- (b) **Members of the Public:** Members of the public are expected to direct any concerns they may have via the appropriate process. [Information is available on the Council's website](#) not just about the Council's complaints procedures, but about the way in which you may raise a safeguarding concern or log other specific concerns appropriately.

Note: In a situation where a member of the public has become aware of a concern that could potentially amount to serious wrongdoing, they are free to raise that under this policy. They should however be aware that the protection afforded to whistleblowers by the law applies normally only to 'workers'. See the Appendix to this policy for further information.

Note 2: Where it is considered that a complaint is not a whistleblowing concern and is best dealt with according to another process, whether external or not, then the person making contact shall be signposted appropriately.

- (c) **Elected councillors and co-opted appointees to the Council**
Members of the Council may raise a concern under this process if they wish to do so.

Who should such a concern be directed to?

- 4.2 We hope that in many cases you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Director – Governance and Law.
- 4.3 Where you feel that your line manager is not best placed to consider your concern then you should normally contact the Director or Corporate Director with responsibility for the relevant Service.
- 4.4 As an alternative to the relevant Director or Corporate Director, you may contact WhistleBlowing@brighton-hove.gov.uk either by email, or by completing the form at the end of this Policy and forwarding it to that email address. You may escalate your complaint if you have concerns about how it is being/has been dealt with, in accordance with para 8 below.
- 4.5 If a meeting is the best means available for discussing your concerns, you may bring a colleague or union representative to any meetings under this policy provided that they first agree to respect the confidentiality of your disclosure and any subsequent investigation.

- 4.6 We will acknowledge your written concerns within five days of receipt of them and will give you an indication of how we propose to deal with the matter as soon as possible, keeping you informed of progress throughout.
- 4.7 If the matter has been signposted to be addressed via an alternative mechanism, you will be informed of this and progress will be shared with you under that mechanism not under the Whistleblowing Policy.

5 Confidentiality

- 5.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy, given the seriousness with which we approach confidentiality. Your concerns will be dealt with in accordance with the Council's data privacy arrangements and in accordance with data minimisation principles. Those principles mean that only those individuals who need to see the information will do so, in expectation that they in turn treat it confidentially.
- 5.2 If you nonetheless tell us at the outset that you want to raise your concern confidentially, we will make every effort to keep your identity secret. However while we make every effort to investigate anonymous disclosures, we do not encourage staff to make disclosures anonymously. This is because proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.
- 5.3 Whistleblowers who are concerned about possible reprisals if their identity is revealed should indicate this clearly at an early stage in the process so that appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

6 Process, including assessment and investigation

- 6.1 Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. You may be required to provide further information to assist us with this. We will inform you of the outcome of our assessment unless you tell us you do not wish us to.
- 6.2 In some cases, we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator (or investigators) may make recommendations for change to enable us to minimise the risk of future wrongdoing.
- 6.3 We will aim to keep you informed of the progress of the investigation and its likely timescale and will normally notify you of the outcome of your complaint. However there will be situations where the need for confidentiality prevents us from giving you specific details of the investigation or its outcome, including any disciplinary action taken as a result. We will always endeavour to be clear about what we can

and can't tell you. You should in any event treat any information about the investigation as confidential.

7 If you are not satisfied

- 7.1 While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 7.2 If you are not happy with the way in which your concern has been handled, you may escalate matters internally in accordance with para 8 below.

External disclosures

- 7.3 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace, which should mean you do not consider it necessary to alert anyone externally.
- 7.4 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely - if ever - be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external.

Third parties

- 7.5 Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a customer or client, supplier or service provider. In some circumstances, the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first, in line with this policy, and to seek guidance and advice if in doubt.

Unfounded disclosures or allegations, and unlawfully obtained information

- 7.6 Where a disclosure is made in good faith, then – even if it is not borne out by subsequent investigation – it will not lead to any action being taken against the person raising the concern. However where an individual makes a disclosure which is found in a subsequent investigation to be malicious and/or vexatious, and/or where the information used is found to have been obtained unlawfully (for instance through unauthorised access to records or without following data protection safeguards), then that individual may be subject to disciplinary or other appropriate action.

Protection and support for whistleblowers

- 7.7 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

- 7.8 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform your line manager immediately. If the matter is not remedied, you should raise it formally using our [Grievance Procedure](#).
- 7.9 No staff member may threaten or retaliate against whistleblowers in any way. Any staff member involved in such conduct may be subject to disciplinary action. In some cases, the whistleblower could have a right to file a legal claim against an individual personally in an employment tribunal and seek compensation from them.

