

STATES OF JERSEY



WHISTLEBLOWING LEGISLATION: LODGING BY JANUARY 2027

Lodged au Greffe on 29th September 2026
by Deputy C.S. Alves of St. Helier Central
Earliest date for debate: 20th October 2026

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to request the Minister for Social Security –

- (a) To finalise and bring forward for debate, no later than 31st January 2027, the Draft Protected Disclosure (Protection of Whistleblowers) (Jersey) Law published in [R.41/2026 \(re-issue\)](#); and
- (b) to include in the report accompanying the draft legislation an explanation of any material changes which have been made to the previous version of the draft Law together with a timetable for its implementation.

DEPUTY C.S. ALVES OF ST. HELIER CENTRAL

REPORT

Summary

This proposition seeks to complete the work laid out in report [R.41/2026 \(re-issue\)](#) and introduce "Whistleblowing" protection to our employment law.

As drafted, this proposition still allows the Minister to make any changes to the legislation that may have become necessary since the publication of the report.

Background

In June 2023, I lodged [P.47/2023](#) seeking the introduction of whistleblowing legislation in Jersey. My concern was the position of people who speak out about wrongdoing and then face losing their employment, income and reputation as a result. We should be encouraging people to raise concerns and ensuring that they have protection when they do so.

The Assembly [unanimously supported my proposition](#), as amended, in July 2023. The [amendment](#) brought by the then Minister for Social Security, Deputy Elaine Millar, placed responsibility with the Minister for Social Security and extended the deadline for bringing legislation forward for approval to the end of December 2024.

The substantive work has been completed

During Deputy Lyndsay Feltham's term as Minister for Social Security, the Employment Forum (the "Forum") undertook a [public consultation](#), which ran from 22nd October to 22nd November 2024.

The Forum published its [report and recommendations](#) in June 2025. It unanimously recommended a statutory public interest disclosure regime, including protection against unfair dismissal or detrimental treatment from the first day of employment. It considered the adequacy of existing protections and concluded that legislation was needed.

Deputy Feltham accepted the recommendations, commissioned law drafting and presented the resulting draft Law on 16th March 2026 as [R.41/2026 \(re-issue\)](#). Publication gave interested parties an opportunity to comment before the incoming Minister considered how to proceed.

I [welcomed its publication](#) and thanked Deputy Feltham and her team for their work. The consultation, policy development and substantive law drafting have therefore already been undertaken.

Any remaining work is expected to involve consideration of any final feedback, minor revisions where necessary and preparation for lodging.

The Minister's comments

It was therefore disappointing to learn that the current Minister for Social Security does not intend to prioritise this legislation next year.

[Reporting of the Scrutiny hearing on 22nd September 2026](#) records the Minister's concerns about the need for the legislation, existing reporting routes, and the potential complexity and costs of tribunal claims. It also records her saying that she had read the report but had not read the draft Law.

The Minister should consider the draft and identify any specific changes she believes are necessary. I find it difficult to accept that this legislation should be put aside when the substantive work has already been completed.

As I said in [response](#) to the announcement: "We do not need more delay. We do not need more consultation. We need action. Plain and simple."

Any final feedback should be addressed as part of completing the legislation for lodging. The work undertaken by the Forum, the previous Minister, and officers should enable that to happen within a clear and reasonable timeframe.

What this proposition seeks to achieve

This proposition asks the Minister to finalise and lodge the published draft by 31st January 2027, taking account of any final feedback.

I believe this deadline is reasonable because the substantive work has been done. The Minister is being asked to complete the remaining steps needed to put an existing draft before the Assembly.

The accompanying report should explain any material changes and provide a timetable for implementation. Members will retain the opportunity to scrutinise the legislation, propose amendments and decide upon its provisions.

The deadline proposed only concerns lodging the legislation. Debate and commencement would follow as separate steps, allowing the necessary arrangements for implementation to be considered.

Financial and staffing implications

Officer and Legislative Drafting time is expected to be minimal, as the substantive policy development and law drafting have already been completed. The remaining work is anticipated to involve minor revisions following consideration of any final feedback on the published draft, together with preparation for lodging. This work should be accommodated within existing resources.

The [March 2026 report](#) anticipated a possible increase in tribunal complaints but considered the overall effect likely to be negligible. That assessment should be reviewed when the legislation is lodged.

Any additional resources required for implementation, including advice, guidance or tribunal capacity, should be identified in the accompanying report, together with how they would be provided.

Children's Rights Impact Assessment

I consider that this proposition has no direct or indirect impact on children and that the duty to have due regard to the UN Convention on the Rights of the Child does not arise. Accordingly, a Children's Rights Impact Assessment is not required under the Children (Convention Rights) (Jersey) Law 2022.