

# Raising concerns

GPHC0022 V3

This policy sets out how to raise a concern at the GPhC



## Policy details

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<b>Policy author</b>	Matthew Hayday, Head of Governance		
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## Version control tracker

<b>Version</b>	<b>Approved date</b>	<b>Description of change</b>	<b>Amendments by</b>
2	06/12/2017	Names updated to reflect new structure	Helen Dalrymple, Council Secretary
3	25/09/2018	Appendix Flow Chart added  1.3 updated and 2.3 updated to reference PIDA	Laura McClintock, Chief of Staff

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## 1. Introduction and purpose

- 1.1. All of us at one time or another has a concern about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it is about a possible fraud, health and safety, or malpractice that might affect others or the organisation itself, it can be difficult to know what to do.
- 1.2. You may be worried about raising such a concern and may think it best to keep it to yourself, perhaps feeling it's none of your business or that it's 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.
- 1.3. The Council and Chief Executive are committed to running the organisation in the best way possible and to do so we need your help. We have introduced this policy to reassure you that it is safe, acceptable and encouraged to speak up and to enable you to raise any concern you may have about malpractice 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.

**If in doubt - raise it!**

## 2. Scope

- 2.1. This policy applies to all those who work for us; GPhC Council members, staff, associates and partners whether full-time or part-time, employed through an agency or as a volunteer. If you have a whistleblowing concern, please let us know.
- 2.2. If something is troubling you which you think we should know about or look into, please use this policy. If, however, you wish to make a complaint about your employment or how you have been treated, please use the grievance procedure which can be found in the staff handbook. This Whistleblowing Policy is primarily for concerns where the public interest is at risk, which includes a risk to the wider public, staff or the organisation itself.
- 2.3. The Public Interest Disclosure Act 1998 (PIDA) protects workers in certain circumstances who are raising a concern to their employer or a relevant organisation about wrongdoing. Qualifying disclosures are disclosures where the worker reasonably believes that one or more of the following matters is either happening, has taken place or is likely to happen in the future.

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- i. A criminal offence
  - ii. The breach of a legal obligation
  - iii. A miscarriage of justice
  - iv. A danger to the health and safety of an individual
  - v. Damage to the environment
  - vi. A deliberate attempt to conceal any of the above

### 3. Our assurances to you

#### 3.1. **Your safety**

- i. The Council and Chief Executive are committed to this policy. Provided you are raising a genuine concern, 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.
- ii. 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 genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern.

#### 3.2. **Your confidence**

- i. 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 confidentially 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.
- ii. Please remember that if you do not tell us who you are (and therefore you are raising a concern anonymously) 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.

## 4. How to raise a concern internally

- 4.1. Please remember that you do not need to have firm evidence of malpractice 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.
- 4.2. **Step one:** If you have a concern about malpractice, we hope you will feel able to raise it first with the person who carries out your performance review. This may be done verbally or in writing.
- 4.3. **Step two:** If you feel unable to raise this matter with your manager, for whatever reason, please raise the matter with:

Director of Insight, Intelligence and Inspection	Claire Bryce-Smith	
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- 4.4. These people have been given special responsibility and training in dealing with whistleblowing concerns.
- 4.5. If you want to raise the matter confidentially, please say so at the outset so that appropriate arrangements can be made.
- 4.6. **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 (this may be the point at which Council members raise a concern given their position within the organisation):

Chief Executive & Registrar	Duncan Rudkin	
Chair of the Council	Nigel Clarke	
Chair of the Audit & Risk Committee	Digby Emson	
Chair of the Remuneration Committee	Elizabeth Mailey	

Chair of the Finance and Planning Committee	Mark Hammond	
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- 4.7. The chair of audit and risk committee and chair of remuneration committee are both members of Council. They and the other committee members have responsibility for reviewing some areas of the work within the GPhC and reporting back to the Council. As a result the chairs have a broad understanding of the organisation and have the independence to act on concerns they receive in the same way the Chief Executive and Registrar or Chair of Council would.

