

Chapter 18

Whistleblowing

18.5 Settlement agreements with workers

- 18.5.1** **R** A *firm* must include a term in any *settlement agreement* with a *worker* that makes clear that nothing in such an agreement prevents a *worker* from making a *protected disclosure*.
- 18.5.2** **E**
- (1) *Firms* may use the following wording, or alternative wording which has substantively the same meaning, in any *settlement agreement*:
“For the avoidance of doubt, nothing precludes [name of worker] from making a “protected disclosure” within the meaning of Part 4A (Protected Disclosures) of the Employment Rights Act 1996. This includes protected disclosures made about matters previously disclosed to another recipient.”
 - (2) Compliance with (1) may be relied on as tending to establish compliance with ■ SYSC 18.5.1R.
- 18.5.3** **R**
- (1) *Firms* must not request that *workers* enter into warranties which require them to disclose to the *firm* that:
 - (a) they have made a *protected disclosure*; or
 - (b) they know of no information which could form the basis of a *protected disclosure*.
 - (2) *Firms* must not use measures intended to prevent *workers* from making *protected disclosures*.