

1. Policy Statement

NHSBT is a learning organisation and aims to provide a psychologically safe environment for all colleagues. Concerns should be raised, listened to and taken seriously.

This policy enables and supports you to raise these concerns and applies to all employees; volunteers, agency workers, and third parties.

This policy has been reviewed as part of the recommendations of the review by Sir Robert Francis into Whistle blowing in the NHS, aimed at improving the experience of Whistle blowing in the NHS.

We welcome speaking up and we will listen. By speaking up at work you will be playing a vital role in helping us to keep improving our services for all patients and the working environment for our staff.

This policy is for all our colleagues. The [NHS People Promise](#) commits to ensuring that “we each have a voice that counts, that we all feel safe and confident to speak up, and take the time to really listen to understand the hopes and fears that lie behind the words”.

We want to hear about any concerns you have, whichever part of the organisation you work in. We know some groups in our workforce feel they are seldom heard or are reluctant to speak up. You could be an agency worker, bank worker, locum or student. We also know that workers with disabilities, or from a minority ethnic background or the LGBTQ+ community do not always feel able to speak up.

This policy is for all colleagues and we want to hear all our colleagues’ concerns.

Colleagues must complete the [online training](#) on speaking up. The online module on listening up is specifically for managers to complete and the module on following up is for senior leaders to complete.

You can find out more about what Freedom to Speak Up (FTSU) on the Link pages

What concerns can I raise?

You can speak up about anything that gets in the way of patient or donor care or affects your working life. That could be something which doesn't feel right to you: for example, a way of working or a process that isn't being followed; you feel you are being discriminated against; or you feel the behaviours of others is affecting your wellbeing, or that of your colleagues or patients.

Speaking up is about all of these things.

Speaking up, therefore, captures a range of issues, some of which may be appropriate for other existing processes (for example, HR or patient safety/quality). That's fine. As an organisation, we will listen and work with you to identify the most appropriate way of responding to the issue you raise.

Feeling Safe and Confident to raise your concern

Your speaking up to us is a gift because it helps us identify opportunities for improve- meant that we might not otherwise know about. If in doubt, raise your concern and do not wait for proof. If you raise a genuine concern, you will not be at risk of losing your job or suffering any detriment (such as reprisal or victimisation). It does not matter if you turn out to be mistaken. We will not tolerate the harassment or victimisation of anyone raising a genuine issue. However, we recognise that you may want to raise it in confidence. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent, unless required by law.

2. The Process

How to Raise your Concern

Speaking up internally

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. We strive for a culture where that is normal, everyday practice and encourage you to explore this option – it may well be the easiest and simplest way of resolving matters.

However, you have other options in terms of who you can speak up to. There is no prescribed step-by-step pathway for raising concerns as each concern and individual situation varies.

- As a guide, if **your manager** is the person with the ability to resolve your concern, then you should talk to them first, or to their manager. If you are unable to do this, or if you find they are not willing to listen, you can seek advice and support from your union rep and/or HR Direct.

Other routes to speaking up

- Ask to talk to a Senior manager or director with responsibility for the subject matter you are speaking up about.
- Our HR team - HR Direct can be contacted as follows: Phone 0117 3227700 E-mail hrdirect@nhsbt.nhs.uk online: via peoplefirst.nhsbt.nhs.uk
- Recognised Trade Unions (local representative or branch or your Union directly)
- Health, Safety and Wellbeing team
- Quality (QA Direct)
- The patient safety team or clinical governance team (where concerns relate to patient safety or wider quality) clinicalgovernance.odt@nhsbt.nhs.uk
- Our Freedom to Speak Up Guardians (speak.up@nhsbt.nhs.uk) can support you to speak up if you feel unable to do so by other routes. The guardians will ensure that people who speak up are thanked for doing so, that the issues they raise are responded to, and that the person speaking up receives feedback on the actions taken. You can speak up about anything that gets in the way of patient care, or that affects your working life. That could be something which doesn't feel right, for example a way of working or a process which isn't being followed, or behaviours of others which you feel is having an impact on the well-being of you, the people you work with, or patients. You can find out more about the guardian role <https://nationalguardian.org.uk/>

• Local counter fraud team (where concerns relate to fraud) NHS Fraud and Corruption - 0800 028 40 60
Lines are open 8 am to 6 pm Monday to Friday. Calls are treated confidentially. Contact NHSBT Local Counter Fraud Specialist -0113 8205937

Where you have any particular concerns about colleagues, including management, such as harassment, bullying, perceived discrimination etc, including a particularly serious matter such as:

- Poor treatment of a group of NHSBT colleagues for instances of e.g. bullying, harassment or victimisation.

You can contact your manager or their manager, HR, your union rep, as well as the Health, Safety and wellbeing team.

If you believe a whole team or service is being impacted by negative behaviours and/or values, you can raise this with the FTSU Guardians.