## 5. How we will handle the matter

- 5.1. We will acknowledge receipt of your concern within two working days. 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 timetable for feedback. If we have misunderstood the concern or there is any information missing please let us know.
- 5.2. 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.
- 5.3. 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.
- 5.4. 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.
- 5.5. If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern please contact:

Head of Human Resources	Carol Anderson	
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## 6. Independent advice

- 6.1. If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact the independent charity Public Concern at Work on 020 3117 2520 or by email at [helpline@pcaw.org.uk](mailto:helpline@pcaw.org.uk). Their expert staff can talk you through your options and help you raise a concern about malpractice at work.

## 7. External contacts

- 7.1. Staff, Council members and associates are encouraged to raise, and attempt to resolve concerns internally. It is nevertheless recognised that there could be circumstances in which it was appropriate to raise a concern externally. In fact, we would rather you raised a matter with the appropriate regulator – such as the Professional Standards Authority, Health and Safety Executive, the National Audit Office or your MP- than not at all. The Professional Standards Authority is responsible for overseeing the UK's nine health and care professional regulatory bodies including the GPhC. They do not have any legal powers which would allow them to investigate complaints but they do have a policy on how they would respond to a whistleblowing concern raised with them. This can be found on their website <http://www.professionalstandards.org.uk>
- 7.2. Public Concern at Work will be able to advise you on using an external contact if you wish.

## 8. Monitoring/oversight

- 8.1. The Council is responsible for this policy and will review it every two years, or in line with relevant changes to legislation or guidance. Audit and Risk Committee will review the effectiveness of the policy. From time to time Public Concern at Work will be asked to ensure that the policy remains in line with best practice. 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.



## Annex 1: How to raise concerns

### The raising concerns & whistleblowing process

- a) The raising concerns and whistleblowing process has been introduced to reassure you that it is safe, acceptable and encouraged to speak up and enable you to raise any concern you may have about malpractice throughout the organisation.
- b) We want to process your concerns correctly. If the concern is a complaint you have about your employment or how you have been treated at work then we would ask you to follow the grievance procedure located in the staff handbook or contact H.R. This policy is primarily for concerns which include a risk to the wider public, staff or the organisation itself.

### Our assurance to you

- c) The Council and Chief Executive are committed to this policy. Provided you are raising a genuine concern, it does not matter if you are mistaken. 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. We will not tolerate and will discipline anyone who attempts to harass or victimise anyone raising a genuine concern.
- d) If you want to raise the matter confidentially, please say so at the outset so that appropriate arrangements can be made.
- e) We will acknowledge receipt of your concern within two working days.
- f) We will assess it and consider what action may be appropriate. This may involve a formal 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 requested, we will write to you summarising your concern and setting out how we propose to handle it and provide a timetable for feedback. If we have misunderstood your concern or there is any information missing please let us know during this time.

## The raising concerns & whistleblowing process

### Step one

Verbally or in writing raise the concern with your immediate line manager or the person who conducts your performance review



### Step two

If you feel unable to raise the matter with your manager, for whatever reason, please raise the matter with the following staff:

Claire Bryce-Smith:

These people have been given special responsibility and training in dealing with whistleblowing concerns



### Step three

If these channels have been followed and you still have concerns, or if you feel the matter is so serious that you cannot discuss it with any of the above, please contact: (this may be the point Council Members raise a concern given their position within the organisation)

Chief Executive & Registrar	Duncan Rudkin
Chair of the Council	Nigel Clarke
Chair of the Audit & Risk Committee	Digby Emson
Chair of the Remuneration Committee	Elizabeth Mailey
Chair of the Finance and Planning Committee	Mark Hammond

### Independent advice and external contacts

If you are unsure whether to use this policy or you want confidential advice at any time you may contact the independent charity Public Concern At Work – 0203 117 2520 or by email at [helpline@pcaw.org.uk](mailto:helpline@pcaw.org.uk)



