



PUBLIC INTEREST DISCLOSURE POLICY (WHISTLEBLOWING)

Version 1.2

Location(s): 5 Conqueror Court	Version: 1.2
Author: Quality Compliance Systems LTD & Reviewed and Amended by Emma Streater	Authoriser: Heather Moores – Managing Director.
Date of issue: 25/03/2019	Review date: 25/03/2020

INDEX

1. AIM
2. INTRODUCTION
3. ROLES & RESPONSIBILITY
4. EQUIPMENT
5. HAZARDS and SAFETY
6. PROCEDURE / SYSEMS IN PLACE
7. QUALITY CONTROL and AUDIT
8. REFERENCES

1. AIM: The aim of this policy is to enable any concerns raised by members of staff regarding the service delivery are handled efficiently, professionally and without prejudice. With clear protocols in place for handling the raised concerns ensuring they are treated seriously and in an appropriate timeframe.

2. INTRODUCTION: Drawing from the specifications identified in the Public Interest Disclosure Act 1998 and the Care Quality Commission's (our regulatory body) *Whistleblowing Guidance* it is our duty as employers to display a clear and open policy on whistleblowing. This is to enable persons employed by or working on behalf of the company to be confident in their ability to raise any concerns on any aspect of the service delivery, or company as a whole, to the relevant company representative, ensuring that their concerns are listened to and documented appropriately.

However if the worker has reason to believe that their concerns are not being acted on suitably and their original concern is still valid, this policy also outlines how to contact the CQC directly to raise a public interest disclosure. It is also the objective of this policy to ensure that no worker will be subjected to detrimental treatment as a result of their raised concerns.

3. ROLES AND RESPONSIBILITIES: It is the responsibility of the Managing Director of HEM Clinical Ultrasound Service Limited to ensure the following:

- That the 'Public Interest Disclosure Policy', as written herewith, is read and understood by every member of staff or persons working on behalf of the company. And is outlined in contracted employee agreements.
- That they appoint an appropriate 'Whistleblowing Officer', and for all staff to know whom they should contact should they have a concern.
- If concerns are raised to the officer that are considered a 'qualifying disclosure', they are acted on appropriately and immediately to avoid contraindicative outcomes as per 'Protected Disclosures (part IVA of the *Public Interest Disclosure Act 1998*).
- To ensure no worker making a disclosure receives detrimental treatment as a result of making the disclosure

It is the responsibility of the Whistleblowing/Freedom to speak up Officer (Karen Murray) to ensure the following:

- That any concerns raised by employed staff or persons acting on behalf of the company are listened to and documented.
- To ensure the concern is a 'qualifying disclosure' and that they understand the difference between employee grievance or complaint and a 'qualifying disclosure' and are able to action appropriately.
- To apply reasoning to the details of the disclosure to ensure it is based on facts or actual incidents witnessed by the worker, as opposed to generalised accusations that could be of malicious intent.
- To ensure that the worker, making the disclosure, is kept anonymous if they request it, unless it is impractical within the law to do so, for example if the worker is needed to make any first hand statement to the police or investigating government appointed bodies.
- To ensure the worker making the disclosure is kept informed of actions taken subsequent to the disclosure should they request it.
- To maintain a dialogue with the Managing director on all raised concerns and to jointly decide on action.

- To ensure no worker making a disclosure receives detrimental treatment as a result of making the disclosure

All staff members or persons working on behalf of the company have the following responsibility:

- To read and understand this policy.
- To ensure that there is a duty of care to service users, the general public and other staff members (as set out in the Safeguarding Policy) and are confident on how to identify any incidents which may be detrimental to upholding the standards and quality of the service provided by the company.
- To report any and all concerns, no matter how small, to the 'Whistleblowing officer/Freedom to Speak up Officer (Karen Murray)

4. EQUIPMENT: The 'Whistleblowing Officer' will maintain a hardcopy folder containing all legislations pertaining to whistleblowing actions and all actioned or investigated concerns within the company. This will be held in a secure location for review and audit.

5. HAZARDS and SAFETY: There are a number of serious hazards in not upholding this policy document within the company which are as follows:

- Could result in serious harm to the health and wellbeing of service users, the general public, employees or persons working on behalf of the company.
- Legal action could be instigated by workers following any detrimental treatment, or any persons detrimentally affected by inaction of the Whistleblowing Officer or Managing director upon receipt of 'protected disclosures'.
- Employees or persons working on behalf of the company could raise their concerns with the CQC or any local safeguarding authorities as a result of inaction on behalf of the company. This could result in loss of reputation, and in the worst scenario, possible loss of the right to practice and closure of company.

6. PROCEDURE / SYSTEMS:

Managing Director: Heather Moores

Whistleblowing officer: Karen Murray (contact for concerns)

If any staff members or persons working on behalf of the company wish to impart a concern with the whistleblowing officer they need first to apply the following reasoning to their disclosure, as outlined in the *Public Interest Disclosure Act 1998, "Part IVA Protected Disclosures 43B-(1) :*

- a) That a criminal offence has been committed, is being committed, or is likely to be committed.
- b) That a person has failed, is failing, or is likely to fail to comply with any legal obligation to which he is subject.
- c) That a miscarriage of justice has occurred, is occurring, or is likely to occur.
- d) That the health and safety of any individual has been, is being, or is likely to be endangered.

e) That the environment has been, is being, or is likely to be damaged.

f) That information tending to show any matter falling within any of the preceding paragraphs has been or is likely to be deliberately concealed.

If the worker believes any or all of these points are valid to their concern, **or if their concerns may not seem relevant to the detailed incidents above, they should still contact the Whistleblowing officer** to discuss their concerns. The whistleblowing officer will then:

- Arrange a discreet meeting to discuss the concerns.
- Decide if it is a 'qualifying disclosure'
- Document a detailed outline of facts and incidents pertaining to the disclosure.
- Act upon the information given collaboratively with the managing director.
- Keep the worker updated on the outcomes of their disclosure if requested.

If at any point the worker feel that their concerns or disclosure is not being acted on appropriately (and their initial concern is still valid) they are able to contact the Care Quality Commission directly to raise their concerns':

You can contact the CQC by telephone, email or letter. Tell them that you are raising a concern and that you are a worker who is either employed by, or providing services to, a registered provider. You can do this anonymously.

Care Quality Commission:

TEL: 03000 616161

Email: enquiries@cqc.org.uk

CQC National Correspondence

Citygate

Gallowgate

Newcastle upon Tyne

NE1 4PA

Company Promise to Employees or persons working on behalf of the company:

It is our responsibility as employers and care providers to ensure we are offering the very best level of care to patients and a supportive, open working environment for our staff. And as such it is our fundamental responsibility to this policy that NO staff members should suffer detrimental treatment following raising a concern and that rights to anonymity are respected (where possible).

7 QUALITY CONTROL and AUDIT: This policy will be subject to review every 12 months and is to be responsive immediately if government legislation changes. The handling of protected disclosures will be subject to audit every 6 months (if required). Staff members will be asked to read new policies when written to ensure they are implemented and upheld immediately.

8. REFERENCES and additional guidance:

- *Public Interest Disclosure Act 1998*
- *Whistleblowing – Guidance for providers who are registered with the CQC.* CQC publication November 2013.
- *NHS whistleblowing procedures in England* House of Commons library, Author Thomas Powell 23rd February 2015.