If you are a member of a professional body e.g. Doctor, Biomedical Scientist, Nurse etc. you may have a professional duty to report a concern in line with your professional Code of Conduct.

If your issue concerns Safeguarding, see the Safeguarding pages on People First.

If your concern is about **your** employment that affects only **you**, refer to the Grievance Policy and/or the Dignity at Work Policy. If you are not sure about which policy can help you with your particular situation or you need advice on how to proceed, contact HR Direct.

Whistleblowing

For particularly serious matters such as:

- Unsafe patient/donor care
- Unsafe working conditions
- Lack of or poor response to a reported donor/patient safety incident
- Suspicions of fraud

You can raise your concern in confidence to our Whistleblowing emails addresses which will be overseen by a Non-Executive and Executive Director:

SpeakUp.toHR@nhsbt.nhs.uk

SpeakUp.toaNED@nhsbt.nhs.uk

Alternatively, you can contact the Whistle-blowing service on 0844 892 4413.

If you still have concerns

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 independent outside bodies, such as:

- Your recognised [Trade Union](#) or Professional Association
- The independent charity Protect – www.protect-advice.org.uk

Care Quality Commission (CQC) for quality and safety concerns about the services it regulates – you can find out more about how the CQC handles concerns

https://www.cqc.org.uk/sites/default/files/20200420_Whistleblowing_quick_guide_final_update.pdf

- Medicines and Healthcare Products Regulatory Agency (MHRA)
www.gov.uk/government/organisations/medicines-and-healthcare-products-regulatory-agency

- Human Tissue Authority (HTA) www.hta.gov.uk
- The Department of Health helpline 0800 0724 725 provides:
 - ✓ Free confidential advice to NHS/social care employees that witness wrong doing and are unsure whether or how to raise their concern
 - ✓ Advice and support to managers or those responsible for policy development and best practice
- Advice on how to respond to whistle blowing concerns that have been raised.
- NHSBT Local Counter Fraud Specialist – 07471 14 8010
- NHS Counter Fraud Authority - 0800 028 40 60

Further information is available at: <https://nationalguardian.org.uk/>

What we will do

The matter you are speaking up about may be best considered under a specific existing policy/process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you. If you speak up about something that does not fall into an HR or patient safety incident process, this policy ensures that the matter is still addressed.

Resolution and investigation

We support our managers/supervisors to listen to the issue you raise and take action to resolve it wherever possible. In most cases, it's important that this opportunity is fully explored, which may be with facilitated conversations and/or mediation.

Where an investigation is needed, this will be objective and conducted by a manager who is suitably independent (this might be someone outside your organisation or from a different part of the organisation) and trained in investigations. It will reach a conclusion within a reasonable timescale (which we will notify you of), and a report will be produced that identifies any issues to prevent problems recurring.

Any employment issues that have implications for you/your capability or conduct identified during the investigation will be considered separately.

Communicating with you

We will treat you with respect at all times and will thank you for speaking up. We will discuss the issues with you to ensure we understand exactly what you are worried about. If there is a decision to investigate, we will tell you how long the investigation is expected to take and agree with you how to keep you up to date with its progress. Wherever possible, the full investigation report will be shared with you (while respecting the confidentiality of others and recognising that some matters may be strictly confidential; as such it may be that even the outcome cannot be shared with you).

How we learn from your speaking up

We want speaking up to improve the services we provide for patients and the environment our staff work in. Where it identifies improvements that can be made, we will ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Review

We will seek feedback from colleagues about their experience of speaking up. We will review the effectiveness of this policy and our local process annually, with the outcome published and changes made as appropriate.

Senior leaders' oversight

Our most senior leaders will receive a report at least annually providing a thematic overview of speaking up by our staff to our FTSU guardian(s).

If a matter is raised about you

If somebody raises a concern that may involve you, you will be asked to participate openly and honestly in any initial fact-finding (informal) or formal investigation. If the person raising the concern does not wish their identity to be revealed, you must respect their decision. Should they be required to reveal their identity for example for legal reasons, full discussions will take place with that individual and with you to ensure confidentiality is maintained. If a complaint is made against you, we will ensure that you are treated with dignity and respect and ensure that you receive the necessary support.

Confidentiality

The most important aspect of your speaking up is the information you can provide, not your identity.

You have a choice about how you speak up:

- **Openly:** you are happy that the person you speak up to knows your identity and that they can share this with anyone else involved in responding.
- **Confidentially:** you are happy to reveal your identity to the person you choose to speak up to on the condition that they will not share this without your consent.
- **Anonymously:** you do not want to reveal your identity to anyone. This can make it difficult for others to ask you for further information about the matter and may make it more complicated to act to resolve the issue. It also means that you might not be able to access any extra support you need and receive any feedback on the outcome.