8 Procedure

Who do I send my whistleblowing complaint to?

- 8.1 **Employees** should normally raise concerns with their line manager. Similarly, workers who aren't employees (e.g. agency workers, contractors, consultants) should raise a concern in the first instance with their contact within the Council, usually the person to whom they directly report.
- 8.2 Where a member of staff wants to raise the matter with someone other than their immediate manager, they are normally expected to contact the Corporate Director for the Service which has responsibility for the relevant function(s), or to use the Council's dedicated whistleblowing reporting inbox: WhistleBlowing@brighton-hove.gov.uk.
- 8.3 **Members of the Public** are normally expected to raise whistleblowing concerns by emailing the whistleblowing reporting inbox: WhistleBlowing@brighton-hove.gov.uk.

What happens after I make a complaint?

- 8.4 Whistleblowing complaints are acknowledged within five working days. The office of the Director Governance & Law maintains a register of all complaints which have been received in and (subject to normal expectations regarding data minimisation) the outcome of all such complaints dealt with under this process.
- 8.5 We deal with all whistleblowing complaints promptly and conclude them as soon as we are able to. Our aim is to achieve an outcome within three calendar months where possible. However where an investigation is considered necessary then we may need to take longer to achieve an outcome – in which case you will be kept informed of progress.
- 8.6 The Director Governance & Law reviews all whistleblowing complaints. Where it is considered they are better dealt with under a different process, then appropriate steps will be taken to redirect the complaint and the whistleblower

shall be notified accordingly. This will normally happen at an early stage, where a complaint which is considered to be more appropriately dealt with in another way may instead be the subject of a management investigation into the matters raised, an Internal Audit investigation or an investigation under the Council's disciplinary processes.

- 8.7 Once the matter has been redirected and the person raising the concern notified of the mechanism for dealing with their concerns, no further action will be taken under the Whistleblowing Policy. Responsibility for updating the person making the complaint and informing them of the outcome of it will pass to the relevant person under the process identified for taking the complaint forward
- 8.8 Whistleblowing complaints which have been reviewed pursuant to para 8.5 are considered by the Officer Whistleblowing Group ('the Group'). This Group is comprised of officers from the Internal Audit and Human Resources teams and is Chaired by the Director Governance & Law (also the Council's Monitoring Officer).
- 8.9 Where an investigation is considered to be appropriate, a direction will be given by the Director Governance & Law to one of the officers from the above-mentioned team/ a person managed by them, who will be tasked with carrying out any actions and reporting back to the Group.
- 8.10 What action, if any, to take following investigatory action will be determined by the Group which considers the report back. In any situation where there is a difference of opinion regarding what action if any to take, then the Chair (the Director Governance & Law) will have the final say.
- 8.11 In any situation where the whistleblowing complaint is considered to give rise to concerns which are serious, then commensurate actions will be taken, including by joining in the Executive Leadership Team and any other individuals or bodies considered appropriate.
- 8.12 The whistleblower will be kept updated as to the progress of their complaint and shall normally be informed of the outcome of it.

What if I don't hear back, or am dissatisfied with the response I receive?

- 8.13 If you do not receive an acknowledgement within five working days or are not kept informed of the progress of your complaint, then you may raise your concerns with the Director Governance & Law.

What if I am not satisfied with the outcome?

- 8.14 This Policy is intended to provide a means of raising concerns with the Council which ensures those concerns are properly and promptly considered. The objective is to ensure that the individual is satisfied with the way their concerns are treated and any investigations that may be carried out.

- 8.15 If you are not satisfied with the process followed or with the outcome of your complaint, then you may raise your concerns with the Director Governance & Law. If the above channels have been pursued but you wish to escalate your concerns further then you may wish to contact the Council's Chief Executive, whose contact details are provided (alongside other officer contacts) at the end of this policy at Appendix 1.
- 8.16 In a situation where you remain dissatisfied and consider it appropriate to take the matter outside the Council, a list of possible contact points is provided at Appendix 2 below.
- 8.17 Where the individual is a member of staff, they may choose to seek advice regarding their options either from the internal HR or Legal Services teams, or from an external source.
- 8.18 If the individual would like independent advice at any stage, they can contact the independent charity Protect: [Contact our Advice Line - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://www.protect-advice.org.uk). They should be able to give free and confidential advice about how to raise a concern about serious malpractice at work.

