

[AS INTRODUCED]

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TO

Make provision for an Office of the Whistleblower.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Establishment of the Office of the Whistleblower

- (1) The Secretary of State must by regulations made by statutory instrument within one year after the passing of this Act establish an Office of the Whistleblower.
- (2) A statutory instrument containing regulations under this Act may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament. 5

2 Duties of the Office of the Whistleblower

The duties of the Office of the Whistleblower are the administration of arrangements to facilitate whistleblowing. 10

3 Powers of the Office of the Whistleblower

The Office of the Whistleblower has powers to—

- (a) give direction to, and monitor activities of, relevant bodies prescribed by the regulations under section 1, including but not limited to confidentiality and the use of disclosed information; 15
- (b) consult on amending or replacing the Public Interest Disclosure Act 1998 and the Public Interest Disclosure (Northern Ireland) Order 1998 (S.I. 1998/1763 (N.I. 17)), and to report on any consultation;
- (c) act as a point of contact for individuals who wish to make a disclosure they believe to be protected under the Public Interest Disclosure Act 1998 or the Public Interest Disclosure (Northern Ireland) Order 1998; 20
- (d) form and maintain a panel of accredited legal firms and advisory bodies to advise and support whistleblowers;
- (e) maintain a fund to support whistleblowers;
- (f) provide financial redress to individuals whose disclosure is deemed by the Office to have harmed their employment, reputation or career; 25

- (g) publish a report regarding its activities and lay it before Parliament each year.

4 Interpretation, extent, commencement and short title

- (1) In this Act, “whistleblower” means a person who makes a protected disclosure under the Public Interest Disclosure Act 1998 or the Public Interest Disclosure (Northern Ireland) Order 1998 (S.I. 1998/1763 (N.I. 17)) and “whistleblowing” is construed accordingly. 5
- (2) This Act extends to England and Wales, Scotland and Northern Ireland.
- (3) This Act comes into force on the day on which it is passed.
- (4) This Act may be cited as the Office of the Whistleblower Act 2021. 10

Office of the Whistleblower Bill [HL]

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Baroness Kramer

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