

BY EMAIL

HMCTS 24 August 2018

Dear Sir,

Notification to Prescribed Persons of Claims to the Employment Tribunal under the Public Interest Disclosure Act

With respect to the provision within the Employment Tribunal's rules of procedure for notifying Prescribed Persons under the Public Interest Disclosure Act (PIDA) of ET1 claims under whistleblowing head:

"Protected disclosure claims: notification to a regulator 14. If a claim alleges that the claimant has made a protected disclosure, the Tribunal may, with the consent of the claimant, send a copy of any accepted claim to a regulator listed in Schedule 1 to the Public Interest Disclosure (Prescribed Persons) Order 1999(a). "Protected disclosure" has the meaning given to it by section 43A of the Employment Rights Act 1996(b)."

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/429633/employment-tribunal-procedure-rules.pdf

please advise:

- Is there any standardised, central guidance issued to Tribunal offices on how to decide when such a notification should be made to a PIDA Prescribed Person?

If so, please provide a copy of this guidance

- Is there any standardised, central guidance issued to Tribunal offices on when such notification should be made to more than one PIDA Prescribed Person?

If so, please provide a copy of this guidance

- Have any central statistics been collated and analysed on the numbers of such notifications to PIDA Prescribed Persons and variations between different Tribunal offices?

If so, please provide a copy of the results

- Have any audits been conducted on whether individual Tribunal offices are making appropriate decisions about such notifications and making an adequate number of notifications?

If so, please provide a copy of the relevant reports or equivalent

Yours sincerely,

Dr Minh Alexander