



## TOP TIPS

**The following tips are intended to support workers in raising concerns and to help managers respond appropriately when handling concerns raised.**

It is important to create a culture of openness and transparency, where workers feel safe and are encouraged to speak up. For this to happen the Board and senior management will need to demonstrate that they are committed to open dialogue and communication. They will also need to ensure that the safety and wellbeing of patients and service users are seen as the responsibility of everyone involved in the provision of health and social care services.

Raising concerns as soon as possible is an effective early warning of wrongdoing, malpractice or risks. Where possible, opportunities to raise concerns should be embedded into routine discussions on service delivery and patient care, (e.g. problem solving, service review, performance improvement, quality assessment, training and development).


### Top tips for workers

**Whistleblowing is when you speak out about something you are concerned about at work because you think it needs bringing out into the open for the public good. It can be a hard decision to do this. Here are some top tips to help you make your decision in an informed way and to help you access any support you may need:**

1. **Read the whistleblowing policy and procedure where you work.** (This is sometimes called the "Raising Concerns Policy"). It should tell you:

- what type of concerns are covered
- when and how a concern should be raised and who with.

In larger organisations, you can normally find the policy on the staff intranet or ask the HR department. In smaller organisations, you might find it in the Staff Handbook or you could ask your manager for a copy. You need to follow the procedure to make sure you remain protected under the law – this is called the **Public Interest Disclosure Act 1998 (PIDA)**.

You can get independent advice by contacting your Trade Union representative, the Whistleblowing Helpline on  08000 724725, an HR manager or a Citizens Advice Bureau. In some circumstances, you may also wish to obtain independent legal advice.

2. **Raise the concern immediately or at the earliest opportunity.**

If you believe that something is wrong, you do not need proof. Speaking out early could stop the issue from becoming more serious, dangerous or damaging.

3. **Think about whether your concern can be discussed in an informal way** or at things like supervision meetings, at your appraisal, team or departmental meetings or at staff forums.

4. **Find out if other workers share your concerns.**

If so, you may be able to raise your concern as a group - there can be strength in numbers.

5. **Check your organisation's policy to find out who you should report your concerns to.**

Your line manager is usually the first person to go to. If you believe that your manager may be involved or you feel unable to raise it with them, you may need to go to another manager or someone else that is listed in the whistleblowing policy. If you work for a small organisation where there are no more senior managers, then you might need to go to a regulator such as the Care Quality Commission (CQC).

If you think the ways to report are not clear or you do not feel supported or safe then you should contact HR or your Trade Union for advice in the first instance. Alternatively, you may wish to seek independent confidential advice from the national Whistleblowing Helpline. You can call them on ☎ 08000 724 725.

6. **Try to see if you can sort things out inside your organisation first.**

But if you are not satisfied, then you might need to tell someone outside of where you work. This might mean telling your professional regulator or the CQC. These are listed on page 39. Reporting anything to the media should always be the LAST thing you turn to. Try all the other places talked about first – particularly if what you want to report involves private or confidential information.

7. **When you report your concern, focus on as much factual information/evidence as possible.**

This means things like being specific about;

- dates and times
- what happened and the order of events
- who was involved
- any witnesses.

Act honestly and professionally at all times in the interests of patients and service users.

8. **Try to present the situation as clearly and with as much information as possible – either verbally or in writing.**

Identify what you believe to be the key issues and risks. For example, is there a risk to the patient/service user or is it to do with a professional/clinical practice etc.?

Writing it down will help you to get your thoughts in order particularly if you are upset, worried or feeling emotional about it. Your trade union and the Whistleblowing Helpline can offer support.

Provide as much supporting information as you can, for example files or emails. ALWAYS ask for further advice, for example from your Trade Union or professional body, if these contain private or confidential information.

### 9. **Check out the process and what will happen next.**

Talk about what might happen next with your manager or the person nominated in the whistleblowing policy.

You will need to give them a reasonable amount of time to check the facts and to find out more if they need to, before they feed back to you.

Respect the fact that your manager may need to keep some information private and confidential if it relates to other people.

Try to cooperate with any investigation into what you have reported and the attempts to resolve the issues and put things right.

You are entitled to get support from a work colleague or union representative at any meeting to discuss your concerns or during any investigation that takes place.

### 10. **Keep track of what is happening.**

Even if you raise your concern verbally, you should also keep a record in writing of any discussions relating to your concern – this means things like the dates things happened, who you talked to, what was said, what the response was.

One way of keeping track of things is to email the manager/nominated person after any discussion with a summary of the main points. Make it clear that you are raising a concern in line with your organisation's whistleblowing policy and the **Public Interest Disclosure Act 1998 (PIDA)**. This is the law to do with whistleblowing.

### 11. **Maintain confidentiality.**

It is best if you can speak out openly about what you think, although you can ask for your identity to be kept confidential.

The person/manager with whom you talk about things should make every effort to protect your identity. However, there may be times when, because of the nature of the investigation or what you want to say, it will be necessary to say who you are publicly. If this IS going to happen then the person you raise your concerns with should make every effort to let you know first.


Remember, if you work in a small team then people you work with might guess or work out your identity. If this happens, tell your manager and let him/her know if you are being bullied or harrassed or being treated badly as a result.

Concerns raised anonymously – this means when you do not reveal your name - can be more difficult to deal with and investigate in the best way. More action is likely and possible if your identity is known when you report something.

