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## **Whistle Blowing Policy and Procedure**

### **Background**

Whistleblowing encourages and enables employees to raise serious concerns within the organisation rather than overlooking a problem or 'blowing the whistle' outside.

Employees are often the first to realise that there is something seriously wrong with a service that is being provided. However, they may not express their concerns as they feel that speaking up would be disloyal to their colleagues or to the organisation.

### **Legal Framework**

Healthwatch shall act in accordance with the following legislation:

- Public Interest Disclosure Act 1998

### **Policy**

Healthwatch is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, it expects Healthwatch board members, volunteers and staff employed to support Healthwatch and other members of the public or agencies that it deals with, to come forward and voice any serious concerns about any aspect of the Healthwatch work. It is recognised that in most cases it will have to proceed on a confidential basis.

This Whistle Blowing policy makes it clear that anyone who has a serious concern can voice it without fear of victimisation, subsequent discrimination or disadvantage. This policy is intended to encourage and enable people to raise serious concerns within Healthwatch rather than overlooking a problem or 'blowing the whistle' outside.

The policy aims to:

- Encourage confidence in raising concerns and to question and act upon concerns about practice.
- Provide avenues to raise concerns in confidence and receive feedback on any action taken.
- Ensure responses to concerns and an awareness of how to pursue if an outcome is not satisfactory
- Reassure that individuals will be protected from possible reprisals or victimisation if

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they have a reasonable belief that a disclosure is in the public interest

## **Procedure**

### **1. Concerns covered by this policy**

The Whistle Blowing policy is intended to cover major concerns that include:

- Conduct which is an offence or a breach of law.
- Failure to comply with a legal obligation.
- Disclosures related to miscarriages of justice.
- Health and safety risks, including risks to the public as well as other employees.
- Damage to the environment.
- The unauthorised use of public funds.
- Possible fraud and corruption.
- Sexual, physical or other abuse of clients.
- Other unethical conduct.
- Actions which are unprofessional, inappropriate or conflict with a general understanding of what is right and wrong.

The Healthwatch manager will ensure the maintenance and operation of this policy and that a record of concerns raised and the outcome (in a form, which protects confidentiality) is recorded.

### **2. Raising a concern**

2.1 The process for raising a major concern under this Whistle Blowing policy is as follows:

Concerns must be recorded, either by the person raising the concern or by a member of the staff team using the agreed pro forma. The staff member will deal with the concern accordingly, raising the issue with the Healthwatch Trafford manager if necessary. An appropriate course of action will be agreed following discussions with the whistle blower.

If it is a safeguarding issue then the matter must be dealt with as a matter of urgency.

2.2 The decision to raise a concern under this Whistle Blowing policy should not be taken lightly. However, the earlier a concern is raised, the

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easier it will be for Healthwatch to take action.

2.3 If someone raises a concern, they do not have to prove beyond doubt the truth of an allegation, but reasonable grounds for the concern must be demonstrated.

### **3. Responses to Concerns**

Healthwatch will investigate and respond in a timely manner. A response can be expected within ten working days if that is not possible, an update should be provided every ten working days until resolution. Where appropriate, the matters raised could be referred to the police or another appropriate body.

In order to assure the person who raised the concern that the matter has been properly addressed Healthwatch will (subject to legal constraints) inform them of the outcome of any investigation.

### **4. Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal the whistle blower's identity if required.

### **5. Anonymous allegations**

This policy encourages the whistle blower to put their name to their allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of Healthwatch. In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources

### **6. Harassment and victimisation**

Healthwatch recognises that the decision to report a concern can be a difficult one to make. Healthwatch will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect anyone who raises a concern in good faith.

### **7. Untrue allegations**

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the person who raised the concern. If, however, an allegation is made frivolously, maliciously or for personal gain then

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Healthwatch will take the matter very seriously and it will be considered a breach of the Healthwatch Code of Conduct.

## **8. Raising concerns outside Healthwatch**

This policy is intended to provide an avenue to raise concerns within Healthwatch. However, if someone wishes to raise a major concern and feels it is appropriate to do so outside Healthwatch, they may do so by contacting:

- Local Council
- Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations such as Care Quality Commission or Healthwatch England
- Relevant voluntary organisation
- Police

### **\*Parkwood Disclaimer**

This policy applies to all staff when acting under the cover of 'Healthwatch' and whilst carrying out 'Healthwatch' specific activities. All Healthwatch staff are Parkwood employees and it is such that this policy is underpinned by Parkwood's policy and procedural framework. Parkwood reserves the right to implement its own policies in relation to Parkwood employees at any time.

## **References**

### Related Policies and Procedures

<u>Healthwatch</u>	<u>Parkwood</u>
Information Governance	Communication
Complaints	Media Relations
	Complaints