



THE MANCHESTER PRIMARY  
CARE PARTNERSHIP

**Policies & Procedures**  
**Freedom To Speak Up Policy**

## Document Control

<b>Author</b>	Mikey Maxwell
<b>Application</b>	Manchester Primary Care Partnership Limited (MPCP) Northern Health GPPO Limited (NHGGPO) Primary Care Manchester Limited (PCM) South Manchester GP Federation Limited (SMGPF)
<b>Implementation date</b>	October 2016
<b>Review date</b>	August 2018
<b>Approved by</b>	Operations and Performance Group, MPCP
<b>Version Control</b>	1.0

## Key Personnel

<b>Federation</b>	Primary Care Manchester Limited
<b>Responsible Director</b>	Dr Jon Hopwood (jon.hopwood@nhs.net)
<b>Operations Manager</b>	Mikey Maxwell (mikeym@nhs.net)
<b>Freedom To Speak Up Guardian</b>	Dr Amjad Ahmed (amjad.ahmed@nhs.net)

# CONTENTS

1	INTRODUCTION.....	4
2	SCOPE.....	4
3	ROLES AND RESPONSIBILITIES.....	4
4	MONITORING.....	4
5	WHAT CONCERNS CAN I RAISE?.....	5
6	FEEL SAFE TO RAISE YOUR CONCERN.....	5
7	CONFIDENTIALITY .....	5
8	WHO CAN RAISE CONCERNS?.....	6
9	WHO SHOULD I RAISE MY CONCERN WITH? .....	6
10	ADVICE AND SUPPORT .....	6
11	HOW SHOULD I RAISE MY CONCERN? .....	6
12	WHAT WILL WE DO? .....	6
13	RAISING YOUR CONCERN WITH AN OUTSIDE BODY .....	7
14	APPENDIX A – PROCESS FOR RAISING AND ESCALATING A CONCERN.....	8
15	APPENDIX B – A VISION FOR RAISING CONCERNS IN THE NHS .....	10

## **1 INTRODUCTION**

- 1.1** We have adopted the 'standard integrated policy' produced by NHS Improvement and NHS England to help to normalise the raising of concerns for the benefit of all patients.
- 1.2** The 'standard integrated policy' was one of a number of recommendations of the review by Sir Robert Francis into whistleblowing in the NHS, aimed at improving the experience of whistleblowing in the NHS.
- 1.3** Speaking up about any concern you have at work is really important. In fact, it's vital because it will help us to keep improving our services for all patients and the working environment for our staff.
- 1.4** You may feel worried about raising a concern, and we understand this. But please don't be put off. In accordance with our duty of candour, our senior leaders and entire board are committed to an open and honest culture. We will look into what you say and you will always have access to the support you need.

## **2 SCOPE**

- 2.1** This Policy shall apply to all persons associated in any way with the Organisation. This includes but is not limited to staff, contractors, agency workers, patients and suppliers.
- 2.2** The Organisation expects all personnel performing duties for it to act in an open and honest manner. All personnel should be familiar with the policy and related procedures.

## **3 ROLES AND RESPONSIBILITIES**

- 3.1** Responsibilities of the Board of Directors
- Appointing a responsible person to oversee the development, implementation and application of this policy.
  - Endorsing and approving this policy for operational use.
  - Ensuring that this policy is realistic and reflects the actual critical aspects and interdependencies of the organisation.
  - Ensuring that backup copies of this policy are kept and accessible from any location as required.
  - Liaising with the press/media as appropriate.
  - Appointing a Freedom to Speak Up Guardian.
- 3.2** Responsibilities of all staff and contractors
- Ensure they are aware of this policy.
  - Follow the instructions described in this document. Failure to do so may be regarded by the organisation as gross misconduct. The organisation has a responsibility to ensure all staff are aware of the repercussions of not adhering to the documented processes in place.
  - Report any concerns to the Freedom to Speak Up Guardian.

## **4 MONITORING**

- 4.1** The effectiveness of this policy will be monitored via audit and periodic review meetings.

**4.2** The policy should be reviewed every two years or as a result of organisational or legislative changes that require it to be updated. At this time all previous versions (including electronic copies) should be destroyed.

## **5 WHAT CONCERNS CAN I RAISE?**

**5.1** You can raise a concern about risk, malpractice or wrongdoing you think is harming the service we deliver. 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);
- a bullying culture (across a team or organisation rather than individual instances of bullying).

**5.2** For further examples, please see the [Health Education England video](#).

**5.3** Remember that if you are a healthcare professional you may have a professional duty to report a concern. If in doubt, please raise it.

**5.4** Don't wait for proof. We would like you to raise the matter while it is still a concern. It doesn't matter if you turn out to be mistaken as long as you are genuinely troubled.

**5.5** This policy is not for people with concerns about their employment that affect only them – that type of concern is better suited to our grievance policy.

## **6 FEEL SAFE TO RAISE YOUR CONCERN**

**6.1** If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully you into not raising any such concern. Any such behaviour is a breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action.

**6.2** Provided you are acting honestly, it does not matter if you are mistaken or if there is an innocent explanation for your concerns.

## **7 CONFIDENTIALITY**

**7.1** We hope you will feel comfortable raising your concern openly, but we also appreciate that you may want to raise it confidentially. This means that while you are willing for your identity to be known to the person you report your concern to, you do not want anyone else to know your identity. Therefore, we will keep your identity confidential, if that is what you want, unless required to disclose it by law (for example, by the police). You can choose to raise your concern anonymously, without giving anyone your name, but that may make it more difficult for us to investigate thoroughly and give you feedback on the outcome.

## **8 WHO CAN RAISE CONCERNS?**

**8.1** Anyone who works (or has worked) in the NHS, or for an independent organisation that provides NHS services can raise concerns. This includes agency workers, temporary workers, students, volunteers and governors.

