

From: **Karalis, Melanie** <[\\*\\*\\*\\*\\*](mailto:*****)>  
Date: 17 March 2017 at 15:32  
Subject: Health Secretary to extend protections for NHS whistleblowers  
To: "Karalis, Melanie" <[\\*\\*\\*\\*\\*](mailto:*****)>

Hi there,

Please see the following announcement, strictly embargoed for **00.01 Monday 20 March**, on the government's move to extend protections for NHS whistleblowers.

Feel free to give me a call on [020 7210 5010](tel:02072105010) if you have any questions.

Thanks,  
Mel

**EMBARGOED 00.01 MONDAY 20 MARCH  
GOVERNMENT TO EXTEND PROTECTIONS FOR NHS  
WHISTLEBLOWERS**

NHS whistleblowers will be better protected by new rules that prohibit discrimination against them if they seek re-employment in the NHS. This furthers the Health Secretary's drive to create an NHS that supports staff to raise patient safety concerns and welcomes those who have done so in the past.

Plans published today will prohibit discrimination against whistleblowers when they apply for jobs with NHS employers, strengthen the legal recourse they can access if they believe they have been discriminated against because it appears they have blown the whistle - with appropriate remedies if their complaint is upheld.

This comes ahead of a major speech by Health Secretary Jeremy Hunt tomorrow (Tuesday) at the Learning from Deaths conference - the first of its kind - which will bring together senior NHS leaders to better the way the NHS investigates and learns from the deaths of patients.

**Health Secretary Jeremy Hunt said:**

**“Today we move another step closer to creating a culture of openness in the NHS, where people who have the courage to speak up about patient safety concerns are listened to, not vilified. These welcome changes will prohibit whistleblowers being discriminated against when they seek re-employment in the NHS, ultimately ensuring staff feel they are protected with the law on their side.”**

These changes were a key recommendation from Sir Robert Francis’ Freedom to Speak Up Review which found a number of people struggled to find employment in the NHS after making protected disclosures about patient safety.

The consultation published today includes draft regulations that aim to:

- Give the applicant a right to complain to an employment tribunal if they have been discriminated against because it appears they have previously blown the whistle.
- Set out a timeframe in which a complaint to the tribunal must be lodged.
- Set out the remedies which the tribunal may or must award if complaint is upheld.
- Make provision as to the amount of compensation that can be awarded.
- Give the applicant a right to bring a claim in the County Court or the High Court for breach of statutory duty in order to, amongst other things, restrain or prevent discriminatory conduct.

Treat discrimination of an applicant by a worker or agent of the prospective employer (NHS body), as if it was discrimination by the NHS body itself.

This consultation aims to address this discrimination and provides the Secretary of State with a power, through regulations, to prohibit certain NHS public bodies from discriminating against an applicant because it appears to the NHS employer that the applicant has previously made a protected disclosure under the Employment Rights Act 1996.

Since the tragic events of Mid Staffs we have made considerable progress to making the NHS the safest healthcare system in the world

including appointing a National Guardian and making sure every NHS organisation has a Freedom to Speak Up Guardian.

The consultation is now open and will run for eight weeks, closing on 12th May 2017.



**Melanie Karalis**

Media and Campaigns | Department of Health | 79 Whitehall  
2NS 020 7210 5010 | [@DeptHealthPress](#) | [healthmedia.bl](#)  
For emergency out of hours queries, call [07050 073581](#)

This e-mail and any files transmitted with it are confidential. If you are not the intended recipient, any reading, printing, storage, disclosure, copying or any other action taken in respect of this e-mail is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender immediately by using the reply function and then permanently delete what you have received.

Incoming and outgoing e-mail messages are routinely monitored for compliance with the Department of Health's policy on the use of electronic communications. For more information on the Department of Health's e-mail policy click here <http://www.dh.gov.uk/terms>