



YOUR CAREER

WHISTLEBLOWING IN THE FINANCIAL SERVICES SECTOR

When our client found himself ostracised by his senior management team for reporting legitimate concerns of serious wrongdoing, we were able to secure him a significant settlement package.

THE CASE

The expectations placed upon the financial institutions concerning their whistle-blowing arrangements have grown considerably over recent years, and the consequences of mishandling a whistle-blower can be significant.

So when our client, a Director of a company in an international financial services group, reported that numerous offences and breaches were being committed by the firm, he had every reason to expect that his concerns would be fully investigated and his anonymity guaranteed.

The offences ranged from breaches of FSA regulatory rules and accounting irregularities to data protection and director duty breaches. He was also worried that there was inadequate separation between his work and the rest of the group, thereby exposing him, by the nature of his responsibilities, to potential action against him by the FCA.

Our client asked us to help him write his whistle-blowing report. As soon as this was submitted however, he was removed as a Director and his responsibilities steadily eroded. He was cut out of correspondence and encouraged to move to a lesser role. The company also sought to restrict his contact with both the FCA and the firm's accountants.

And while the firm purported to investigate his concerns, it seemed clear that it was really trying to whitewash the situation and present our client as being at fault.

We therefore helped him to prepare a formal grievance and assisted him through multiple Employment Tribunal proceedings, with the Grounds of Complaint in the consolidated case running to nearly a hundred pages.

Unsurprisingly, the entire episode placed our client under significant pressure. His professional reputation was at stake and he feared that he might never work again in the financial sector. Worse, he was concerned that his personal liabilities resulting from the business irregularities he had discovered might not be covered by the Company and/or D&O insurance.

THE OUTCOME

Our Employment team, led by Nick Ralph, were able to secure a six-figure settlement for our client, and agree a severance agreement which allowed him to move on in from the job with his reputation intact and his ability to secure future employment unaffected.



Nick Ralph

PARTNER

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