## **9 WHO SHOULD I RAISE MY CONCERN WITH?**

**9.1** In many circumstances the easiest way to get your concern resolved will be to raise it formally or informally with your line manager. But where you don't think it is appropriate to do this, you can use any of the options set out below in the first instance.

**9.2** If raising it with your line manager does not resolve matters, or you do not feel able to raise it with them, you can contact our Freedom to Speak Up Guardian. This is an important role identified in the Freedom to Speak Up review to act as an independent and impartial source of advice to staff at any stage of raising a concern, with access to anyone in the organisation, including the Directors, or if necessary, outside the organisation.

**9.3** If you still remain concerned after this, you can contact our Director with responsibility for whistleblowing.

**9.4** All these people have been trained in receiving concerns and will give you information about where you can go for more support.

**9.5** If for any reason you do not feel comfortable raising your concern internally, you can raise concerns with external bodies, listed in 13.

## **10 ADVICE AND SUPPORT**

**10.1** Details on the local support available to you can be found in the local process available at 14. However, you can also contact the [Whistleblowing Helpline](#) for the NHS and social care, your professional body or trade union representative.

## **11 HOW SHOULD I RAISE MY CONCERN?**

**11.1** You can raise your concerns with any of the people listed above in person, by phone or in writing (including email).

**11.2** Whichever route you choose, please be ready to explain as fully as you can the information and circumstances that gave rise to your concern.

## **12 WHAT WILL WE DO?**

**12.1** We are committed to the principles of the Freedom to Speak Up review and its vision for raising concerns, and will respond in line with them (see 0).

**12.2** We are committed to listening to our staff, learning lessons and improving patient care. On receipt, the concern will be recorded and you will receive an acknowledgement within two working days. The central record will record the date the concern was received, whether you have requested confidentiality, a summary of the concerns and dates when we have given you updates or feedback.

### **12.2.1 Investigation**

Where you have been unable to resolve the matter quickly (usually within a few days) with your line manager, we will carry out a proportionate investigation – using someone suitably independent (usually from a different part of the organisation) and properly trained – and we will reach a conclusion within a reasonable timescale (which we will notify you of). Wherever possible we will carry out a single investigation (so, for example, where a concern is raised about a patient safety incident, we will usually undertake a single investigation that looks at your concern and the wider circumstances of the incident). The investigation will be objective and evidence-based, and will produce a report that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring.

We may decide that your concern would be better looked at under another process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you.

Any employment issues (that affect only you and not others) identified during the investigation will be considered separately.

#### **12.2.2** Communicating with you

We will treat you with respect at all times and will thank you for raising your concerns. We will discuss your concerns with you to ensure we understand exactly what you are worried about. We will tell you how long we expect the investigation to take and keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others).

#### **12.2.3** How will we learn from your concern?

The focus of the investigation will be on improving the service we provide for patients. Where it identifies improvements that can be made, we will track them to ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

#### **12.2.4** Board oversight

The board will be given high level information about all concerns raised by our staff through this policy and what we are doing to address any problems. We will include similar high level information in our annual report. The board supports staff raising concerns and wants you to feel free to speak up.

#### **12.2.5** Review

We will review the effectiveness of this policy and local process at least annually, with the outcome published and changes made as appropriate.

### **13 RAISING YOUR CONCERN WITH AN OUTSIDE BODY**

#### **13.1** You can raise your concern outside the organisation with the following organisations.

[NHS Improvement](#) for concerns about:

- how NHS trusts and foundation trusts are being run;
- other providers with an NHS provider licence;
- NHS procurement, choice and competition;
- the national tariff.

[Care Quality Commission](#) for quality and safety concerns.

[NHS England](#) for concerns about:

- primary medical services (general practice);
- primary dental services;
- primary ophthalmic services;
- local pharmaceutical services.

[Health Education England](#) for education and training in the NHS.

[NHS Protect](#) for concerns about fraud and corruption.

### **13.2** Making a 'protected disclosure'

There are very specific criteria that need to be met for an individual to be covered by whistleblowing law when they raise a concern (to be able to claim the protection that accompanies it). There is also a defined list of ['prescribed persons'](#), similar to the list of outside bodies above, who you can make a protected disclosure to. To help you consider whether you might meet these criteria, please seek independent advice from the [Whistleblowing Helpline](#) for the NHS and social care, [Public Concern at Work](#) or a legal representative.

### **13.3** National Guardian Freedom to Speak Up

The new National Guardian (once fully operational) can independently review how staff have been treated having raised concerns where NHS trusts and foundation trusts may have failed to follow good practice, working with some of the bodies listed above to take action where needed.

## **14 APPENDIX A – PROCESS FOR RAISING AND ESCALATING A CONCERN**

### **14.1** 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. This may be done orally or in writing.

### **14.2** Step two

If you feel unable to raise the matter with your line manager, for whatever reason, please raise the matter with our local Freedom to Speak Up Guardian.

This person has been given special responsibility and training in dealing with whistleblowing concerns. They will:

- treat your concern confidentially unless otherwise agreed;
- ensure you receive timely support to progress your concern;
- escalate to the board any indications that you are being subjected to detriment for raising your concern;
- remind the organisation of the need to give you timely feedback on how your concern is being dealt with;
- ensure you have access to personal support since raising your concern may be stressful.

If you want to raise the matter in confidence, please say so at the outset so that appropriate arrangements can be made.

### **14.3** 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 the Chair or Vice Chair.

#### **14.4** Step four

You can raise concerns formally with external bodies as detailed in 13.



Source: Sir Robert Francis QC (2015) [Freedom to Speak Up: an independent report into creating an open and honest reporting culture in the NHS.](#)