

Human Resources Policies and Procedures

RAISING A MATTER OF CONCERN (Whistleblowing)

UCD/HRO/Raising a Matter of Concern/021

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CONTENTS PAGE

POLICY	PAGE
1. Purpose and Policy Statement	3
2. Introduction	3
3. Scope	3
4. Our Assurances to You	3
4.1 Your Safety	3
4.2 Your Confidence	3
5. How We Will Handle the Matter	4
6. Procedure	4
6.1 Step One	4
6.2 Step Two	4
6.3 Step Three	4
7. Responsibilities	4
8. Independent Advice	5
9. External Contacts	6
10. Implementation	6
11. Monitoring Compliance	6
12. If you are Dissatisfied	6
13. Review	6
14. Anti-Fraud, Bribery & Corruption	6

RAISING A MATTER OF CONCERN (Whistleblowing)

1. Purpose and Policy Statement

NHSBT recognises that all of us at one time or another have concerns about what is happening at work. Usually these concerns are easily resolved. However when the concern feels serious because it is about a possible danger, professional misconduct, unlawful conduct, financial malpractice that might affect patients, donors, colleagues or NHSBT itself, it can be difficult to know what to do.

The purpose of the Raising a Matter of Concern (Whistleblowing) Policy and procedure is to enable and support staff to raise any concerns about any such malpractice.

2. Introduction

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling that 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, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

NHSBT is committed to running the organisation in the best possible way and has introduced this policy to enable you to raise your concerns about such malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof. This would be in the best interests of donors, patients and staff in the long term.

If something is troubling you which you think we should know about or look into, please use this procedure. If, however you are aggrieved about your personal position, use the Grievance or Dignity at Work procedure. This policy is primarily for concerns where the interests of others or of the organisation itself are at risk. However, if in doubt – raise it!

If your concern is about fraud and corruption, you should also contact the NHSBT Counter Fraud Specialist whose contact details are at the end of this policy.

3. Scope

This procedure applies to all Staff employed by NHSBT and includes volunteers, agency workers, third parties, temporary staff and trainees.

4. Our Assurances to You

4.1 Your safety

The Board and Chief Executive and 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 reprisal or victimisation). Provided you are acting in good faith, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

4.2 Your confidence

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent, unless required by law. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance, because your evidence is needed in court), we will discuss with you whether and how we can proceed. Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. It may also be

more difficult for us to provide the assurances we offer in the same way if you report a concern anonymously.

5. How We Will Handle the Matter

Once you have told us your concern, we will look into it to assess initially what action should be taken. This may involve an informal review or a formal investigation. We will tell you who is handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request, we will write to you summarising your concern and setting out how we propose to handle it, with a timeframe for feedback. If we have misunderstood the concern, or there is any information missing, you should let us know.

When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within the Grievance Policy or Harassment Policy, we will tell you.

While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

6. PROCEDURE

Step One

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

Step two

6.2 If, for whatever reason, you feel unable to raise the matter with your line manager, or you are dissatisfied about how it has been handled, then the concern may be raised with the Director of Workforce in confidence without going through the normal management structure. You should write to or e-mail:

Katherine Robinson, Director of Workforce, Coxford Road, Southampton SO16 5AF who 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.

Katherine.Robinson@nhsbt.nhs.uk

Alternatively, you can e-mail our dedicated e-mail address at:

Raising a matter of concern@nhsbt.nhs.uk

or

WHISTLE@nhsbt.nhs.uk

Step Three

6.3 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, then the concern should be raised with one of our lay Non Executive Directors (NEDs). Mr Charles St John

has been nominated to fulfil this role in respect of this policy and he can be contacted confidentially via the dedicated e-mail address at:

Whistleblowing to a NED@nhsbt.nhs.uk

or

Raising a matter of concern to a NED@nhsbt.nhs.uk

He will treat the information you give him confidentially and will not reveal your identity without your agreement.

What to do if you are concerned about the welfare or safety of a child or adult

If, in the course of your work with NHSBT, you have grounds for concern about the safety or well being of a person involved with the organisation then MPD 961 "Safeguarding Adults and Children" provides advice on how to respond.

7. Responsibilities

It is the responsibility of the Line manager, Director of Workforce or Non-Executive Director with whom the matter is raised with to address the concern in line with this policy.

8. Independent Advice

If you are unsure whether to use this procedure or you want independent advice at any stage you may contact:

- Your Trade Union or Professional Association
- The independent charity Public Concern at Work. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

Public Concern at Work
Suite 301
16 Baldwin's Gardens
London
EC1N 7RJ
Telephone 020 7404 6609
Fax 020 7404 6576
UK enquiries: whistle@pcaw.co.uk
UK helpline: helpline@pcaw.co.uk
UK services: services@pcaw.co.uk

- Medicines and Healthcare products Regulatory Agency (MHRA)

151 Buckingham Palace Road
Victoria
London
SW1W 9SZ
Tel: 020 3080 6000
Fax: 0203 118 9803
Email: info@mhra.gsi.gov.uk

Human Tissue Authority (HTA)

151 Buckingham Palace Road
Victoria
London
SW1W 9SZ
Tel: 020 7269 1900
Email: enquiries@hta.gov.uk

The Department of Health is funding a whistleblowing helpline for the NHS and social care. The phone number is: 08000 724 725

The helpline provides:

- Free confidential advice to NHS and social care staff that witness wrong doing and are unsure whether or how to raise their concern
- Advice and support to managers or those responsible for matters of policy development and best practice within the health and social care market
- Assistance with developing and embedding whistleblowing procedures
- Assistance with whistleblowing policy review and development
- Advice on how to respond to whistleblowing concerns that have been raised.

9. External Contacts

While we hope this policy gives you the reassurance you need to raise such matters internally, we recognise that there may be circumstances where you can properly report matters to outside bodies, such as regulators or the police. Public Concern at Work, your Trade Union or your Professional Association will be able to advise you on such an option and on the circumstances in which you may be able to contact an outside body safely.

10. Implementation

This policy is available on the NHSBT Intranet and available on request from your Line manager or the HR Direct.

11. Monitoring Compliance

Compliance and effective implementation of this policy will be monitored by the Governance and Audit Committee and the Staff Partnership Committee.

12. If you are Dissatisfied

If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this policy. While we cannot guarantee that we will respond to all matters in the way that you may wish, we will try to handle the matter fairly and properly. By using this policy, you will help us to achieve this.

13. Review

The Policy will be subject to review by the Policy Sub Group.

14. Anti Fraud, Bribery and Corruption

For issues related to fraud, bribery or corruption, refer to the Anti Fraud, Bribery and Corruption Policy.