

Guidance for Managers

Create a good culture to allow workers to feel confident about raising concerns

1. Consider your management style.

- Read through the section on the responsibilities for employers on page 19, which sets out what support your organisation should be providing to help you to respond positively to workers who raise concerns at work (also known as “*blowing the whistle*”). It’s important that you are approachable, and foster a climate of openness and mutual respect.

2. Be prepared.

- Find, read and understand the whistleblowing policy and procedure where you work. (This is sometimes called the “*Raising Concerns*” or “*Speaking Up*” policy). The policy will help you to:
 - Understand your role and responsibilities as a manager in how to respond to and handle concerns raised. Seek advice from HR when required, where this available.
 - Know how and where to escalate serious concerns which need to be dealt with by senior staff, and explain this to the worker raising the concern.
- Attend any training provided, or request training when needed. In a smaller organisation, find out what training may be available and arrange to attend.
- Train workers to understand and practice values and demonstrate acceptable behaviour in their everyday work. In social care, the Common Induction Standards have to be completed by every worker new to social care and new and aspiring managers are recommended to use the Manager Induction Standards. Both of these require understanding of raising concerns/whistleblowing procedures.
- Train and inform staff about their personal responsibility for respectful treatment of co-workers who raise concerns for the public good, and their legal liability for any bad treatment (for more detail, see page 33).

3. Offer support and encourage early action.

- Support and encourage workers to raise concerns at the earliest opportunity. Concerns at work could be a regular agenda item for discussion in normal communication and regular meetings such as 1:1 meetings, team meetings and departmental meetings.
- Focus on constructive discussion and dialogue, finding a solution, making improvements and dealing with risk.
- Be approachable and encourage workers to check if they are unsure what is appropriate and to admit mistakes rather than concealing them, so that they can be remedied.
- Identify any training or development needs for workers to support competency in the role.

What to do when a worker reports a concern

Top tips for managers

1. Listen carefully to any worker raising a concern.

- Commit to taking the matter seriously.
- Thank the person for raising it (even if you think they may be mistaken).
- Acknowledge how they may be feeling, that it may be a difficult or stressful situation, and offer reassurance.
- Respect the worker's belief that they are raising a genuine concern in the public interest.
- Treat this as being reasonable.
- Avoid prejudging whether this is correct or valid until an appropriate investigation has taken place.

2. Respond positively and clearly.

- Reassure the person that the concern will be looked into promptly and (where appropriate) investigated thoroughly and fairly as soon as possible.
- Manage expectations of the individual - discuss next steps, reasonable timeframes, and arrangements for feedback on the outcome.
- Respect a worker's request for confidentiality and any concerns about their job or career, but explain any circumstances where there may be limits on confidentiality (see page 32, FAQs).
- Offer advice about the type of support available to them (e.g. relevant contacts they can speak to such as: a designated whistleblowing lead within the organisation, HR, Trade Union, counselling, occupational health, or where they can seek independent advice – such as the Whistleblowing Helpline, or Citizen's Advice Bureau).
- Be clear on what the worker should do and where they should go if they experience any reprisals or unacceptable behaviour, e.g. bullying, harassment or victimisation, from managers or colleagues.
- Give the individual a copy or refer them to your organisation's whistleblowing or "raising concerns" policy.

3. Ensure a fair process of investigation.

- Ensure any investigation is carried out fairly and thoroughly.
- Keep an open mind – you may not want to believe all that you hear, but it's important to remain objective.
- Focus on the information that is being disclosed, not on the worker who is raising the concern.
- Don't let personal views influence your assessment of the issues.
- Recognise any strong emotions you may have and ask for help if you need it. (It is not unusual to have feelings such as anger, shock or distress).

4. **Assess how serious and urgent the risk is.**

- Decide whether the concern would be best dealt with under the whistleblowing policy or some other procedure (such as grievance).
- Don't dismiss the disclosure as an exaggeration or being trivial unless there is clear evidence to support this assessment.
- Decide whether the assistance of, or referral to, senior managers or a specialist function (e.g. Finance) is desirable or necessary.
- Where there are grounds for concern, take prompt action to investigate or if the concern is potentially very serious or wide-reaching make sure this is escalated to the most appropriate person within the organisation to undertake further investigations.

5. **Maintain good communication with the worker who raised the concern.**

- Keep the worker advised and informed on progress.
- Update on any changes or delays in process.
- Give feedback on the outcome to the worker.
- Explain any action to be taken (or not), but maintain confidentiality where this involves other parties.
- Explain any mistaken perceptions or misunderstandings which may have occurred.
- Ideally feedback should be given face to face and followed up in writing.

6. **Act fairly.**

- Understand that you are accountable for your actions.
- Be clear on any action taken or not taken and the reasons for this.
- Never attempt to ignore or cover up evidence of wrongdoing.
- Always remember that you may have to explain how you have handled the concern.
- Don't ever penalise someone for making a disclosure that proves unfounded if, despite making a mistake, s/he genuinely believed that the information was true.

7. **Seek appropriate advice and/or support where required.**

- If you are uncertain about how to proceed with a concern, always seek advice from HR or other relevant person/department within your organisation that has lead responsibility for personnel functions.
- They will also be able to support and advise you throughout any investigations you need to undertake into the issues raised, and in undertaking any actions required as a result of evidence being presented.

8. **Keep clear concise records of all discussions.**

- Date(s), what was said, response given by whom.

- Keep a record/log of all concerns raised (can be anonymised).
- Note the nature of the concern.
- Record how the investigation was conducted,
- Record outcome, decisions or action taken.
- Retain record for a minimum of five years.

9. **Follow up action.**

- Consider the potential actions:
 - Is this a serious disciplinary matter?
 - Are there alternative ways to achieve constructive, positive solutions for future improvement rather than simply apportioning blame?
 - Address any issues of competence or ability highlighted, via training and development.
- Report on issues identified to the Board or owner (perhaps through your organisational monitoring system – see page 20).
- Make recommendations across the organisation where appropriate i.e. feed into the 'bigger picture' and take remedial, proactive and preventative action where it is needed.
- Take steps to help share any learning, establish long-term solutions and prevent recurrence of the issue elsewhere in the organisation.
- Raise any issues identified in other relevant forums e.g.
 - Health and safety,
 - Risk assessment,
 - Incident reporting,
 - Quality reviews,
 - Service or performance reviews,
 - Business planning discussions,
 - Training and development reviews.

10. **Ensure the process has a positive outcome**

- Publicise and 'celebrate' positive outcomes/actions/improvements resulting from someone raising a concern and speaking up (the person need not be named). This may encourage others to do the same.
- Provide appropriate feedback on the outcome to the person raising the concern.
- Build or rebuild working relationships and teams after a concern has been raised (the whistle has been blown) with appropriate support and advice from HR, Trade Unions etc.
- Check on the worker's wellbeing at regular intervals to ensure they have not suffered any disadvantage, bullying, harassment or victimisation as a consequence of raising a concern.