9 Recording and monitoring of whistleblowing complaints

- 9.1 The Director Governance & Law has overall responsibility for the maintenance and operation of this Policy. They record all incoming complaints, and maintain a corporate register of their progress, as well as their outcomes.
- 9.2 The Director Governance & Law will report regularly to the Council's Audit, Standards & General Purposes Committee on the use of the Policy and on any concerns raised during the period covered by the report. For the avoidance of doubt: no report shall identify any person raising concerns under this Policy.

10 Confidentiality and data privacy

- 10.1 The corporate register will be maintained in accordance with data minimisation principles by the Director Governance & Law. The information on it is made available to other Council staff strictly on a 'need to know' basis.
- 10.2 The information provided by individuals pursuant to this process – including that regarding other people - will be retained securely at all times in accordance with data protection principles, as outlined in the Council's published information retention arrangements

11 Complaints

- 11.1 Where an individual is unhappy with the Council's response, they may make a complaint to the Council's Chief Executive or one of the external bodies set out at Appendix 2, in accordance with paragraph 8 of this policy. Independent advice can

be sought at any stage from the independent charity Protect: [Contact our Advice Line - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://www.protect-advice.org.uk).

Appendix 1

List of BHCC contacts	
Elizabeth Culbert, Director Governance & Law (Monitoring Officer)	<u>Elizabeth.Culbert@brighton-hove.gov.uk</u>
Carolyn Sheehan, Audit Manager - Internal Audit and Counter Fraud	<u>Carolyn.Sheehan@brighton-hove.gov.uk</u>
Jess Gibbons, Chief Executive	<u>Jessica.Gibbons@brighton-hove.gov.uk</u>

The Council's external auditors:

Grant Thornton UK LLP

30 Finsbury Square, London EC2A 1AG

Tel: 0207 3835100.

Appendix 2

Regulatory and Professional and other External Organisations

Health & Safety and Environment Risks

Contact	Details
Environmental Agency	Address: Solent and South Downs Area Office, Guildbourne House, Chatsworth Road, Worthing, Sussex, BN11 1LD (Southeast regional office) Tel: 0370 8506506 Web: www.environment-agency.gov.uk
Health & Safety Executive	Address: Priestley House, Priestley Road, Basingstoke, Hampshire RG24 9NW (regional office) Tel: 0845 345 0055 Web: www.hse.gov.uk
Food Standards Agency	Address: Foss House, Kings Pool 1-2 Peasholme Green York YO1 7PR Tel: 0330 332 7149 Web: www.food.gov.uk

Consumer Rights

Contact	Details
The Serious Fraud Office	Address: 2-4 Cockspur Street, London SW1Y 5BS Tel: 020 7239 7272 Web: https://www.sfo.gov.uk/

Data Protection and Freedom of Information

Contact	Details
Information Commissioner's Office	Address: Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF Tel: 0303 123 1113 Web: https://ico.org.uk/

Healthcare and Social Services

Contact	Details
Care Quality Commission	Address: 2nd Floor, Ridgewort House, Worthing, West Sussex BN11 1RY Tel: 03000 616161 Web: www.cqc.org.uk

Health and Care Professions Council	Address: 184 Kennington Park Road, London SE11 4BU Tel: 020 7840 9815 Web: www.hpc-uk.org
The National Society for the Prevention of Cruelty to Children (NSPCC)	Address: Weston House, 42 Curtain Road, London EC2A 3NH Tel: 0800 028 0285 Web: www.nspcc.org.uk

Healthcare and Social Services continued

Children's Commissioner	Address: Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT Tel: 020 7783 8330 Web: www.childrenscommissioner.gov.uk
Health and Care Professions Council	Address: Park House, 184-186 Kennington Park Road, London, SE11 4BU Tel: 08453006184
Nursing and Midwifery Council (NWC)	Address: 23 Portland Place, London W1B 1PZ Tel: 020 7637 7181 Web: www.nmc-uk.org
General Medical Council (GMC)	Address: Fitness to Practise Directorate, 3 Hardman Street, Manchester, M3 3AW Tel: 0161 923 6602 Web: www.gmc-uk.org
Regulator of Social Housing	Tel: 0300 1245225 Web: Regulator of Social Housing - GOV.UK (www.gov.uk)

