**[insert company name]:**

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| Document name: Raising Concerns (Whistleblowing) PolicyAuthor: Approved by:  |

**Raising Concerns (Whistleblowing) Policy**

1. INTRODUCTION

1.1 Employees are often the first to realise that there may be something wrong within an organisation. Normally, the Company would expect our employees (staff) to raise any concerns they have with their employer/line manager; however, they may not because they feel they would be disloyal to their colleagues or to the practice. They may also fear harassment or victimisation.

1.2 The Company is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect staff, and others that we deal with, who have serious concerns about any aspect of our work, or those who work for us, to come forward and voice those concerns in confidence.

1.3 This policy makes it clear that openness is encouraged and that staff can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The policy is intended to encourage and enable staff to raise concerns within the company rather than overlooking a problem, feeling pressured or having to raise the issue with a third party (unless this is necessary).

1.4 The policy applies to all staff and those such as locums working for us on our premises. It also covers our provision of services to patients in their home environment.

1.5 These procedures are in addition to the company’s complaints procedures and other statutory reporting procedures. All staff should be aware of the existence of these procedures.

2. AIMS AND SCOPE OF THIS POLICY

2.1 This policy aims to:

* Encourage staff to feel confident in raising concerns and to question and act upon concerns about practice;
* Provide a framework within which staff can raise those concerns and receive feedback on any action taken;
* Reassure staff that they will be protected to the best of the Company’s ability from possible reprisals or victimisation if the Company has a reasonable belief that any of its staff have made a disclosure in good faith.

(Please note that legal protection from reprisals and victimisation extends to employed members of staff only. Self-employed locums cannot be offered the same level of protection by the practice)

2.2 The policy is intended to cover major concerns that fall outside, or in a particular instance do not appear to have been properly addressed within, the scope of other procedures. These include:

* Conduct which is an offence or a breach of the law, including breaches of written practice policy.
* The performance of staff members including temporary staff such as locums.
* Health and safety risks, including risks to the public as well as other staff.
* The unauthorised use of practice funds.
* Possible fraud and corruption.
* Sexual or physical abuse of clients and other staff, or
* Other unethical conduct.

(Employees wishing to lodge a grievance relating to their own employment with the Company should use the procedure outlined in their contract of employment).

2.3 Therefore, any serious concerns staff have about any aspect of service provision or the conduct of colleagues can be reported under this Raising Concerns (Whistleblowing) Policy. This may be about something that:

* Makes staff feel uncomfortable in terms of known standards, experience or the standards staff believe the practice subscribes to; or
* Is against the practice’s policies; or
* Falls below established standards of practice; or
* Amounts to improper conduct.

2.4 This policy does not replace the Patient Complaints Procedure.

3. SAFEGUARDS - HARASSMENT OR VICTIMISATION

3.1 The Company is committed to good practice and high standards and aims always to be supportive of all employees.

3.2 The Company recognises that the decision to report a concern can be a difficult one to make, especially for staff who are newly employed. If what a member of staff is saying is true, or they have suspicions that are reasonable, they will have nothing to fear because they will be doing a duty to the practice and to those for whom we are providing a service.

3.3 The Company will not tolerate or allow any form of harassment, victimisation or discrimination and will take appropriate action to protect staff when concerns are raised in good faith. If there are any intimidating threats or instances of harassment/victimisation/discrimination against a ‘whistleblower’ the practice will take appropriate disciplinary action against the individual(s) concerned.

4. CONFIDENTIALITY

4.1 All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal staff identity if so wished. However, if staff concerns require any further action, individuals may at some future date have to act as a witness and/or provide evidence. We will let the concerned member of staff know in advance if this is likely to be necessary.

5. ANONYMOUS ALLEGATIONS

5.1 This policy encourages staff to put their names to allegations whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the practice.

5.3 In exercising this discretion the factors to be taken into account would include:

* The seriousness of the issues raised;
* The credibility of the concern; and
* The likelihood of being able to confirm the allegation/s from attributable sources.

