

Non-disclosure agreements

What you need to know as a worker

My employer has asked me to sign a confidentiality agreement

You may be asked to sign a confidentiality agreement before starting a project, to stop business secrets and sensitive information becoming public.

Confidentiality clauses, sometimes called “NDAs”, are also often contained in settlement agreements. Such agreements allow the employer and worker to resolve a dispute confidentially without going to a tribunal or court.

Get independent legal advice

As confidentiality agreements place legal restrictions on you, it is best to get independent legal advice before signing them. You can **find a solicitor** who will advise you on whether you should sign the agreement being offered and what it should contain.

Employers may provide funds to workers to get independent legal advice as it is in their interests that you fully understand what you are agreeing to.

If after signing a confidentiality agreement you are unhappy with the terms, contact a solicitor to see what your options are.

Make sure that confidentiality works for you

A good confidentiality agreement meets the needs of both parties. It is important that you understand what you are agreeing to and what rights you cannot be asked to opt-out of.

If you have concerns, raise them before signing the agreement. You cannot be forced to agree confidentiality arrangements if you do not accept the terms on offer.

Any confidentiality agreement must work for you in the future. This means knowing:

- who you can talk to, including family members and medical professionals
- if there are any time limits on the confidentiality
- how you can talk about your role in future job interviews.

What confidentiality agreements cannot stop you from doing

A confidentiality agreement cannot lawfully restrict you from talking to the police or a regulator about issues between you and your employer or someone at work.

An agreement may not be legally binding if you are not given reasonable time to think about the confidentiality clauses and/or to get independent legal advice.

You should always ask for a copy of the agreement, so you have a record of what has been agreed.

Confidentiality clauses cannot be used to stop whistleblowing in the public interest. Please be aware that whistleblowing law is complicated, and a solicitor can advise on each case. **Protect**, a charity that encourages safe whistleblowing, can also offer advice.

More information

Find a solicitor [solicitors.lawsociety.org.uk](https://www.lawsociety.org.uk)

ACAS (Advisory, Conciliation and Arbitration Service)

Provides support and services for employers and employees to help prevent or resolve workplace problems. www.acas.org.uk

ACAS Helpline 0300 123 1100

Monday to Friday: 8am to 6pm

Protect

Aims to stop harm by encouraging safe whistleblowing. protect-advice.org.uk

