



## **Freedom to Speak Up (Whistleblowing) Policy**

### **For The Peaceful Pony CIC**

#### **Adapted From Freedom to Speak NHS policy**

#### **Purpose**

1.1. Individual workers working for The Peaceful Pony CIC (TPP) have a right and duty to raise matters of concern that they may have. The purpose of this policy is to enable any individual worker to raise concerns at the earliest opportunity and have access to the support they need.

1.2. This policy has been drawn up to assist and support workers on how to raise concerns and for the TPP to ensure that there is a procedure in place where issues can be addressed professionally and effectively.

1.3. The 'standard integrated policy' was one of several recommendations of the review of Sir Robert Francis into whistleblowing in the NHS, aimed at improving the experience of whistleblowing in the NHS. It is expected that this policy (produced by NHS Improvement and NHS England) will be adopted by all NHS organisations in England as a minimum standard to help normalise the raising of concerns for the benefit of all patients. **As a Health and well-being provider working very closely alongside the NHS, Education and Social Care providers, TPP will adopt this policy and procedure.**

1.4. TPP local processes have been integrated into this policy to provide more detail about how we investigate a concern. This policy must be read in conjunction with the Freedom to Speak Up: Raising Concerns (Whistleblowing) Policy for the NHS and found here - NHS Improvement Freedom to Speak Up Policy.

## **Principles**

2.1. TPP is committed to encouraging a culture of openness where workers can express their ideas and/or concerns as a meaningful contribution towards improving health services and the working environment of the workers.

2.2. This policy is guided by the Public Interest Disclosure Act 1998 legislation that gives significant statutory protection to workers who disclose information reasonably and responsibly in the public interest and who may be victimised as a result. The Act provides protection for workers who raise a legitimate concern about a specific matter known as a qualifying disclosure. This is made by a worker who suspects (list is not exhausted): Freedom to Speak Up (Whistleblowing) Policy Page 5 of 21

- A criminal offence has been committed, is being committed or is likely to be committed.
- A miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health or safety of any individual has been, is being or is likely to be endangered.
- Financial fraud and mismanagement.
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject to.
- Malpractice or ill treatment.
- That the environment has been is being or is likely to be damaged.

2.3. Any matters raised under this policy will be investigated thoroughly, promptly, and confidentially and the outcome of the investigation reported back to the worker who raised the issue. TPP will keep the workers identity confidential unless required to disclose by law.

2.4. No worker will be bullied or victimised for raising a matter under this procedure for raising a legitimate concern. Any such behaviour is a breach of the TPP values and behaviours and if upheld following investigation, may result in disciplinary action. This is on the basis that the worker has acted honestly, and it does not matter if the worker is mistaken or if there is an innocent explanation or the concerns raised.

2.5. If misconduct is discovered because of any investigation under this policy, the TPP'S Disciplinary Policy and Procedure will be invoked. Where it can be demonstrated that a Worker knowingly supplied false information when raising a concern; the TPP's Disciplinary Policy and Procedure will be invoked.

2.6. Confidentiality will be maintained in all aspects of this policy and records will be stored and processed in line with Data Protection legislation and the Common Law Duty of Confidence.

## **Responsibility**

3.1. Good working relations are vital for the TPP to operate successfully and provide services. There is a joint responsibility for management, Trade Unions, and employees to accept the responsibility of working together on issues in good faith and with the shared intention of facilitating good working relations.

### 3.2. Line Managers

- It is the responsibility of the line manager or other manager to ensure that they support all workers raising concerns, responding to and where necessary investigating the concerns raised at the appropriate steps set out within this policy.
- That this policy is brought to the attention of all workers within their area of responsibility including through the induction process of new starters.

### 3.3. Workers

- It is the responsibility of the worker to understand their responsibilities under this policy and their contractual and/or professional responsibilities.
- Raising a genuine concern at the earliest opportunity.
- Complying with any subsequent investigation to concerns raised under this policy.

### 3.4. Human Resources

- The key responsibilities for Human Resources are to provide advice and support on the application of this policy.

### 3.5. Trade Union/Staff Side Representatives

- It is the responsibility of the Trade Union and Staff Side representative to assist workers to raise concerns under this policy

Independent/Professional Advice Free independent and confidential advice can be obtained from the Whistleblowing helpline for NHS and Social Care on 08000 724 725.

For matters relating to concerns about fraud and corruption staff should contact Holly Lockwood-Waduge Director or the Committee if concerns regarding Director's of the organisation.

### **Scope**

4.1. This policy covers all workers in TPP and not just directly employed staff.

### **Equality Statement**

5.1. In applying this policy, TPP will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, carers and sexual orientation. A consistent Equality Impact Assessment is used for all policies and procedures.

### **Accountability**

6.1. The Director, Holly Lockwood-Waduge is accountable for this policy.

### **Implementation and Monitoring**

7.1. The Committee is responsible for the formal approval of this policy. Following approval, the policy will be disseminated to staff via internal communication methods and available through the staff GMAIL.

7.2. The policy and procedure will be reviewed periodically by the HR Team in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen sooner.

7.3. The Governing Body will be given high level information about all concerns raised by staff through this policy and what is being done to address the problems. Similar high-level information will also be included in the TPP annual reports. Freedom to Speak Up (Whistleblowing) Policy Page 8 of 21