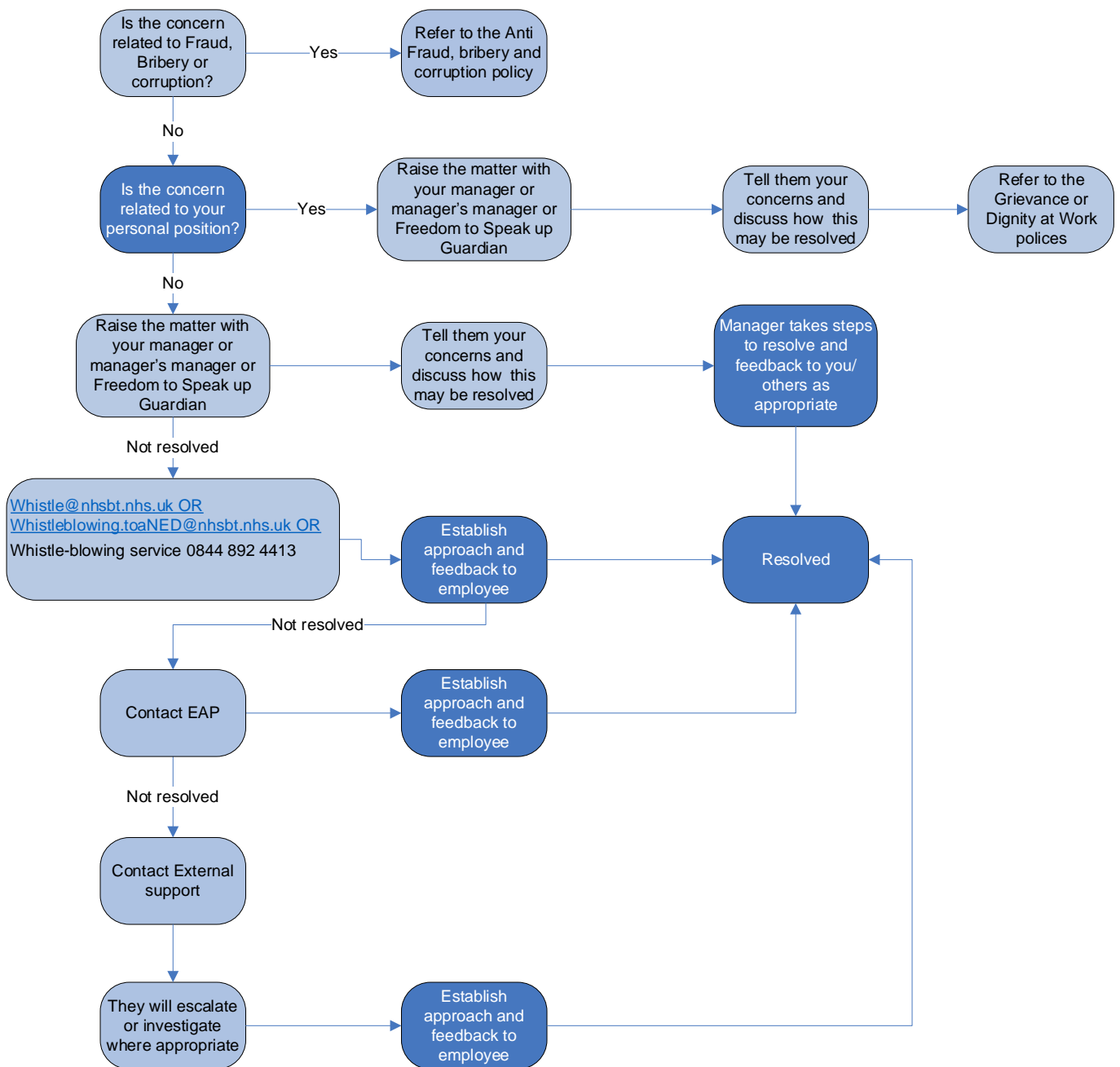
In all circumstances, please be ready to explain as fully as you can the information and circumstances that prompted you to speak up.

Employee Assistance

The Employee Assistance Programme is a telephone-based resource, offering you confidential information available 24 hours a day, 365 days a year. This service provides specialist information and counselling services including finance, emotional issues, and law, education, health, work and family matters. Although the telephone service is accessible by you and members of your family, face to face service are only available to you as our employee. The service does not provide counselling or advice to those under 16, however, they will be signposted to an appropriate service for their needs.

Telephone: 0800 716 017 or visit the website: www.employeecare.com. The code to enter in both password and access code boxes is 72992.

3. Flowchart



4. Policy Approval and Review

Policy version	UCD/People/Speak Up/009v2.0
Title	Speak Up (Whistleblowing) Policy
Approved by SPC	29 th April 2021
Equality Impact Assessment completed	18 th May 2021
Counter Fraud check	18 th May 2021
This document replaces	UCD/People/Whistle/009v1.2
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