

STAFF CONCERNS POLICY

Amendments			
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ASHFORD & ST PETER'S HOSPITALS NHS TRUST

STAFF CONCERNS POLICY

see also: **Grievance Policy**
 Equal Opportunities Policy
 Harassment Policy
 Handling Press Inquiries
 Fraud Policy

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1. INTRODUCTION

All of us at one time or another have concerns about what is happening at work. Usually these concerns are easily resolved, however, when they are about unlawful conduct, financial malpractice or dangers to the public or the environment particularly as they affect the welfare of patients, it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns 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 organization. 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.

Ashford & St Peter's Hospitals NHS Trust has introduced this procedure 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.

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, please use the Grievance Procedure - which you can get from your manager or Human Resources Advisor. This procedure is primarily for concerns where the interests of others or of the organization itself are at risk.

If in doubt - raise it!

2. OUR ASSURANCES TO YOU

i YOUR SAFETY

The Board and Chief Executive 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 form of retribution as a result. 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.

ii 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. 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.

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Accordingly, while we will consider anonymous reports, this policy is not appropriate for concerns raised anonymously.

3. HOW WE WILL HANDLE THE MATTER

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more 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.

When you raise the concern you may be asked 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 Procedure 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.

4. HOW TO RAISE A CONCERN INTERNALLY

i STEP ONE

If you have a concern about malpractice, we hope you will feel able to raise it first with your manager or professional head of service.. This may be done verbally or in writing.

ii STEP TWO

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

Director of Human Resources
Human Resources Department
Ashford & St Peter's Hospital

Please say if you want to raise the matter in confidence so that they can make appropriate arrangements.

iii 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:

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Chief Executive
Chief Executive
The Croft
St Peter's Hospital

Michael Bailey
Non Executive Director
The Croft
St Peter's Hospital

If appropriate you may raise the matter with the Secretary of State for Health. If your concern is about fraud and corruption, you can also contact the NHS Fraud Hotline number 08702 400 100.

5. INDEPENDENT ADVICE

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

- your union; *or*
- the independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

6. EXTERNAL CONTACTS

i. While we hope this policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter with the appropriate regulator than not at all. Provided you are acting in good faith and you have evidence to back up your concern, you can also contact:

- Member of Parliament
- Health Ombudsman
- Audit Commission
- Environment Agency
- Health and Safety Executive
- National Audit Office
- Serious Fraud Squad

ii. As a last resort, you may contemplate disclosing your concern to the media but if such action is entered into precipitately, with the attendant risk of undermining public confidence or breaching patient confidentiality this could result in disciplinary action. Any employee contemplating making a disclosure to the media is advised to ensure that they have adhered to all steps of this procedure.

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Staff acting in the capacity of Trade Union/Staff Association official, where they are speaking on behalf of their Union or Staff Association, may express views held by Union or Staff Association.

7. 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 might wish, we will try to handle the matter fairly and properly. By using this policy, you will help us to achieve this.

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