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Target audience/policy relevant to:	All NHS NW London staff, contractors, non-executive members, suppliers & anyone with a business relationship		
Related documents:			
Author/further information:	Head of ICB Governance		
Lead director/officer:	Chief of Staff		

This policy is based on the policy template provided in “*Speak up for a healthy NHS*” produced by the NHS Social Partnership Forum and Public Concern at Work. It has been updated to follow the principles of NHS Improvement’s *Freedom to Speak Up* and should be read in conjunction with the policy template at

https://improvement.nhs.uk/uploads/documents/whistleblowing_policy_final.pdf

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Introduction

1. All of us at one time or another have concerns about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it is about a possible danger, professional misconduct or financial malpractice that might affect patients, colleagues, or the Integrated Care Board itself, it can be difficult to know what to do.
2. You may be worried about raising such an issue and may think it best to keep it to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, to managers or to the organisation. You may have said something but found that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.
3. **Speak up – we will listen;** the Integrated Care Board and senior management team are committed to running the organisation in the best way possible and to do so we need your help. A significant driver of this policy is to reassure you that it is safe and acceptable to speak up and to enable you to raise any concern you may have at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern.
4. This policy applies to all those who work for us: whether full-time or part-time, self-employed, employed through an agency or as a volunteer.
5. If something is troubling you that you think we should know about or look into, please use this procedure. If, however, you wish to make a complaint about your employment or how you have been treated, please use the grievance policy or bullying/harassment policy, which you can obtain from your manager or personnel officer. (If you have a concern about financial misconduct or fraud, please see our Anti-Fraud Policy). This Whistleblowing Policy is primarily for individuals who work for us and have concerns where the interests of others or of the organisation itself are at risk.
6. You can raise a concern about risk, malpractice or wrongdoing you think is harming the service we commission. Just a few examples of this might include (but are by no means restricted to):
 - unsafe patient care;
 - unsafe working conditions;
 - inadequate induction or training for staff;
 - lack of, or poor, response to a reported patient safety incident;
 - suspicions of fraud (which can also be reported to our local counter-fraud team – see para 17 below); and

- a bullying culture (across a team or organisation rather than individual instances of bullying).
7. Remember that if you are a healthcare professional you may have a professional duty to report a concern. If in doubt – please raise it!
 8. The organisation can be held liable if it has failed to take reasonable steps to prevent the harassment or victimisation of whistle-blowers by their colleagues. It must also be noted that employees can also be personally liable if they subject a whistle-blower to a detriment.
 9. Breaches of an employee's contract of employment should be raised as a grievance.
 10. Generally speaking, a whistle-blowing concern is about a risk, malpractice or wrongdoing that affects others. It could be something which adversely affects patients, the public, other staff or the organisation itself. A grievance, on the other hand, is a personal complaint about an individual's own employment situation: for example, a staff member may feel aggrieved if they think a management decision has affected them unfairly or that they are not being treated properly. A whistleblowing concern is where an individual raises information as a witness whereas a grievance is where the individual is a complainant.
 11. If an allegation falls under another policy, then the most appropriate Policy should be consulted.
 12. Any allegations that are found to be malicious could result in disciplinary action.
 13. The Policy applies both internally and externally to the ICB including the following:
 - Employees;
 - Agency Staff;
 - Contractors;
 - Consultants;
 - Suppliers;
 - Non-executive members;
 - Service User; and
 - Volunteers.

Our commitment to you

Your safety

14. The Board, Chief Executive and the staff unions are committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any detriment (such as a reprisal or victimisation). Provided you are acting in good faith (effectively this means honestly), it does not matter if you are mistaken or if there is an innocent

explanation for your concerns. So please do not think we will ask you to prove it. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

Your confidence

15. With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.
16. Please remember that if you do not tell us who you are it will be much more difficult for us to look into the matter. We will not be able to protect your position or to give you feedback. Accordingly, you should not assume we can provide the assurances we offer in the same way if you report a concern anonymously.

How to raise a concern

17. If you are unsure about raising a concern at any stage you can get independent advice from your trade union representative or Public Concern at Work (see contact details under Independent advice below). Please remember that you do not need to have firm evidence before raising a concern. However, we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

Step one

If you have a concern about a risk, malpractice or wrongdoing at work, we hope you will feel able to raise it first with your line manager or lead clinician. This may be done verbally or in writing.

Step two

If you feel unable to raise the matter with your line manager or lead clinician, for whatever reason, please raise the matter with:

Local Counter Fraud Service Team

Jade Bouri
Jade.bouri@rsmuk.com
DL: +44 1293 591818

Jade has been given special responsibility and training in dealing with whistleblowing concerns. If you want to raise the matter in confidence, please say so at the outset so that appropriate arrangements can be made. You may also choose to raise an issue with one of the ICB Non Executive Members who will refer it on as appropriate. xxx, the ICB's

Non-Executive Member Lead for Audit and Governance, is the ICB's Freedom to Speak Up Guardian and can be reached via xxxxx

Step three

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact Rob Hurd, Chief Executive of the ICB.

Department of Health and Social Care

18. The Integrated Care Board recognises its accountability within the NHS. In light of this you can also contact:

- The NHS / Crimestoppers Fraud and Corruption Reporting Line - on 0800 028 4060. These calls are treated in confidence by trained staff and information given will be professionally assessed and evaluated. Callers have the option to remain anonymous should they wish to do so;
- Local Counter Fraud lead (as above at para 17);
- Department of Health and Social Care: Customer Service Centre, Department of Health, Richmond House, 79 Whitehall, London SW1A 2NS E-mail: dhmail@dh.gsi.gov.uk, Telephone: 020 7210 4850;
- NHS England and NHS Improvement – London Wellington House, 133-155 Waterloo Rd, London, SE1 8UG, Telephone 0300 311 22 33.

How we will handle the matter

19. Once you have told us of your concern, we will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you. If you ask, we will write to you summarising your concern and setting out how we propose to handle it and provide a timeframe for feedback. If we have misunderstood the concern or there is any information missing, please let us know. We undertake to acknowledge concerns within 48 hours, and give a substantive response within 28 days.

20. When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset. If we think your concern falls more properly within our grievance, bullying and harassment or other relevant procedure, we will let you know.

21. Whenever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person. While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using this policy, you will help us to achieve this.

22. Those responsible for receiving whistleblowing allegations are suitably trained in interview techniques and how to handle evidence.

Independent advice

23. If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact your union, the independent whistleblowing charity Protect (formerly Public Concern at Work) on 020 3117 2520 or by via their [online form](#).

External contacts

24. While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, we would rather you raised a matter with the appropriate regulator – such as the Care Quality Commission or NHS England – than not at all. Your union or Protect (see 23. above) will be able to advise you on such an option if you wish.

Monitoring oversight

25. The Board / Audit Committee is responsible for this policy and will review it annually. The governance team will monitor the daily operation of the policy and if you have any comments or questions, please do not hesitate to let one of their team know.