

Healthwatch East Sussex positional statement for stakeholders and health and care employees contacting their Healthwatch to blow the whistle

Healthwatch East Sussex (HWES) recognises that from time to time, employees of health and care providers might want to contact an independent organisation to speak out about concerns they may have in the workplace affecting patients and people receiving care.

This statement draws on practices of other agencies who employees might also contact to ensure a consistent approach is applied; patients and people receiving care are safe and individuals and organisations understand Healthwatch East Sussex's position.

To foster a healthy culture and improve efficiency, organisations (and Healthwatch East Sussex) should view whistle-blowers as an early warning system to let them address problems before they escalate. As the British Standards Institution's Whistleblowing Arrangements Code of Practice notes:

"... the main reason enlightened organisations implement whistleblowing arrangements is that they recognise that it makes good business sense. An organisation where the value of open whistle-blowing is recognised will be better able to:

- *deter wrongdoing;*
- *pick up potential problems early;*
- *enable critical information to get to the people who need to know and can address the issue;*
- *demonstrate to stakeholders, regulators and the courts that they are accountable and well managed;*
- *reduce the risk of anonymous and malicious leaks;*
- *minimise costs and compensation from accidents, investigations, litigation and regulatory inspections; and*
- *maintain and enhance its reputation."*

HWES will follow a process of checks and balances prior to taking an action it deems appropriate and proportional. HWES will follow the recommended course of action, to try to resolve any concern you have within your organisation first.

If you are an employee

You may have concerns about what is happening where you work. When the concern feels serious because it might affect patients or people receiving care, colleagues or your whole organisation, it can be difficult to know what to do.

Statements consulted and published by CQC and the British Standards Institution's Whistleblowing Arrangements Code of Practice

You may feel that raising the matter would be disloyal to colleagues, to managers or to your organisation. However, everyone working in health and social care has a duty to follow their professional code of conduct, and put patients and the people they care for first and protect their safety.

We [Healthwatch East Sussex] would always encourage you to try to resolve any concern you have within your organisation first. This is the recommended course of action. But if you feel unable to do this, or feel your voice is not being heard, you can speak to someone who is independent of your organisation.

If you see an unsafe practice, risk or wrongdoing, can you tackle it yourself, there and then? A firm, polite challenge is sometimes all that is needed.

Talk to your line manager about the problem if possible, or someone senior in the organisation such as the Speak Up Guardian.

Speak Up Guardian

It is recognised that some staff may find it easier to speak to a fellow colleague about issues. Ruth Agg is East Sussex Healthcare NHSTrust's Independent Speak Up Guardian to encourage and support staff to raise concerns and ensure that the voice of the front line is heard clearly at a senior level within the organisation.

The Speak Up Guardian has a clear remit from the Chief Executive and the Trust Board, to act freely and with complete autonomy from the management team as another route for issues of concern to be raised at the highest level. He/she will visit teams and services across the organisation and is interested in gathering feedback about how staff feel, if they feel listened to, and what might prevent staff from raising concerns.

You can contact Ruth Agg Speak Up Guardian on:

- Tel: 01323 417400 Ext 5778
- Mobile 07920 087059
- Email: ruthagg@nhs.net
- Email: esh-tr.speakupatESHT@nhs.net

If you do not feel able to raise your concern with your line manager, Speak Up Guardian or other management, consult your own organisation's whistleblowing policy, if there is one, and follow that.

If you have tried all these, or you do not feel able to raise your concern internally, you can raise your concern in confidence with the Care Quality Commission (CQC) or with your local Healthwatch.

Healthwatch East Sussex will follow the same process as outlined above and followed by CQC, however Healthwatch organisations has its own powers to refer matters directly to CQC and/or Healthwatch England (see embedded HWES escalation guidance)

Statements consulted and published by CQC and the British Standards Institution's Whistleblowing Arrangements Code of Practice

For **Southeast Coast Ambulance Service NHS Foundation Trust (SECamb)**, staff members can contact:

Emma Wadey emma.wadey@secamb.nhs.uk or
Sally Robinson Sally.Robinson@secamb.nhs.uk
Tel: Tel: 01622 740488

Can I give information anonymously or in confidence?

