

Freedom to Speak Up: Raising Concerns Policy (Whistleblowing)

V4.0 updated: 26/02/2018

Speak up - We will listen.

If you have a concern about something at work, this policy will tell you how you can raise a concern, and what support you will receive.

Speaking up about any concern you have at work is really important. In fact, it's vital because it will help us to keep improving our services for all patients and the working environment for our staff.

What concerns can I raise?

You can raise a concern about risk, malpractice or wrongdoing you think is harming the service we deliver. Just a few examples of this might include (but are by no means restricted to):

- unsafe patient care
- unsafe working conditions
- inadequate induction or training for staff
- lack of, or poor, response to a reported patient safety incident
- suspicions of fraud
- a culture of bullying and harassment (across a team or organisation rather than individual instances of bullying).

For further examples, please see the [Health Education England video](#).

Remember that if you are a healthcare professional you may have a professional duty to report a concern. If in doubt, please raise it. Don't wait for proof. We would like you to raise the matter while it is still a concern. It doesn't matter if you turn out to be mistaken as long as you are genuinely troubled.

This policy is not for people with concerns about their employment that affect only them – that type of concern is better suited to our [grievance policy](#).

Who can raise concerns?

Anyone who works (or has worked) in the NHS, or for an independent organisation that provides NHS services can raise concerns. This includes agency workers, temporary workers, students and volunteers.

Feel safe to raise your concern

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully you into not raising any such concern. Any such behaviour is a breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action.

Provided you are acting with good intentions, it does not matter if you are mistaken or if there is an innocent explanation for your concerns.

Confidentiality

We hope you will feel comfortable raising your concern openly, but we also appreciate that you may want to raise it confidentially. This means that while you are willing for your identity to be known to the person you report your concern to, you do not want anyone else to know your identity. Therefore, we will keep your identity confidential, if that is what you want, unless required to disclose it by law, for example:

- Child abuse
- Fraud
- Any other issue being investigated by the police

You can choose to raise your concern anonymously, without giving anyone your name, but that may make it more difficult for us to investigate thoroughly and give you feedback on the outcome.

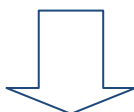
How should I raise my concern?

You can raise your concerns with any of the people listed on the next page in person, by phone, or in writing. You can use the form on the last page if you wish.

Whichever route you choose, please be ready to explain as fully as you can the information and circumstances that gave rise to your concern.

Step 1

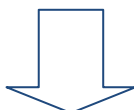
If you have a concern, we hope you will feel able to raise it first with your **line manager**, lead clinician or tutor (for students). This may be done verbally or in writing.



Step 2

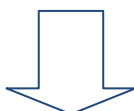
If you feel unable to raise the matter with your line manager, lead clinician or tutor, for whatever reason, please raise the matter with a **Freedom to Speak Up Guardian** (see list on next page). They are specially trained in how to support you with raising concerns, and will:

- acknowledge your concern within two days and give you regular updates
- treat your concern confidentially unless otherwise agreed
- ensure you receive timely support to progress your concern
- escalate to the board any indications that you are being subjected to detriment for raising your concern
- remind the organisation of the need to give you timely feedback on how your concern is being dealt with



Step 3

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, you may contact the Chief Executive.



Step 4

You can raise concerns formally with external bodies (see list on next page)

With whom should I raise my concern?

Please follow the flowchart on the previous page.

In many circumstances the easiest way to get your concern resolved will be to raise it formally or informally with your line manager (or lead clinician or tutor).

But where you don't think it is appropriate to do this, you can contact one of our Freedom to Speak Up Guardians. All these people have been trained in receiving concerns and will give you information about where you can go for more support.

Follow this [link](#) for the list and contact details or look in your staff rest areas for posters and contact details.

Other sources of advice

You can also contact your local [trade union representative](#),

Alternatively you could contact the [Whistleblowing Helpline](#) for the NHS and social care, or your professional body.

Raising your concern with an outside body

If for any reason you do not feel comfortable raising your concern internally, you can raise concerns with external bodies:

- [NHS Improvement](#) for concerns about:
 - how NHS trusts and foundation trusts are being run
 - other providers with an NHS provider licence
 - NHS procurement, choice and competition
 - the national tariff
- [Care Quality Commission](#) for quality and safety concerns
- [NHS England](#) for concerns about:
 - primary medical services (general practice)
 - primary dental services
 - primary ophthalmic services
 - local pharmaceutical services
- [Health Education England](#) for education and training in the NHS
- [NHS Protect](#) for concerns about fraud and corruption

What will we do?

We are committed to listening to our staff, learning lessons and improving patient care.

On receipt the concern will be recorded and you will receive an acknowledgement within two working days. The central record will record the date the concern was received, whether you have requested confidentiality, a summary of the concerns and dates when we have given you updates or feedback.

Investigation

Where you have been unable to resolve the matter quickly (usually within a few days) with your line manager, we will carry out a proportionate investigation – using someone suitably independent (usually from a different part of the organisation) and properly trained – and we will reach a conclusion within a reasonable timescale (of which we will notify you). Wherever possible we will carry out a single investigation (so, for example, where a concern is raised about a patient safety incident, we will usually undertake a single investigation that looks at your concern and the wider circumstances of the incident). The investigation will be objective and evidence-based, and will produce a report that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring.

Continued...

Investigation (continued)

We may decide that your concern would be better looked at under another process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you. Any employment issues (that affect only you and not others) identified during the investigation will be considered separately.

Communicating with you

We will treat you with respect at all times and will thank you for raising your concerns. We will discuss your concerns with you to ensure we understand exactly what you are worried about. We will tell you how long we expect the investigation to take and keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others).

How will we learn from your concern?

The focus of the investigation will be on improving the service we provide. Where it identifies improvements that can be made, we will track them to ensure necessary changes are made, and that they are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Board oversight

The board will be given high level information about all concerns raised by our staff through this policy and what we are doing to address any problems. We will include similar high level information in our annual report. The board supports staff raising concerns and wants you to feel free to speak up.

Review

We will review the effectiveness of this policy and local process at least annually, with the outcome published and changes made as appropriate.

Making a 'protected disclosure'

The Public Interest Disclosure Act 1998 protects workers from suffering bad treatment or losing their job because they have made a disclosure.

This is sometimes called 'whistleblowing'. If you make a disclosure (ie. raise a concern or whistleblow) in line with this policy, you will be protected by the Public Interest Disclosure Act. If in doubt, you may seek independent advice from the [Whistleblowing Helpline](#) for the NHS and social care, [Public Concern at Work](#) or a legal representative.

Raise a Concern

The Freedom to speak up Guardians will always treat your concern with complete confidentiality, unless required to disclose it by law . You may use the form below to raise a concern if you wish. Alternatively you may email or phone a Freedom to Speak Up Guardian. You may raise your concern without giving your name or department and contact details, but this may make it harder to investigate.

Your Name

Your Department

Your Email

Your Telephone

Nature of Concern (Please give as much information as possible):

Please give your completed form to a Freedom to Speak Up Guardian