

Senior arrangements, Systems and Controls

## 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*.