You can share your information anonymously with Healthwatch East Sussex (HWES) however, HWES supports the following statement published by CQC with regards to giving information anonymously or in confidence and cannot guarantee your anonymity if it is an exceptionally serious concern.

It is best to raise your concern openly with CQC, because that makes it easier for them to follow it up. CQC will not disclose your identity without your consent unless there are legal reasons that require us to do so. This might be, for example, where your information is about a child or vulnerable adult who is at risk, or where there is a possible criminal offence. If this is the case, CQC may have to tell the police or another official body, or if required to do so by a court. CQC will let you know if they have to do this and that this will identify you to another body.

You can if you wish give CQC information anonymously. However, note that they won't be able to contact you to discuss your concern or ask you for further information, and they won't be able to give you any feedback about any action they take.

If you do not wish to contact CQC directly we will listen to your concerns and make additional checks and balances before going wider with your disclosure. This may include contacting Quality Leads at local Clinical Commissioning Groups (CCG's), local safeguarding teams, adult social care and children's services or the police.

- whether it is an exceptionally serious concern
- whether the matter has already been raised
- whether there is good reason to believe that the individual will be subject to a detriment by his employer if the matter were raised internally or with the appropriate regulator; and
- whether disclosure was reasonable given all the circumstances

You may also choose to make wider disclosures (for example to an MP or the media). HWES would consider each case before contacting either of the examples given.

Statements consulted and published by CQC and the British Standards Institution's Whistleblowing Arrangements Code of Practice

Other agencies you may wish to consider:

Blowing the Whistle to a prescribed person

If you observe any dangerous, illegal or improper activity whilst undertaking activity on behalf of ESCV authorised by Healthwatch East Sussex*, you will be encouraged to follow the organisations process as described above.

If you decide to blow the whistle to a prescribed person rather than to the organisation that recruited you [East Sussex Community Voice] you must make sure that you have chosen the correct person or body for your issue.

More information on whistleblowing can be found on the GOV.UK website:
www.gov.uk/whistleblowing

The prescribed bodies or persons

Children's interest (about the views and interests of children in England)

Children's Commissioner

The Office of the Children's Commissioner, 33 Greycoat Street, London, SW1P 2QF Tel: 020 7783 8330 email: info.request@childrenscommissioner.gsi.gov.uk
website: www.childrenscommissioner.gov.uk

Healthcare

Care Quality Commission (about the provision of health care on the NHS or independent health care services)

CQC National Customer Service Centre, Citygate, Gallowgate, Newcastle upon Tyne, NE1 4PA Tel: 03000 616161 website: www.cqc.org.uk

The Independent Regulator of NHS Foundation Trusts (about the regulation and performance of NHS foundation trusts)

Monitor, 4 Matthew Parker Street, London, SW1H 9NP Tel: 020 7340 2400
email: enquiries@monitornhsft.gov.uk website: www.monitor.hsft.gov.uk

Social Care

Care Quality Commission (about social care services in England)

Care Quality Commission (CQC) National Customer Service Centre, Citygate, Gallowgate, Newcastle upon Tyne, NE1 4PA Tel: 03000 616161
Website: www.cqc.org.uk

Health and Care Professions Council (about social care workers in England)

Health and Care Professions Council, Park House, 184 Kennington Park Road, London, SE11 8BU Tel: 0845 300 6184 website: www.hpc-uk.org

Statements consulted and published by CQC and the British Standards Institution's Whistleblowing Arrangements Code of Practice

A full list of prescribed people and bodies can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf

Elizabeth Mackie
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Signed Director, East Sussex Community Voice



Print NameJohn Routledge

Signed Chair, East Sussex Community Voice



Print NameKeith Stevens.....

http://www.adviceguide.org.uk/england/healthcare_e/healthcare_nhs_and_adult_social_care_complaints/whistleblowing_-_how_a_staff_member_can_report_a_problem_in_the_nhs_or_an_adult_social_care_service.htm

Statements consulted and published by CQC and the British Standards Institution's Whistleblowing Arrangements Code of Practice

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