6. UNTRUE ALLEGATIONS

6.1 If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against the member of staff. If, however, a member of staff makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against the person.

PROCEDURE

7. HOW TO RAISE A CONCERN

7.1 As a first step, staff should normally raise concerns with their manager. This depends, however, on the seriousness and sensitivity of the issues involved and who might be involved.

7.2 Staff are encouraged to raise concerns in writing wherever possible. A member of staff who wishes to make a written report is invited to use the attached Form at Appendix 1 which enables staff to identify:

* The background and history of the concern (giving relevant dates).
* The reason why staff are particularly concerned about the situation.

7.3 The earlier staff express their concerns the easier it is to take action.

7.4 Although staff are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.

7.5 Staff may wish to consider discussing their concerns with a colleague or staff representative body (if appropriate) first as they may find it easier to raise the matter through someone they trust.

7.6 Staff may invite a friend or colleague to be present during any meetings or interviews in connection with the concerns they have raised.

8. HOW THE COMPANY WILL RESPOND

8.1 The practice will respond to all staff concerns. However staff should be aware that investigating concerns is not the same as either accepting or rejecting them.

8.2 Where appropriate, the matters raised may:

* Be investigated by appropriate management representatives, internal audit, or through the disciplinary process.
* Be referred to the Police.
* Be referred to the Independent Safeguarding Authority.
* Be referred to the local Child Protection Team.

For professional staff in addition:

* Be referred to the General Optical Council; and/or
* Be referred to the commissioning body.

8.3 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

8.4 Within [xx] working days of a concern being raised, the Company will write to the concerned member of staff in confidence:

* Acknowledging that the concern has been received.
* Indicating who will deal with the matter.
* Giving an estimate of how long it will take to provide further information.
* Telling the staff member whether further investigation will take place and if not, why not. Every effort will be made to ensure that concerns are dealt with as speedily and confidentially as possible and concerned staff are kept informed of progress made.

8.5 If necessary, the practice will seek further information from staff. Where any meeting is arranged, away from the practice if, a member of staff wishes, they can be accompanied by a friend or colleague.

8.6 The Company accepts that staff need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform the concerned member of staff of the outcome of any investigation.

9. THE RESPONSIBLE PERSON

9.1 [insert name] has overall responsibility for the maintenance and operation of this Policy. He/she will maintain a record of concerns raised and the outcomes (but in a form which does not endanger staff confidentiality) and will report as necessary to others within the Company.

10. WHAT TO DO IF CONCERNS REMAIN

10.1 This Policy is intended to provide staff with an avenue within the Company to raise concerns. We hope staff will be satisfied with any action taken. If they are not, they may feel it is right to raise the matter outside the practice. If staff do take the matter to an outside person or body, they should ensure that they do not disclose confidential information.

10.2 If staff concerns relate to the owner/principal of the Company or, as a professional person, to the performance of a professional colleague, staff may not feel comfortable discussing these concerns within the Company. In this situation it might be appropriate to discuss staff concerns, without naming the individual concerned, with;

* A more senior professional colleague
* An officer of the Local Optical Committee (LOC) eg. the chairman or secretary
* Staff representative or professional body
* A local optometric adviser; or
* Another suitable person
* The Public Concern at Work[[1]](#footnote-1) helpline

As a result of this discussion it might then be felt appropriate for staff to raise staff concerns with the commissioning body or the GOC.

The Company’s Raising Concerns (Whistleblowing) will be reviewed annually with commencement date [insert date].

1. Public Concern at Work is a charity. They provide confidential independent telephone advice, free of charge, to people who have concerns about issues at work but are not sure whether or how to raise their concern. They may be contacted on 020 7404 6609 or email on helpline@pcaw.co.uk

<http://www.pcaw.co.uk/individuals/individuals.htm> [↑](#footnote-ref-1)