



Whistle Blowing Policy

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 Rochdale shall act in accordance with the following legislation:

- Public Interest Disclosure Act 1998

Policy

Healthwatch Rochdale is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, it expects Healthwatch Rochdale board members, volunteers and staff employed to support Healthwatch Rochdale 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 Rochdale work. It is recognised that in most cases it will have to proceed on a confidential basis.

This Whistle Blowing policy aims to make 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 Rochdale 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 they have a reasonable belief that a disclosure is in the public interest.

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

Procedure

1. The Healthwatch Rochdale CEO 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, alongside the agreed course of action.

2. *Raising a concern*

2.1 The decision to raise a concern under this Whistle Blowing policy should not be taken lightly. However, the earlier a concern is raised, the easier it will be for Healthwatch Rochdale to act.

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

The concern should be brought to the attention of a key representative of Healthwatch Rochdale (such as the CEO, another employed member of staff, or a Board Member). Concerns must be recorded, either by the person raising the concern or by a member of the staff team/Board member, using the agreed pro forma. The person who is notified of the concern will take responsibility for ensuring the concern is dealt with and bring the matter to the attention of the Healthwatch Rochdale CEO or/and the Healthwatch Rochdale Chair, whichever is relevant. An appropriate course of action will then be agreed following discussions with the whistle blower.

2.3 If it is a safeguarding issue, then the matter must be dealt with as a matter of urgency (and in accordance with the Healthwatch Rochdale safeguarding policy and procedure)

2.4 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*

3.1 Healthwatch Rochdale will investigate and respond to concerns 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.

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

4. Confidentiality

4.1 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

5.1 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 Rochdale. In exercising this discretion, the factors to be considered 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

6.1 Healthwatch Rochdale recognises that the decision to report a concern can be a difficult one to make. Healthwatch Rochdale 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

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

8. Raising concerns outside Healthwatch Rochdale

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

- Local Council
- Citizens Advice Bureau

- Relevant professional bodies or regulatory organisations such as Care Quality Commission or Healthwatch Rochdale England
- Relevant voluntary organisation
- Police

If concerns are raised to any of the above agencies Healthwatch Rochdale request information to be shared with Healthwatch Rochdale CEO or Healthwatch Rochdale Chair when it is appropriate to do so.