

group policies and procedures

# whistleblowing policy

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| Category | HR & Corporate Governance |
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**Related policies and guidance**

1.

**Document revision and approval history**

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#  1 introduction

Castleman Healthcare Ltd helps protect the rights of its patients by providing a means for its employees to report any suspected malpractice, failure or malfunction at the Federation that could potentially endanger, or put at-risk, patients who use its services.

The means for the above procedure is provided through The Public Disclosure Act 1998; often referred to as the ‘Whistleblowing Act’. This Act provides protection for workers from being subjected to any detriment by their employer, and protection against victimisation and dismissal.

Castleman Healthcare Ltd is committed to effectively and promptly dealing with any malpractice, failure or malfunction that occurs and has numerous policies, procedures and systems in-place to help prevent such occurrences.

Castleman Healthcare Ltd follows the guidelines suggested in the revised version of the GMC document “Raising and acting on concerns about patient safety”, effective 12 March 2012, a copy of which can be downloaded from the GMC website.[[1]](#footnote-1)

Castleman Healthcare Ltd will not tolerate victimisation, harassment or detriment to any worker who has exercised their right and raised a concern under the Act.

Castleman Healthcare Ltd will ensure that all concerns raised are taken seriously and are fully investigated.

# Detriment

Castleman Healthcare Ltd recognises a detriment as any one of the following:

1. A restriction or a denial of promotion
2. Facilities
3. Training opportunities, or
4. Opportunities which may have been offered if a disclosure had not been made.

# Concerns

A malpractice, failure or malfunction which is believed to be currently occurring, has previously happened, or is likely to happen in the future will not be tolerated by this Castleman Healthcare Ltd and includes such events as:

1. Any criminal offence;
2. Any breach of a legal obligation;
3. A miscarriage of justice;
4. Endangering the health or safety of any worker or patient;
5. Damage to the environment, or;
6. Any deliberate cover-up of information in relation to any of the above.

# Confidentiality

Castleman Healthcare Ltd will maintain complete confidentiality when any concerns are raised using the internal ‘Whistleblowing’ procedure.

# Applicability

The ‘Whistleblowing’ policy and procedure applies to the following groups of workers:

1. Employees under regular contracts of employment
2. Locums and other NHS contracted workers
3. Contractors providing services
4. Temporary or day workers
5. Trainees on vocational and work experience schemes.

# Procedure for rasing a concern

The following procedure must be adopted when raising a concern:

If you wish to raise a malpractice, failure or malfunction which you believe to be currently occurring, has previously happened, or is likely to happen in the future, you must inform the Castleman Healthcare Ltd Board and the Director with responsibility for corporate governance Dr Dominic Hennessy (in writing) of your concern:

1. If the above person is the subject of the concern you should inform (in writing) the Chair of Castleman Healthcare Ltd of your concern.
2. You should fully explain the nature and extent of your concern.
3. Your concern will be investigated fully and promptly and you will be advised of the progress by Dr Dominic Hennessy.
4. On conclusion you will receive a written response to your concern detailing the outcome of the investigation.

If you are not satisfied with the investigation or the outcome of the investigation, then you have the right to notify the appropriate prescribed person as below:

**The Dorset Clinical Commissioning Group:**

Patient Safety & Risk team advice

Tel: 01202 541915 OR

Canford House, Discovery Court Business Centre, 551-553 Wallisdown Road, Poole Dorset BH12 5AG

Tel: 01202 54140 Fax: 01202 541402

**Care Quality Commission (CQC)**

03000 61 61 61 - Email - enquiries@cqc.org.uk, or use their online form

**Public Concern at Work** http://www.pcaw.org.uk/

1. Whistleblowing Advice Line: 020 7404 6609
2. General enquiries: 020 3117 2520
3. Fax 020 74038823
4. Email: UK advice line: whistle@pcaw.org.uk
5. Media enquiries: press@pcaw.org.uk
6. UK services: services@pcaw.org.uk
7. Address - 3rd Floor, Bank Chambers, 6 - 10 Borough High Street, London SE1 9QQ

If we conclude that you have made false allegations, whether in relation to raising a concern maliciously, in bad faith or with a view to personal gain, then you will be subject to disciplinary action.

We have put this policy in place to allow you to raise concerns internally with the assurance that this will be dealt with adequately. We feel that this should mean that you will not need to make a disclosure externally.

The law recognises that in some instances external disclosures, to a regulator for example, will be required. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, public concern at work, operates a confidential helpline (0207 404 6609). They also have a list of prescribed regulators for reporting certain types of concern.

# RAISING A CONCERN WITH A REGULATOR

If the employers are registered with a regulatory body, such as the General Medical Council (GMC) or the Care Quality Commission (CQC), then you may wish to contact them to investigate the issue in circumstances where:

1. You feel that the responsible person or local body is part of the problem you wish to report
2. Concerns have been raised through local channels but not satisfied that adequate action has been taken by the responsible person/body
3. You feel there is an immediate and serious risk to patients and a regulator (or a similar external body) has the responsibility to act or intervene.

# RESOURCES

1. **Whistleblowing**: Quick Guide to Raising a concern with CQC

**2. Regulatory and investigatory bodies**

1. General Chiropractic Council - Website: www.gcc-uk.org ; Phone: 020 7713 5155
2. General Dental Council - Website: www.gdc-uk.org ; Phone: 020 7887 3800
3. General Medical Council - Website: www.gmc-uk.org ; Phone: 0161 923 6602
4. General Pharmaceutical Council - Website: www.pharmacyregulation.org
5. Phone: 020 3365 3400
6. Pharmaceutical Society of Northern Ireland - Website: www.psni.org.uk ; Phone: 028 9032 6927
7. Health Professions Council - Website: www.hpc-uk.org ; Phone: 020 7582 0866
8. Nursing and Midwifery Council - Website: www.nmc-uk.org ; Phone: 020 7637 7181

3. Other regulatory and investigatory bodies

1. Care Quality Commission - Website: www.cqc.org.uk ; Phone: 03000 616161
2. Monitor - Website: www.monitor-nhsft.gov.uk ; Phone: 020 7340 2400
3. National Patient Safety Agency - Website: www.npsa.nhs.uk ; Phone: 020 7927 9500

**4. Northern Ireland**

1. Regulation and Quality Improvement Authority in Northern Ireland [www.rqia.org.uk](http://www.rqia.org.uk) Phone: 028 9051 7500

**5. Scotland**

1. The Care Inspectorate www.scswis.com ; Phone: 0845 600 9527
2. Healthcare Improvement Scotland [www.healthcareimprovementscotland.org](http://www.healthcareimprovementscotland.org) Phone: 0131 623 4300

6. **Wales**

1. Healthcare Inspectorate Wales [www.hiw.org.uk](http://www.hiw.org.uk) Phone: 029 2092 8850
1. http://www.gmc-uk.org/guidance/ethical\_guidance/raising\_concerns.asp [↑](#footnote-ref-1)