

Former employees can claim protection from retaliation for whistleblowing

```
[et_pb_section admin_label="Section" global_module="136"
fullwidth="on" specialty="off" transparent_background="off"
background_color="#ffffff" allow_player_pause="off"
inner_shadow="off" parallax="off" parallax_method="off"
padding_mobile="off" make_fullwidth="off"
use_custom_width="off" width_unit="on" make_equal="off"
use_custom_gutter="off"] [et_pb_fullwidth_code
global_parent="136" admin_label="Post
Header"] [Page_Header_Start] Employment Law News
[Page_Header_End] [/et_pb_fullwidth_code] [/et_pb_section] [et_pb
_section admin_label="section"] [et_pb_row
admin_label="row"] [et_pb_column type="3_4"] [et_pb_text
admin_label="Text" background_layout="light"
text_orientation="left" use_border_color="off"
border_color="#ffffff" border_style="solid"]
```

Former employees can claim protection from retaliation for whistleblowing

[post_details]

[Social-Share]

[post_tags]

In *Onyango v Berkeley*, Mr Onyango, a solicitor, claimed that as a result of accusing his former employer of acting

illegally, he was reported to the Solicitors Regulation Authority for forgery and subject to an investigation by the SRA.

Mr Onyango's firm claimed that only allegations of unlawful conduct made whilst an employee is working can give someone the protection of the whistle blowing legislation. The Employment Appeal Tribunal disagreed and ruled that disclosures made after termination of employment may be relied upon if it results in detrimental consequences.

As a result of this case, employers need to know that former employees making allegations of illegality and other forms of malpractice are still protected by the law from retaliation. The most probable situations are where a worker alleges that their former employer has refused to provide a reference to a prospective new employer because they blew the whistle. The financial consequences of the employee missing out on a new job could be very significant and therefore these claims could be substantial.

```
[/et_pb_text][et_pb_column
type="1_4"][et_pb_sidebar
admin_label="Sidebar"
orientation="right" area="sidebar-1" background_layout="light"
remove_border="off"]
[/et_pb_sidebar][et_pb_row][et_pb_section]
```