Other Organisations

Contact	Details
The Local Government Ombudsman	Address: PO Box 4771, Coventry CV4 0EH Tel: 0300 061 0614 Web: www.lgo.org.uk
Commissioners for Her Majesty's Revenue & Customs (HMRC)	Address: HM Revenue and Customs, Freepost NAT22785, Cardiff, CF14 5GX Tel: 0800 788 887 Web: www.hmrc.gov.uk
Ofsted	Address: Piccadilly Gate, Store Street, Manchester M1 2WD Tel: 0300 123 1231 Web: www.ofsted.gov.uk

Pensions Regulator	Address: Customer Support, The Pensions Regulator, Telecom House, 125-135 Preston Road, Brighton BN1 6A Tel: 0845 600 0760 Web: www.thepensionsregulator.gov.uk
Police	Tel: 101 Emergency: 999 Web: https://www.sussex.police.uk/
Your Local Councillors	Web: https://present.brighton-hove.gov.uk/mgFindMember.aspx

Appendix 3

Whistleblowing reporting form

Please email the following information to: WhistleBlowing@brighton-hove.gov.uk

Note: If you have not already done so, please read the Council's Whistleblowing Policy before raising your concern under this process.

1. Please describe your concern, including:

- What your concern is, and why you have it
- What service area is involved, including any names of individuals or teams, and what you think they are doing that is wrong
- What harm or risk of harm is being caused.

2. What evidence do you have of it?

- Please describe the evidence you have, ensuring you attach any relevant information to your email

3. How is it in the public interest to investigate your complaint?

- Please give any additional info you have about why the complaint should be investigated. You may wish to outline your motivation for making this complaint in good faith, believing it to be true

4. What do you think should happen next?

- What do you think should happen if your concerns are found to be justified?

5. Please provide your name and contact details.

- If exceptionally you are not minded to provide them, please say why, having first read para 5 of the policy, which explains why they will help us investigate your concerns.

Your contact details*

***This information will be kept strictly confidential. It will only be made available to people who need to know. This may include the investigator of your complaint, and/or the people who are considering it.**

Name	
Contact Telephone Number:	
Email:	

Appendix 4

Protected disclosures for workers: The Public Interest Disclosure Act 1998

Appendix: The Public Interest Disclosure Act 1998

Recent changes

The Enterprise and Regulatory Reform Act (ERRA) 2013 included major changes to employment law, which will affect aspects of whistleblower protection. For further information, see the legal updates on the Protect website. You may also wish to take your own legal advice.

The Public Interest Disclosure Act 1998 (PIDA) offers protection to workers from any detriment from their employer that arises from the worker making a 'protected disclosure'.

To qualify as a 'protected disclosure' the disclosure must satisfy a number of requirements under PIDA:

1. The worker must have made a 'qualifying disclosure'. This is a disclosure of information which, in the reasonable belief of the worker, tends to show one or more of the following:

- a) That a criminal offence has been committed, is being committed, or is likely to be committed.
- b) That a person has failed, is failing, or is likely to fail to comply with any legal obligation to which he is subject.
- c) That a miscarriage of justice has occurred, is occurring, or is likely to occur.
- d) That the health and safety of any individual has been, is being, or is likely to be endangered.
- e) That the environment has been, is being, or is likely to be damaged.
- f) That information tending to show any matter falling within any of the preceding paragraphs has been or is likely to be deliberately concealed.

A disclosure of information is not a qualifying disclosure if the person making it commits a criminal offence in doing so.

2. The qualifying disclosure must be made in good faith.

3. The worker must make the qualifying disclosure to one of a number of 'specified persons' set out in PIDA, which include:

- a) The worker's employer or, if they reasonably believe that the failure relates solely or mainly to (i) the conduct of a person other than their employer or (ii) any

other matter for which a person other than their employer has legal responsibility, that other person.

b) A 'prescribed person', which includes CQC. However, the worker must reasonably believe that the information disclosed, and any allegation contained in it is substantially true. The worker must also reasonably believe that the relevant failure being disclosed falls within any description of matters for which CQC is a prescribed person.

Where the above requirements are satisfied, a worker who has made a protected disclosure is protected under PIDA from dismissal or any other detriment arising from making that disclosure. Detriment can include detriment suffered from a previous employer where, for example, the employer refuses to give a reference because the worker has made a protected disclosure. A worker who suffers dismissal or detriment may bring a claim for compensation (which is unlimited) in the Employment Tribunal. The term 'worker' includes employees, contractors or self-employed people.