## 12. If you are not satisfied...

If you feel your concern has not been addressed or the issues have not been resolved to achieve a solution and positive outcome, you should use the sources of support and help available to pursue the matter. Not speaking up might mean that poor care will carry on and may even get worse.

If this is the case, you will need to refer to your organisation's policy in order to be clear about what action you can take and where you can go next.

If there is nothing more you can do inside your organisation, then you can raise a concern with a regulator. This means somewhere like the **Care Quality Commission (CQC)**. They have a confidential number you can call on  03000 616161. If your concern is regarding an individual professional's practice, the professional regulator would be best placed to take action - a list of them is given on page 39. If you do this, you need to have reason to believe that the information you give and any allegation you make is substantially true – if you only suspect something then that is not enough when you report concerns outside of where you work. You can raise your concern with a regulator such as the Care Quality Commission even if you have left your job. And, as from 6 April 2014, members of the House of Commons (MPs) have been added to the list of 'prescribed persons' (see page 39).


Talking to the police or the media are also protected under the PIDA law, but only under certain circumstances. For example, if you genuinely believe you would be victimised or bullied if you raised the matter internally or with a regulator, you would probably be protected.

Going to the media should always be the last resort. Doing this could have an impact on your employment and it is a good idea to get advice before telling anyone outside of work.

If you are leaving your employment, your employer may ask you to sign a settlement agreement. Before doing this, read the further information on page 25 and seek advice from an independent advisor or the Whistleblowing Helpline.

### Remember...

PIDA is there to protect you. So if you are being bullied or experience bad treatment as a result of raising a concern, tell your manager, Trade Union representative, or HR.

Sources of good advice are listed below. Remember, the Whistleblowing Helpline is available to help advise on the whistleblowing process – our phone number is  08000 724725.

## Advice and support

People who have raised concerns often say they feel isolated and unsure of what to do. It is important to access appropriate support at an early stage. There are different types of advice and support available:

- Advice on the whistleblowing process – how to raise a concern:
  - Available from the HR department of your organisation, the National Whistleblowing Helpline, or your Trade Union.
  - In certain cases, a public law solicitor may be appropriate.
- Local support for you in the workplace and representation at formal meetings.
  - Your Trade Union, professional body or work colleagues.
- Emotional and/or therapeutic support.
  - Counselling services via your employer or your GP. If you have no access to counselling services please call the helpline to discuss how we might be able to help.

**National contact details for these organisations are given below.**

### **Trade Unions:**

**Royal College of Nursing (RCN)**, 📞 0345 772 6300 🔍 [www.rcn.org.uk/raisingconcerns](http://www.rcn.org.uk/raisingconcerns)

**Royal College of Midwives (RCM)**, 📞 0300 303 0444 🔍 [www.rcm.org.uk](http://www.rcm.org.uk)

**UNISON**, 📞 0845 355 0845 🔍 [www.unison.org.uk](http://www.unison.org.uk)

**Unite**, 📞 020 7611 2500 🔍 [www.unitetheunion.org](http://www.unitetheunion.org)

**British Medical Association (BMA)**, 📞 020 7387 4499 🔍 [www.bma.org.uk](http://www.bma.org.uk)

**Chartered Society of Physiotherapy** 🔍 [www.csp.org.uk](http://www.csp.org.uk)

**Managers in Partnership** 🔍 [www.miphealth.org.uk](http://www.miphealth.org.uk)

**GMB** 🔍 [www.gmb.org.uk](http://www.gmb.org.uk)

**British Dietetic Association** 🔍 [www.bda.uk.com](http://www.bda.uk.com)

**British Orthoptic Society** 🔍 [www.orthoaptics.org.uk](http://www.orthoaptics.org.uk)

**Federation of Clinical Scientists** 🔍 [www.acb.org.uk](http://www.acb.org.uk)

**Hospital Consultants & Specialists Association** 🔍 [www.hcsa.com](http://www.hcsa.com)

**Society of Chiropractors and Podiatrists** 🔍 [www.feetforlife.org](http://www.feetforlife.org)

**Society of Radiographers** 🔍 [www.sor.org](http://www.sor.org)

**British Association of Occupational Therapists** 🔍 [www.cot.co.uk](http://www.cot.co.uk)

### **Independent organisations:**

**Whistleblowing Helpline**, 📞 08000 724 725 🔍 [www.wbhelpline.org.uk](http://www.wbhelpline.org.uk)

**Public Concern at Work**, 📞 020 7404 6609 🔍 [www.pcaw.co.uk](http://www.pcaw.co.uk)

**The College of Social Work** is the new professional body for social work. Its website is:

🔍 [www.tcsw.org.uk/home/](http://www.tcsw.org.uk/home/)

**Medical Defence Union**, 📞 0800 716 646 🔍 [www.themdu.com](http://www.themdu.com)

**Medical and Dental Defence Union of Scotland**, 📞 0845 270 2034 🔍 [www.mddus.com](http://www.mddus.com)

**Patients First**, 🔍 [www.patientsfirst.org.uk](http://www.patientsfirst.org.uk)



# FLOWCHART OF WHISTLEBLOWING PROCESS

This flowchart sets out the stages in raising a concern and shows the management levels for internal disclosure. In a small organisation, there may not be more than one or two levels of management to whom you can escalate your concerns. In these cases, you should consider escalating your concern to the regulator or other prescribed person at an earlier stage than is shown on the flowchart.

