A whistleblower can save lives and protect an organisation from damage, or even ruin. They can also consume management time if they are mistaken, or if their claim is unfounded, or self-serving. A series of high profile scandals and public reaction has forced the Government and Regulators to respond with increased expectations that organisations will encourage, or support, whistleblowing. But many employees are fearful of speaking up, managers often fail to recognise a legitimate concern, and what is in ‘the public interest’ will always be subject to interpretation.

It is in every organisation’s interest to encourage employees and other stakeholders to alert them to wrong-doing, early. With the increasing emphasis on personal accountability, this briefing will update you on legal and good practice developments, with illustrations of the consequences of past failures to listen.

Whistleblowing update
Heroes and villains

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Who should attend?
This course is aimed at HR and risk professionals, and members of in-house legal teams.

Delegates will learn about:
- what whistleblowing is and is not
- the legal protection afforded to employees and workers who speak up
- making your whistleblowing arrangements work, including communication, reporting, feedback, gratitude and auditing: who has responsibility?
- the importance of dealing sensitively with whistleblowing concerns from the outset and as the process escalates
- the need to prevent reprisals and victimisation: heavy penalties
- the business benefits of encouraging whistleblowing

‘Hidden’ protected disclosures, for example where the issue is raised as part of a grievance or in correspondence, rather than through the employer’s whistleblowing procedures, are a particular concern for employers. These situations can be misconstrued by line-managers, making it more likely for the wrongdoing to continue, unchallenged, or for the employee to suffer a detriment. This briefing will update you on law and good practice in this area.

Course materials
Delegates will receive detailed course notes describing recent developments.

In-house training
Both Eversheds and PCAW provide in-house training services across the UK and in Europe. For further information contact: Nicholas Edwards on +44 20 7919 4697, nicholasedwards@eversheds.com or Jon Cunningham on +203 117 2520, jc@pcaw.org.uk

HR Summer School
Wellbeing and the bottom-line

13–14 July 2016
Cumberland Lodge,
Windsor Great Park
Contact nicholasedwards@eversheds.com for more information
Programme

9am–9.30am registration and coffee

Lessons learnt from past failures
– Including VW, Mid-Staffs and mis-selling
– why was nothing said?
– treatment of whistleblowers

Recognising whistleblowing
– what is a protected disclosure (Norbrook Laboratories v- Shaw)
– the public interest (Underwood v- Wincanton Plc)
– focus on the message, not the messenger?
– spurious claims or grievance

Encouraging whistleblowing
– good governance: what leading organisations are doing
– internal and external options
– confidentiality and anonymity
– support, recognition and rewards
– how do you know it’s working?

Recent legal changes
– new, improved BIS Guidance and a Code of Practice
– regulator action: new developments
– updated list of ‘prescribed persons’
– case-law on protected workers, contractors and overseas employees
– vicarious liability for employers and personal liability of managers

Settlement agreements, confidentiality and ‘gagging clauses’
– making the distinction
– what you should and should not do

1pm lunch and close

Speakers

Cathy James OBE
CEO
Cathy spent 12 years as a solicitor in a city firm before joining PCAW and has advised in thousands of whistleblowing cases. As Chief Executive, she leads the charity’s public policy and campaign work, working with regulators, employers and opinion leaders to safeguard the public interest by improving protection for whistleblowers and raising awareness. Cathy also provides consultancy and training to organisations and companies.

Naeema Choudry
Partner
Naeema advises on all aspects of employment law acting primarily on behalf of large scale employers who are household names. She undertakes her own advocacy in tribunals throughout the UK and has a special interest in whistleblowing, executive terminations, contractual disputes and discrimination issues. She also sits as an Employment Tribunal Judge in the Midlands.

(The speakers may vary at each location but each perspective will be covered.)

Public Concern at Work is a charity which aims to help make whistleblowing work so that dangers, wrongdoing and serious risks that threaten the public good are deterred or at least detected before serious damage is caused. pcaw.org.uk

Eversheds has acted as solicitors to the largest UK inquiries, including the Bloody Sunday Inquiry, the Shipman Inquiry, the Rosemary Nelson Inquiry, the Independent Jersey Care Inquiry and the Mid-Staffordshire NHS Foundation Trust Public Inquiry.
Whistleblowing update

Half-day briefing: £249 +VAT per delegate.
Discounts available for online and multiple bookings.

Please photocopy this form for multiple bookings.

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Second delegate name: ...........................................................................................................

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Cancellation policy
Any cancellation must be notified at least two weeks prior to the seminar date otherwise you will be charged for the place. Alternatively a substitute can attend at no extra cost.

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It is a condition of attendance that the course fee has been pre-paid. Your booking will be confirmed in writing within five working days of our receiving your completed booking form. If you do not receive confirmation within ten days, please telephone us on +44 113 200 4040.

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