

Policy No: 03-1103	Authorised: Robbie Steeles	Date: 01/06/2020 Review:01/06/2021
WHISTLE-BLOWING POLICY		

This Policy will detail the procedures to be followed where an alleged matter of serious concern perpetrated by a member of staff has been observed and reported. This is known as "whistle-blowing".

1. It is the policy at Secure Healthcare Solutions to encourage the reporting to management of all matters of serious concern involving a member of staff, and for persons to feel that they can do so freely and without fear of reprisals or intimidation. It is important that matters of serious concern are clearly distinguished from those judged to be employment grievances. Matters of serious concern will include, but may not be limited to, the following:
 - Professional malpractice.
 - Abuse of a service user.
 - Criminal activities (theft / embezzlement / assault, etc.)
2. Persons reporting such incidents can include the following:
 - Fellow staff members (peers).
 - Service users.
 - Family / relatives / friends of a service user.
 - Professional person acting on behalf of a service user (advocate / minister of religion, etc.).
3. This policy will focus upon instances where the person making the allegation is a staff member. In this respect staff training programmes will identify the following options available for reporting a matter of serious concern:
 - 3.1 The avenues that are open and available for raising concerns, including those outside of direct line management. This will include reporting the matter directly to the Regulatory Authorities (see clauses 10 and 11 of this policy relevant to information being disclosed in the Public Interest).
 - 3.2 Where, and how to get confidential advice from an independent body, including the *Public Concern at Work* "hotline".
4. Where an incident of serious concern is alleged the person making the allegation must report this directly to the Domiciliary Care Services Manager. He / she will be assured that appropriate enquiries will be made to establish the nature / reality of the incident, and that such enquiries will be carried out discreetly and in confidence. Wherever possible, the identity of the person reporting the incident will be kept anonymous.
5. Where preliminary enquiries show that further investigations need to be made, then the Domiciliary Care Services Manager will inform the staff member against whom the allegations have been made.
6. Where the alleged offence is of a serious nature, the following action will be taken:
 - 6.1 The staff member at the centre of the allegation will be suspended immediately on full pay pending the outcome of the investigation. The staff member will be informed of the necessity for this action and will be assured that, at this point, there is no inference of guilt.
 - 6.2 Where it is believed the staff member has committed an offence prescribed by relevant regulations, details will be reported to the *Disclosure and Barring Service (DBS)*, irrespective of whether disciplinary procedures are completed and whether or not the employee concerned is suspended from duty. The following Lists may be relevant, depending upon the type of Regulated Activity involved:
 - *Children's Barred List*
 - *Vulnerable Adults List*

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Refer to *Policy No 3717* in respect of special procedures to be followed for the Safeguarding of Vulnerable Adults.

- 6.3 Report the matter to the Police, as appropriate to circumstances.
7. A full investigation will be undertaken, interviewing all parties concerned in the allegation. This may include other staff and a service user's family, relatives and advocates as appropriate.
8. Following completion of the investigation:
- 8.1 If the allegations are justified the staff member concerned will be subject to the Disciplinary Procedure, as appropriate. Criminal charges may be brought by the Police or other parties, depending upon the circumstances.
- 8.2 If the allegations are not proven, the staff member will be restored to full duties.
9. Where the allegation is not proven, but has proven to be a malicious action on the part of the accusing party, then the accuser will be subject to appropriate disciplinary action per the Disciplinary Procedure. This may involve discretionary re deployment of the accuser's duties, or summary dismissal, as deemed appropriate.
10. It is appreciated that there may be circumstances under which a staff member may wish to report his / her concerns directly to the authorities. In such cases the mechanism exists for reporting directly to the Regulatory Authority. Since this may entail the sharing of confidential information, the Domiciliary Care Services Manager will ensure that staff and service users understand that confidential information may be shared with the Regulatory Authority.
11. In some instances the person raising the concern may feel at risk of being victimised, or dismissed by their employer, or may feel that their concerns are not being taken seriously (i.e. having already reported the matter to their employer but received an unsatisfactory response). In such cases provision exists under the *Public Interest Disclosure Act 1998* to protect a person raising concerns outside the workplace provided that:
- The disclosure is made in good faith, and is not malicious.
 - The disclosure is substantially true.
 - The disclosure has not been made for personal gain.
 - There is good reason to believe that they would be victimised.
 - There is good reason to believe that cover-up would occur, or that previous investigations were unsatisfactory.