

Complaint about cramped working conditions could amount to whistleblowing

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An employee's complaint about her cramped working conditions may have been sufficiently in the public interest to amount to

a whistleblowing disclosure.

Ms Morgan worked for the Royal Mencap Society. During June 2014, she raised on a number of occasions a complaint that her cramped working conditions were causing her pain and discomfort. After her employment ended, Ms Morgan brought claims for constructive unfair dismissal and alleged she was subjected to detriments because she had made whistleblowing disclosures. She argued that her complaints were in the public interest because: (i) Mencap was a charity, and people would be interested to know how it treats its employees; and (ii) her complaint raised a potential threat to other people's health and safety.

The Employment Appeal Tribunal held that complaints of the nature raised by Ms Morgan could potentially be in the public interest. The case has gone back to the Employment Tribunal for her claims to be considered in full.

Morgan v Royal Mencap Society ukeat/0272/15

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