

Handling disclosures

Information on reporting suspected wrongdoing and how whistleblowers are protected when submitting a disclosure.

[The Public Interest Disclosure Act 1998](#) protects workers from detrimental treatment or victimisation from their employer if they expose any wrongdoing. The Act applies in England, Wales and Scotland -there is different legislation for [Northern Ireland](#).

We are a prescribed person under the Public Interest Disclosure (Prescribed Persons) Order 2014. This means that employees, contractors, trainees or agency staff who are aware of wrongdoing within the food industry and choose to report it to the FSA are protected by the Public Interest Disclosure Act) if they follow a certain procedure.

This includes any suspected wrongdoing over the welfare of an animal at slaughter. A qualifying disclosure to us will be a 'protected' disclosure if the worker takes the following steps:

- makes the disclosure in the public interest
- reasonably believes that the failure affects the health of any member of the public in relation to the consumption of food or is a matter which concerns the protection of food consumers in England, Wales, or Northern Ireland.
- reasonably believes that the information disclosed and any allegation contained in it are substantially true

This protection begins automatically if the qualifying criteria are satisfied.

Qualifying disclosures can be one or more of the following acts:

- criminal offence
- breach of a legal obligation
- miscarriage of justice
- danger to the health and safety of any individual
- damage to the environment
- deliberate concealment of information tending to show any of the above five matters

[Summarised and anonymised details of disclosures made to the FSA as a Prescribed Person under public interest disclosure legislation](#). The FSA's main objective is to protect public health from risks that may arise in connection with the consumption of food and otherwise to protect the interests of consumers in relation to food.

Protecting whistleblowers

If we receive a qualifying disclosure then every effort will be made to protect the identity of the whistleblower and anything which might lead to their identity being exposed. Information regarding a qualifying disclosure, including the name of the whistleblower, would also be exempt from disclosure under the Freedom of Information Act (2000).

In the event of a criminal prosecution, a defendant can apply to the court to order us to disclose information relating to the identity of the whistleblower. We would resist disclosure of their identity by arguing that this order would not be in the public interest.

If you require confidential advice on what is protected by the Public Interest Disclosure Act and how best to raise your concern, you may want to speak to your solicitor or the legal team at [Protect](#) who are an independent charity and a leading authority on public interest disclosures.